



Litigation Finance 101

UT Law CLE

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IMF Bentham, Bentham IMF, ROLAND ProzessFinanz adopted the global name Omni Bridgeway in 2020.

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Your Presenters



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- Investment Manager, Legal Counsel
- Head of Omni's Houston Office
- Former attorney at Porter Hedges LLP, specializing in bankruptcy and complex commercial litigation



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- Investment Manager, Legal Counsel
- Former General Counsel at Atlas Operating LLC
- Former in-house counsel at Marathon Oil and BHP Group
- Former litigator at Baker Botts LLP and Smyser Kaplan & Veselka LLP

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Today's Program

- **Introduction to Litigation Funding**

- What it is
- Why it's useful
- How it works

- **Ethical Issues (or Non-Issues)**

- Champerty/Maintenance
- Usury
- Confidentiality
- Conflicts of Interest
- Fee Splitting

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Introduction to Litigation Funding

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What Is Litigation Funding?

- **A way for a plaintiff to:**
 - Fund some or all the fees/costs of a meritorious claim
 - Monetize some or all the value of a meritorious claim
- **A way for a law firm to:**
 - De-risk contingent fee arrangements
 - Secure working capital collateralized by future contingent fees

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What Is Litigation Funding?

- **Key features**
 - Non-recourse
 - Available at any stage of the claim
 - Customized financing terms
 - Available across subject areas
- **Litigation funding is *not*:**
 - Legal representation
 - A loan

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