

Tuyana Molokhoeva, LL.M.

General Counsel

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Quandary Peak Research

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As an experienced foreign attorney, I am well-equipped to implement legal perspective to all aspects of expert work in both litigation and technical due diligence projects. I advise clients on IP litigation and arbitration involving trade secret misappropriation, breach-of-contract, and copyright infringement.

Education

Master of Laws & Graduate Certificate in Technology and Entrepreneurship Law

University of Southern California Gould School of Law | Los Angeles, California | 2022

Specialist in Law (Bachelor/Master equivalent)

Lomonosov Moscow State University Faculty of Law | Moscow, Russia | 2014

Employment

General Counsel

Quandary Peak Research | Los Angeles, CA | Jan 2023–Present

- Preparation and review of expert reports in the context of software litigations and arbitrations, assisting experts on coordination, document review and case management.
- Management and coordination of technical due diligence projects in the context of M&A transactions and internal assessment; drafting, reviewing and finalizing technical due diligence reports.
- Analysis of open source software components in technical due diligence projects, including interpretation of programmatic analysis results, assessment of the risks related to open source licenses terms and cybersecurity vulnerabilities.
- Interfacing with clients regarding organizational aspects of the projects and delivering the final product.
- Drafting, reviewing and refining engagement agreements, confidentiality agreements, and other contracts between experts, clients and their counsel.
- Drafting and reviewing contracts with vendors, working with external counsel on matters related to software and intellectual property.
- Overlooking other in-house legal matters, including employment agreements, lease agreements, insurance, corporate agreements and documents.

Legal Specialist

Quandary Peak Research | Los Angeles, CA | June 2022–Jan 2023

- Participated in due diligence of technology assets in the context of M&A transactions, including review of the licensing terms with respect to open-source software, analysis of potential legal implications and risks associated with using such software and its modification, assisting in preparation and drafting of technical due diligence reports.
- Assisted in preparation and review of expert reports in the context of software litigation and arbitration, conducted document review and assisted with case management.
- Applied software analysis tools to software applications and code to determine legally significant characteristics and properties.
- Drafting, reviewing and refining engagement agreements, confidentiality agreements, and other contracts between experts, clients and their counsel.
- Conducted research on various topics at the intersection of technology and law.

Senior Associate

Bryan Cave Leighton Paisner | Moscow, Russia | Mar 2021–Aug 2021

As a member of the global International Arbitration and Cross-Border Litigation practice group, I advised clients on arbitration proceedings under UNCITRAL and LCIA Rules seated in Hong Kong and London as well as litigations in different jurisdiction, including the Netherlands, US, Cyprus, Malta, Turkey and Switzerland. The matters involved foreign investment, large-scale debt recovery and restructuring, fraud and conspiracy claims, bankruptcy, software development, shareholder disputes.

My responsibilities involved drafting written submissions and other procedural documents, analyzing documentary evidence, case management, handling procedural correspondence with opposing party and arbitrators, preparing memoranda, communicating with clients, supervising the work of junior associates and paralegals, coordinating the work with the firm's foreign offices and local counsel in different jurisdictions, working with experts, and contributing to overall case strategy.

Example projects:

- **PJSC RusHydro v. Kyrgyz Republic (PCA Case No. 2018-21)** | 2018–2022
Successfully represented a major hydroelectric company RusHydro in an arbitration against the Kyrgyz Republic over reimbursement of \$37 million in costs incurred on construction of a hydroelectric power plant cascade in the Kyrgyz Republic. The arbitral tribunal has awarded RusHydro's claims ordering the Kyrgyz Republic to compensate for the funds invested in the project. The claim was brought under an intergovernmental agreement between Russia and Kyrgyzstan as well as under 2008 Eurasian Investment Agreement and the Treaty on the Eurasian Economic Union. The arbitration was seated in Hong Kong and administered by the Permanent Court of Arbitration in the Hague.
- **Confidential arbitration, LCIA** | 2021 - 2022
Represented a major Russian bank in an LCIA arbitration against a Dutch guarantor in a dispute over a \$400 million facility agreement and related security package. Advised the client on the possibility to obtain provisional remedies in different jurisdictions, including Cyprus and the Netherlands, as well as overall strategy of the debt recovery and restructuring. Successfully obtained attachment orders over the guarantor's assets in the Dutch courts.
- **Confidential matter** | 2020-2021
Advised a major Russian hydroelectric company on the bankruptcy proceedings in Switzerland and related court proceedings against adverse creditors.

