

Expertise par excellence

KACHKIN & PARTNERS

attorneys at law



# 2001

the year we began working  
in the Russian market and  
in other countries  
worldwide

**25+** lawyers

**40+** staff

Expertise in >

**12+** legal  
fields

Projects  
implemented

in **70+**

cities across  
Russia

**20+** sectors

**>60%**

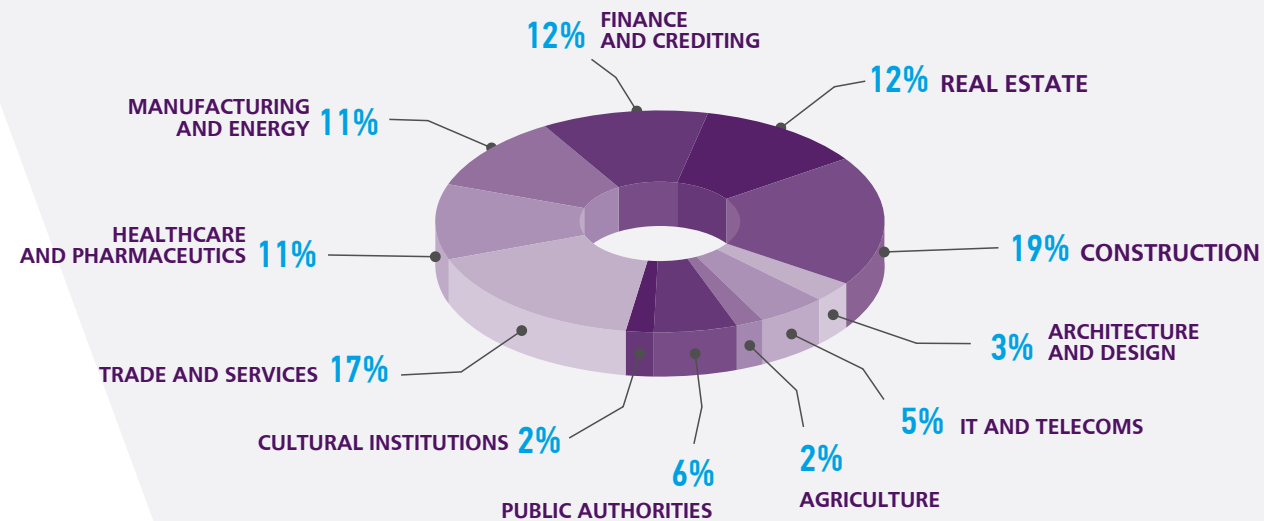
of our clients are  
large enterprises

**>75%**

of our clients are  
repeat customers



## Our clients



The legal expertise provided by Kachkin & Partners has repeatedly been ranked among the best in Russia in both Russian and international ratings:



Kachkin & Partners lawyers are:

- visiting professors at major universities in Moscow and St. Petersburg
- featured in the international publication **Doing Business** (The World Bank Group) and the international guide **Getting the Deal Through**
- the authors of our annual in-house publication, **The Legal Guide for Developers**

Kachkin & Partners is a proud member of the following associations:



Our team helps to organize the annual **Legal Run** charity event in St. Petersburg and offers **pro bono** support to various charitable organizations and cultural institutions

Depictions of trademarks (or service marks) are shown here solely for the purposes of confirming our cooperation with the companies specified, not with the aim of individualizing goods and/or services

KACHKIN & PARTNERS

# REAL ESTATE AND INVESTMENTS

- Legal due diligence on property holdings and immoveable assets
- Legal support for greenfield and brownfield projects
- Urban planning analysis of land plots, advising on complex development issues
- Advising on the status of cultural heritage sites and related conservation work
- Structuring transactions and registration of rights (titles) to land plots and real estate
- Drafting package contracts for design engineering, construction, and building management to FIDIC and other standards
- Representing clients' interests in the resolution of disputes involving real estate, design engineering, construction, reconstruction, and investment

## EXPERIENCE\*

- Title search and support for transactions involving the acquisition of gas stations in the Central Federal District in the interests of the Russian division of Shell Oil
- Legal due diligence on the rights to a 5-star hotel property complex in St. Petersburg for refinancing purposes
- Support for a transaction involving the acquisition of a production facility in Arkhangelsk Region in the interests of Bionet OJSC
- Support for transactions involving the acquisition of land plots in St. Petersburg and Moscow in the interests of Seven Suns Development for residential construction purposes with total investments of over RUB 40 billion
- Legal support for the acquisition by a major developer, Baltic Commerce, of a cultural heritage building in the historical center of St. Petersburg and its conversion for present-day use
- Legal support for the contractor in the construction of the Belaya Dacha Outlet shopping mall in Moscow
- Registration of title to a business center in the historical center of St. Petersburg for Adamant in a judicial proceeding
- Defending the interests of a foreign investor, Morgal Investments, at the Supreme Court of the Russian Federation and the St. Petersburg Municipal Court in disputes over integrated site development with planned investment of over RUB 110 billion

