

Litigation Finance 101

UT Law CLE

October 21, 2021

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

DISCLAIMER: Any deal structures, pricing, models, and terms provided herein are for illustration only, subject to change, and intended to give a general understanding of the way in which Omni Bridgeway may structure its transactions. Actual transactions and deal terms may vary based on the facts and circumstances of specific investments. Claimants and law firms may not rely on this introductory presentation; any specific funding deal will be governed solely by the terms agreed to and set forth in an executed contract.

1

Your Presenters



Amy Geise

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



Raj Duvvuri

- 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

2

2

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

3

3

Introduction to Litigation Funding

4

4

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

5

5

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

6

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Commercial Litigation Funding 101: The Nuts and Bolts for Every Lawyer

Also available as part of the eCourse

[Commercial Litigation Funding 101: The Nuts and Bolts for Every Lawyer](#)

First appeared as part of the conference materials for the
2021 Commercial Litigation Funding 101: The Nuts and Bolts for Every Lawyer session
"Commercial Litigation Funding 101: The Nuts and Bolts for Every Lawyer"