Associate

Bryan Cave Leighton Paisner | Moscow, Russia | June 2018–Feb 2021

Projects I have worked on as an Associate:

- **Confidential matter** | 2019

Advised one of the major Russian IT companies in a dispute with its Italian subcontractor arising from a breach of contract for the development of a payment system for the central bank and a sublicensing agreement providing the rights to use the software.

- **Confidential matter** | 2019

Advised one of the major Russian banks in a joint venture dispute with the founder of the failed fin-tech startup company.

Associate

Egorov Puginsky Afanasiev & Partners Law Offices | Moscow, Russia | Jan 2017–June 2018

Represented clients in arbitration proceedings under LCIA and SCC Rules, Indian Arbitration and Conciliation Act 1996 and advised on litigations in different jurisdictions, including India, Cyprus and UK. Responsibilities included preparing memoranda on the issues of Russian law and international law, drafting written submissions, witness statements and other procedural documents, analyzing and gathering evidence (including witness interviews and preparation), coordinating the work of foreign counsel and experts.

Example projects:

- **Confidential arbitration (ad hoc)** | 2014 - 2018

Represented a State Agency in arbitration proceedings in New Delhi concerning a dispute with the Indian shareholders of a Russian-Indian joint venture in metallurgical industry over recovery of \$60 million of investments.

- **Confidential arbitration, Stockholm Chamber of Commerce (SCC)** | 2017 - 2018

Represented a State Agency in an arbitration under the SCC Rules against a CIS based company concerning a dispute over a road infrastructure project.

Junior Associate

Egorov Puginsky Afanasiev & Partners Law Offices | Moscow, Russia | July 2014–Dec 2016

Responsibilities involved conducting legal research and preparing memoranda, drafting written submissions, witness statements and other procedural documents, evidence gathering, coordinating the work of foreign counsel and experts.

Other projects I have worked on as a Junior Associate:

- **Confidential arbitration, London Court of International Arbitration (LCIA)** | 2014 - 2015

Represented a Russian company in an LCIA arbitration regarding a share purchase agreement.

- **Confidential arbitration, Stockholm Chamber of Commerce (SCC)** | 2015

Represented a Russian company in SCC arbitration in a dispute out of a drilling contract.

Law Clerk/Summer Associate

Morgan Lewis | Moscow, Russia | July–Aug 2013, Dec 2013–Feb 2014

Responsibilities involved conducting legal research, participating in due diligence in real estate M&A, drafting memoranda on various issues of Russian law.

Trainee

Freshfields Bruckhaus Deringer | Moscow, Russia | July 2012

Responsibilities included conducting legal research and drafting memoranda on Russian law issues.

Tech Due Diligence Consulting

- **Safe Life Defense** | Internal Tech Audit | June 2023
Technology: e-Commerce, SaaS
- **Genpact** | M&A | May 2023
Technology: AI/ML, Predictive Analysis
- **EnoviQ Technologies** | Oct 2022
Context: Technical Vetting
Technologies: SaaS, AI/ML, Insurance
- **CompTIA** | Sept 2022
Context: Startup M&A
Technologies: SaaS, B2B/B2C, E-Learning Platform
- **Hello Hive (Hive Diversity)** | Sept 2022
Context: Technical Vetting
Technologies: Online Recruiting, SaaS, CRM
- **Foundation Partners Group** | Sept–Oct 2022
Context: Startup M&A
Technologies: E-commerce, CRM
- **Tenex Capital Management** | Mar 2022
Context: Startup M&A
Technologies: B2B2C, Employee Wellness