\*All project information disclosures approved by the respective clients





# PRIVATE-PUBLIC PARTNERSHIP (PPP) / INFRASTRUCTURE PROJECTS

---

- Comprehensive development of legislative frameworks for the introduction of PPP mechanisms and support for legislative initiatives
  - Advising public institutions on the development of regional PPP policy and the creation of an institutional framework for implementing PPP projects
  - Preparation of tender documentation and support for the contractor selection process
  - Legal assessment of project risks and preparation of recommendations on optimal ways of distributing them among project participants
  - Drafting of concession agreements and other contracts mediating the implementation of PPP projects (including construction, management, and financing agreements)
  - Advising on corporate and tax structuring, including SPV and syndicate operations
  - Advising on project financing and drafting documentation, including security instruments
- 

## EXPERIENCE

- Legal support for the winner of a tender for the right to conclude a concession agreement on the construction of a bypass in Khabarovsk with total investments of over RUB 47 billion at the tender, commercial, and financial closing stage
- Legal support for a concession agreement on the construction and operation of tram lines in St. Petersburg (Kolpino–Shushary–Slavyanka)
- Comprehensive support for concession projects involving the construction of hotels in the context of private initiative procedures
- Legal support for a project involving the construction and operation of railway-car ferries for the Ust-Luga–Baltiysk intermodal ferry crossing on the basis of a concession agreement
- Comprehensive support for a project involving the reconstruction and operation of the Leningrad Regional Medical Rehabilitation Center in Leningrad Region on the basis of a PPP
- Concept development for an innovative medical cluster in the Caucasian Mineral Waters region featuring the use of PPP mechanisms
- Support for a unique PPP project in the interests of one of the largest global pharmaceutical concerns
- Development of a draft federal law of the Russian Federation on private-public partnerships





# CHALLENGING ACTIONS AND ACTS OF STATE AND MUNICIPAL BODIES

- Challenging the regulations, actions, and decisions of state and municipal bodies in court
- Court representation at all instances, including the Russian Supreme Court, in administrative and arbitration proceedings and other cases
- Formulation and implementation of a litigation strategy for protecting the client's interests against risks associated with the actions of state bodies
- Evaluation of the legal prospects for challenging the actions and/or legal acts of state bodies and assessment of related legal risks

## EXPERIENCE

- Voiding certain provisions of the St. Petersburg law On Public Green Spaces in the interests of a major Russian developer
- Challenging the validity of the Nevsky Prospect Regulations approved by the St. Petersburg Urban Planning Committee
- Protecting the interests of one of the largest sand-quarry developers and voiding an order by the Leningrad Regional Cultural Committee approving the boundaries of a place of interest
- Voiding the unlawful rejection by the Property Relations Committee of the privatization of a detached building on Nevsky Prospect and compelling the sale of the building to the lessee
- Protection of a St. Petersburg Government resolution approving a site design and boundary-setting plan from a legal challenge
- Securing the repeal of a St. Petersburg law establishing unreasonable requirements for urban planning solutions in a judicial proceeding



# INTELLECTUAL PROPERTY / INFORMATION TECHNOLOGIES

- Acquisition/divestment of IP rights
- Services involving the protection of IP rights
- Legal registration and protection of IT innovations
- Legal services for franchising
- Protection of personal data and confidential information
- Legal protection of honor, dignity, and business reputation

## EXPERIENCE

- Defense of an architectural studio's rights to the design of a new stage for the Maly Drama Theatre (Theatre of Europe)
- Defense of the rights of a major IT company, BIA Technologies, to IP service elements
- Comprehensive legal support for the relations between SUBWAY's Russian division and the company's Russian franchisees
- Support for the franchising operations of Domino's Pizza, an international fast-food chain, in Russia
- Legal support for the Integrated Medical Portal online platform's use of telemedicine technologies
- In-court defense of software copyrights in a lawsuit brought by Kodeks
- Legal support for Explosivos Tecnologicos Argentinos, a major Argentinian company, in the conclusion of a licensing agreement on the provision of usage rights to a utility model
- Legal support for kudago.com, a major Russian online service, in the process of trademark registration
- Protection of the client's copyrights in a dispute with the rock band Splin



