

Bird Marella Prevails in \$50 Million ICC Arbitration on Behalf of Emcore

Bird Marella attorneys Ekwan Rhow, Hernan Vera, and Paul Moskowitz successfully defended Emcore Corporation in an ICC arbitration involving the sale of one of its divisions to one of the largest Japanese conglomerates. In the arbitration, the Japanese conglomerate alleged that Emcore had committed fraud in the negotiations leading to the sale of the division and had caused damages in excess of \$50 million. Bird Marella defended Emcore during a two week arbitration before a three arbitrator ICC panel in San Francisco. The award issued by the panel rejected all of the claims alleged against Emcore and also granted it all of its attorney's fees and virtually all of its costs. Based on the fee applications submitted by both parties, Bird Marella was able to win this arbitration for less than half of the fees expended by the losing party, who hired a multinational law firm and spent almost \$7 million in fees and costs.