Litigation Consulting

- **MaddenCo, Inc. v. HG AutoTech LLC** | Aug 2023–Present
Jurisdiction: S.D. Indiana
Case Number: 3:22-cv-00173-RLY-MPB
Counsel: Delk McNally LLP | Breazeale, Sachse & Wilson, LLP
Nature of Suit: Copyright; Third-party Neutral
- **University of Victoria v. FreshWorks Studio Inc** | July 2023–Present
Jurisdiction: BC Supreme Court
Case Number: S-226081
Counsel: Smart & Biggar LLP
Nature of Suit: Patent
- **ClubReady LLC v. Xponential Fitness et al.** | Apr 2023–Present
Jurisdiction: American Arbitration Association
Counsel: Willkie Farr & Gallagher LLP
Nature of Suit: Breach of Contract
- **K+S Potash Canada General Partnership v. Veolia Water Technologies Inc. et al. (Case No. QB No. 817)** | Mar 2023–Present
Jurisdiction: Court Of Queen's Bench For Saskatchewan
Nature of Suit: Breach of Contract
Counsel: Stikeman Elliott LLP

Technology: Plant Design Management Systems (PDMS), Clash Detection, Database synchronization

- **Coinmint v. Katena (AAA Case No. 01-22-0001-7627)** | Mar 2023–Present
Jurisdiction: American Arbitration Association
Counsel: Gordon Rees Scully Mansukhani, LLP
Nature of Suit: Breach-of-Contract
Technology: Cryptocurrency mining
- **Espíritu Santo Holdings, LP and L1bre Holding, LLC v. United Mexican States (ICSID Case No. ARB/20/13)** | Dec 2022–Present
Jurisdiction: ICSID (Washington, DC)
Counsel: Ministry of Economy of Mexico, Pillsbury Winthrop Shaw Pittman LLP
Nature of Suit: Investor-State Arbitration, Intellectual Property Misappropriation
Technology: Mobile phone applications, ride hailing services
- **Confidential Arbitration (Mexican technology company v. Mexican subsidiary of a major Chinese technology company)** | Nov 2022–Present
Jurisdiction: Hong Kong International Arbitration Center
Counsel: Confidential
Nature of Suit: Breach-of-Contract
Technology: IoT, smart meters
- **RoboticViontech, Inc. v. ABB Inc.** | Oct 2022–Present
Jurisdiction: Delaware District Court
Counsel: Sterne, Kessler, Goldstein & Fox
Nature of Suit: Copyright, Trade Secret, Patent

Memberships and Affiliations

- **Co-Chair** | July 2022 - Present
Young CalArb, a subdivision of California Arbitration (CalArb) for arbitration practitioners below 40 and law students
- **Co-Founder** | Dec 2019 - August 2021
Russian Women in Arbitration Association

Honors & Awards

University of Southern California Gould School of Law

Los Angeles, California | 2022

- **GPA:** 3.73
- **Dispute Resolution Scholars Award** (merit-based full-tuition scholarship)
- **The Honor Society of Phi Kappa Phi** (awarded to top 10% of students)
- **LL.M. Representative** | Oct 2021
Legal Technology Association
- **LL.M. Representative** | Oct 2021
Dispute Resolution Society

Lomonosov Moscow State University Faculty of Law

Moscow, Russia | 2014

- **GPA:** 4.7/5.0
- **Octofinalist Award** | 2014
Speaker at Philip C. Jessup International Law Moot Court Competition
- **7th Place Team Award** | 2013
Speaker at Foreign Direct Investment International Arbitration Moot
- Speaker at International Air Law Moot Court Competition | 2013

Languages

- English (fluent)
- Russian (native)

Admissions

- Attorney and Counselor at Law, State Bar of California (2023)