

## Squire Patton Boggs and Augusta Ventures

### Third Party Funding Solutions for Compulsory Purchase and Land Compensation Claims

We recognise that parties affected by compulsory purchase face a myriad of pressures. These pressures include the substantial costs often involved in resolving compensation claims through litigation in the Upper Tribunal (Lands Chamber).

Claimants can be deterred from pursuing credible compensation claims by the prospect of incurring significant professional costs. This often leads to parties settling for less than might otherwise be achieved.

To address this, we have teamed up with Augusta Ventures (**Augusta**), one of the largest litigation and dispute funding institutions in the UK, to provide a tailored funding solution for compulsory purchase and other land compensation claims litigation.

With £150 million of capital and a team of over 70 in London, Augusta's scale enables it to make decisions in market-leading time frames and to fund cases of any size.

Augusta provides litigation funding to absorb the cost and risk of disputes. The funding is non-recourse, which means that Augusta's capital investment is tied to the successful outcome of the case. In the event the case is lost, you will not owe anything to Augusta.

Squire Patton Boggs' specialist focus in compulsory purchase claims, combined with Augusta's established reputation as a third-party funder, provides our clients with a pre-eminent package of legal aptitude and financial strength.

#### Why Use Litigation Funding?

- **If your funds are limited** – Litigation funding allows clients to bring good claims to completion, where they otherwise may be limited due to lack of funds.
- **To fund professional costs** – All disbursements (e.g. counsel's fees, court fees and expert fees) are paid by Augusta while the proceedings are ongoing.
- **To reduce litigation risk** – On a funded claim, the liability for legal fees is shared between Squire Patton Boggs, you, and Augusta.
- **Protection from costs** – Augusta's funding will cover the costs of a premium for an "After the Event" insurance policy, to cover any cost orders made against you in the event the claim is unsuccessful.
- **Early stage funding** – Funding can be provided to cover the costs of submitting a properly evidenced claim to a Compensating Authority. This can make all the difference in securing a substantial, or improved, advance payment of compensation. That payment, in turn, can provide money to finance a claim through litigation or ADR without further funding from Augusta.





## How Much Does It Cost?

If the claim is successful, Augusta will look to recover its investment plus an uplift. The uplift is a simple money multiple, or a percentage of the compensation, and will be paid from the claim winnings.

If the claim is unsuccessful, you will not be required to repay Augusta.

## What Is the Process?

- 1 Following an initial meeting and analysis of your claim, Squire Patton Boggs will carry out a preliminary review of your compulsory purchase claim and provide a view to the claims suitability for funding.
- 2 To conduct diligence on a claim, Augusta requires a counsel's opinion of 60%+ prospects of success. Squire Patton Boggs will instruct an experienced counsel and work in collaboration with Augusta's origination team to conduct their desktop diligence. If the claim passes this review, Augusta will provide a commercial offer of terms for your consideration.
- 3 If you accept the commercial terms, Augusta's in-house legal and finance experts will work with Squire Patton Boggs to fully diligence your case. If the diligence process is successful, the funding will be approved. Once the funding agreement is signed, the first tranche of funds will be deployed.
- 4 Once funds have been deployed, Augusta's monitoring team provides post-investment support. They work with the team at Squire Patton Boggs to track your claim once it is up and running.

## Contact



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