# DISPUTE RESOLUTION

We provide a full range of legal services to clients, covering pre-litigation dispute resolution and reconciliation as well as court hearings and arbitration proceedings in such fields as:

- Construction and architectural disputes
- Investment protection
- Corporate disputes
- Commercial disputes
- Real estate disputes
- Intellectual property disputes
- Tax disputes
- Labor disputes
- Support for bankruptcy procedures

Our team includes mediation and arbitration experts

## EXPERIENCE

- Support for a major commercial dispute in litigation according to the rules of the International Court of Arbitration at the International Chamber of Commerce in the interests of Omsk Carbon Black Factory
- Legal support for our client Pivnoy Ryad LLC in a dispute with Baltika Breweries LLC
- Protecting the client's interests against claims brought by the Federal Agency for State Property Management for a total of over RUB 1.4 billion
- Formulation of a litigation strategy for the contractor in the construction of a Courtyard by Marriott hotel
- Protecting the owner of Russia's largest Class A refrigerated warehouse in a dispute with the management company
- Representing the interests of Nasosenergomash Sumy Pump & Power Engineering Works PJSC in a lawsuit with Power Machines OJSC
- Legal representation at a number of court hearings dealing with property claims totaling over RUB 1 billion in the interests of a major industrial investment holding





# BANKRUPTCY

- Preparing opinions on legal risks according to bankruptcy laws for the conclusion of transactions involving the acquisition/divestment of assets
- Elaborating and supporting the execution of an action plan aimed at preventing a debtor's bankruptcy
- Preventing claims brought by unscrupulous parties (falsified accounts payable, etc.) from being included in creditors' register of claims
- Providing support for standalone disputes challenging the transactions of debtors, holding the controlling entities of debtors to subsidiary liability in bankruptcy cases
- Representing the interests of creditors and other stakeholders at creditor meetings and committees
- Liaising with law enforcement agencies in the criminal and/or administrative prosecution of persons who have committed offences during bankruptcy procedures

## EXPERIENCE

- Legal support in a dispute over the subsidiary liability of one of the former directors of Mostostroy No. 6 OJSC in the context of bankruptcy proceedings with total creditor claims of RUB 7 billion
- Reduction of indebtedness to unscrupulous parties in a bankruptcy case by a total of RUB 81 million in the interests of our client, Karat
- Legal support for one of Russia's largest producers of X-ray devices and medical equipment, part of ALROSA Group, with the aim of preventing bankruptcy procedures and ensuring the continuity of commercial operations
- Providing support for the bankruptcy procedures of an apartment-building developer, including comprehensive resolution of disputes with homeowners in the courts of general jurisdiction and prevention of the imposition of subsidiary liability on the controlling entities
- Comprehensive support for the bankruptcy procedures of a business holding specializing in commercial real estate transactions, including consideration of standalone disputes, for the purposes of challenging unlawfully withdrawn assets
- Supporting procedures aimed at imposing subsidiary liability on the controlling entities of the corporate owner of commercial real estate, including the prevention of asset withdrawal by beneficiaries, to ensure proper satisfaction of creditor claims

# COMMERCIAL PRACTICE

- Advising on doing business in the Russian Federation
- Conducting legal due diligence and tax audits
- Supporting and supervising foreign trade transactions (import/export operations)
- Supporting and supervising credit and leasing transactions
- Providing support for the drafting, approval, conclusion, and termination of economic contracts
- Debt restructuring (restructuring, minimization of legal and other risks, securing obligations)

## EXPERIENCE

- Legal structuring, support for the Russian launch of global brand Domino's Pizza, comprehensive support for Russian operations
- Comprehensive legal support for the Russian division of TI Automotive
- Comprehensive legal support for a foreign microfinancing organization in Russia
- Comprehensive support for the operations of the Russian division of SUBWAY
- Legal support for the day-to-day operations of a trading company, one of Russia's largest suppliers of office supplies
- Comprehensive legal support for a major engineering company implementing integrated power supply and automation projects in the domestic and foreign markets
- Legal support for the creation in the Russian Federation of a business engaged in the manufacture of explosives by the leading Argentinian company Explosivos Tecnológicos Argentinos





# CORPORATE / M&A

- Support for M&A transactions, drafting and reconciliation of relevant documentation containing transaction terms and their mediation, execution of the required procedures
- Creation of and support for the operations of joint ventures, SPVs, and syndicates
- Corporate business restructuring
- Protection of shareholder rights (monitoring compliance with corporate procedures, approval of transactions, dividend payment, representation, and other issues)
- Corporate governance
- Securities and capital markets
- Corporate disputes, disputes involving the protection of violated participant and shareholder rights
- Protection against hostile takeovers
- Creation, reorganization, and liquidation of commercial and non-commercial organizations

## EXPERIENCE

- Support for a transaction involving acquisition of the assets of two companies with a combined balance-sheet value of over RUB 3 billion
- Support for a transaction involving the acquisition of an LLC in New Moscow to kickstart regional expansion in the interests of one of the Northwest's largest developers for a total of RUB 3.5 billion
- Support for the reorganization of the Russian division of a major Danish agricultural holding, Idavang (Rurik A/S)
- Support for a transaction involving the acquisition by the Finnish trading company Monilaite-Thomeko Oy of a stake in a Russian firm
- Support for the creation of a mining JV in Kazakhstan
- Advising the client, a major agricultural holding, on the development of a corporate structure and intra-holding commodity monetary ties
- Reorganization of a large commercial and industrial holding consisting of 34 interrelated companies



# LABOR & EMPLOYMENT

---

- Drafting of labor contracts and internal company regulations
  - Legal due diligence on labor relations, evaluation of HR recordkeeping and assessment of existing or potential risks
  - Compensation and additional incentives, stock options for employees
  - Handling of relations with senior management
  - Handling of relations with foreign workers
  - Introduction of commercial secret practices
  - Occupational health and safety
  - Drafting and implementing provisions and procedures to protect employees' personal data
  - Registration of employers' rights to IP assets created by employees
  - In- and out-of-court settlement of labor disputes
- 

## EXPERIENCE

- Work for an international holding in the case of a financially responsible employee who committed grand theft
- Advising the Russian division of SUBWAY on labor law issues
- Protecting the interests of the client, a senior manager for a leading Russian developer, in a labor dispute with the employer
- Services involving the settlement of relations with dismissed employees in the interests of the Russian division of a major international engineering company
- Drafting of standard documents governing labor relations with different categories of employees for a major medical center
- Introduction of amendments to internal labor documents in order to limit the liability of the general director of a business entity, one of the key players in the Northwestern Federal District's agricultural sector
- Protecting the interests of a scientific research institute in a labor dispute with an employee



# TAX

- Advising on tax regulations
- Analyzing the tax implications of transactions
- Preparing correspondence with state authorities on the application of tax regulations
- Conducting tax due diligence, evaluating corporate tax planning, assessing existing or potential tax risks
- On-site and in-house audit support, representation in dealings with the tax authorities
- Handling of tax disputes
- Resolution of administrative disputes, appeals against administrative prosecution

## EXPERIENCE

- Formulation of recommendations on tax reduction and risk minimization for Smeshariki Group companies
- Legal representation in tax disputes claiming the illegality of tax prosecution and the unlawful taxation of a major foreign-trade company; 30 lawsuits won, with roughly RUB 1 billion awarded to our client in tax refunds from the Russian state budget
- Successful legal representation of the Russian division of Tebodin, a multinational engineering company, in a lawsuit seeking to recover tax overpayments from the state budget
- Successful out-of-court settlement of a tax dispute in the interests of our client, a major supplier of consumer electronics and household appliances
- Advising the client, a major Russian logistics company, on tax planning issues
- Advising ROSSA RAKENNE SPB LLC, the Russian subsidiary of the Finnish brand HONKA, on their choice of reorganization strategy, including assessment of corporate and tax risks

# CONTACTS

---



## **Denis KACHKIN**

Managing Partner,  
Head of Infrastructure and PPP Practice

- PPP/Infrastructure Projects
- Corporate/M&A

+7 812 602 0225 [denis.kachkin@kachkin.ru](mailto:denis.kachkin@kachkin.ru)

---



## **Dmitry NEKRESTYANOV**

PhD in Law, Partner,  
Head of Real Estate and Investments Practice

- Real Estate and Investments
- Challenging State Bodies' Actions
- Dispute Resolution

+7 812 602 0225 [dmitry.nekrestyanov@kachkin.ru](mailto:dmitry.nekrestyanov@kachkin.ru)

---



## **Kirill SASKOV**

Partner,  
Head of Corporate and Dispute Resolution Practice

- Dispute Resolution
- Bankruptcy
- Corporate/M&A
- Commercial Practice, Tax, Labor & Employment
- Intellectual Property/Information Technologies

+7 812 602 0225 [kirill.saskov@kachkin.ru](mailto:kirill.saskov@kachkin.ru)

---



[www.kachkin.com](http://www.kachkin.com)

Office 22, Business Centre "Orlov", Paradnaya str. 7, St.Petersburg, Russia 191014  
**phone:** +7 (812) 602 0225 **fax:** +7 (812) 602 0226 **e-mail:** [info@kachkin.ru](mailto:info@kachkin.ru)