

# LITIGATION FUNDING

INFORMATION MEMORANDUM 2024



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# YOUR MANAGEMENT TEAM



**Caroline Kerswell**  
SOLICITOR | DIRECTOR

Caroline qualified as a solicitor in 2012 and now has over 12 years of experience in mis-selling. Caroline boasts expertise in Crypto, NFTs and Web3 technologies.

Her extensive background in RegTech, InsureTech, regulatory compliance and Anti-Money Laundering serves as a holistic foundation for energy litigation cases.

With a deep grasp of regulatory frameworks, Caroline excels in handling cases involving misrepresentation and fraudulent sales tactics.

Caroline's technical acumen and unwavering commitment to ethics make her a beacon of competence and integrity, ensuring steadfast client support in dispute resolution.



**Neil Davis-Berkeley**  
FOUNDER | MANAGING DIRECTOR

Neil's diverse background in professional sports and military service has instilled discipline, determination and a commitment to excellence.

His career has evolved from a consultant in London to establishing and managing his own law firm, KWS Law Limited.

With extensive experience in financial litigation, Neil's entrepreneurial spirit led to the firm's inception.

He's also contributed to the success of London stockbrokers, claims management firms and various companies, driven by his competitive spirit.

Neil continues to lead and shape the legal landscape, providing exceptional representation and advocacy for clients.



**Addlington-West Group Limited**  
CLAIMS MANAGEMENT COMPANY

A distinguished British claims management firm, Addlington-West Group has emerged as a leading force in the field of claims management, showcasing an impressive track record for successfully recovering *millions* of pounds in mis-sold claims.

Founded on the principles of integrity and excellence, the firm tirelessly advocates for the rights of its clients, navigating complex legal landscapes to secure substantial settlements.

Specifically established to align with and integrate welcome legislation introduced by the Financial Conduct Authority (FCA), the firm's success is rooted in its ability to stay abreast of industry developments and adapt to evolving legal landscapes.

Addlington-West Group is authorised and regulated by the Financial Conduct Authority. FRN: 838665.

## GROUP OVERVIEW

### KWS Litigation

Following a landmark judicial review, KWS Law Limited underwent restructuring on May 13th, 2023, as a Special Purpose Vehicle (SPV) to facilitate the review and benefit mutual clients.

As such, KWS Litigation was founded as a trading style of KWS Law—an Alternative Business Structure that allows us to provide more choice, innovation and transparency.

Regulated by the Solicitors Regulation Authority, (SRA: 830165), we are an agile and client-centric law firm focused on identifying legitimate litigation claims. Our seasoned legal professionals ensure success in their fields of litigation.

The head of legal, Neil Berkeley manages every aspect of the practice. This is to ensure risk management protocols are in place and operational.

The responsibility of managing the claims rests with the officers of the company, our client recruitment processes include rigorous vetting, alongside hypothetical legal scenarios to demonstrate and test legal skills and ability.

### Addlington-West Group

Established in 2018 to address the evolving landscape of timeshare regulations and claims, Addlington-West Group is authorised and regulated by the Financial Conduct Authority FRN838665.

The founders of Addlington-West Group formed an initial collaboration with the founder, Neil Berkeley of KWS Law Ltd., back in 2011.

Addlington-West Group brings a wealth of experience in the claims industry, including a focus on loan agreement disputes. Our collective teams have managed over 6,000 claims, representing *millions of pounds* in compensation to our clients.

Company director, Margaret Bladon, is well-versed in law and accountancy. She has a background that includes working in the legal sector at Jeffreys, Orrell & Co., Solicitors, where she later led the debt collection department. She also handled small claims and litigation matters, attended court sessions and appeared before Registrars. These experiences have equipped her with a strong legal foundation, making her an invaluable asset to our team.

### KWS Litigation: Mission

Our mission is to equalise the legal landscape by providing financial support and legal expertise to litigation clients. We aim to rectify the disparity in the courtroom between individuals and large corporations. Additionally, our capacity for individual investors has empowered us to provide outstanding returns. We effectively disrupt the dominance of major funders that exclusively back large enterprises.

## INVESTMENT FEATURES



**Capital protection shields your funds ensuring a low-risk investment**



**The timeframe of each investment usually falls within the 12 month range, paid on a daily rate**



**Your investment is represented by seasoned solicitors and barristers regulated by the SRA**



**Access to a pool of deserving legitimate claims**



**20% to 25% ROI outperforms the usual asset opportunities**



**Your investment is not influenced by economic fluctuations**

## INVESTMENT OPPORTUNITY

### The Back Story

Timeshare schemes have long been viewed negatively, partly thanks to their limitations, complex contracts, aggressive salespeople and costly commitments. A type of holiday home where groups of people have rotational occupancy, memberships hold little financial value and are virtually unsellable from the moment of purchase.

In their quest to rejuvenate the industry's reputation, timeshare resorts and developers sparked a dubious marketing revolution. This transformation introduced a new concept in timeshare investment products.

While resembling similarities to traditional timeshares, it held a unique twist – partial ownership of real property. All hinging on the idea that, after a set period, the property will be sold and the proceeds shared among co-owners.

However, consumers were sold these schemes on the basis they were investments as well as holiday destinations which breaks consumer protection laws and timeshare regulations.

Unsurprisingly, it unleashed a torrent of complaints from customers who were mis-sold illegal and unenforceable loans to accommodate these membership schemes to the Financial Ombudsman Service (FOS) in the UK. The FOS launched an investigation and proceeded to hold banks accountable for their involvement in facilitating consumer sales. To challenge this, banks turned to the High Court, hoping for a reversal.

A [Judicial Review](#), held on 5th May 2023 and overseen by the Honourable Mrs Justice Collins-Rice, upheld the Ombudsman's decision.

Moreover, the High Court also ruled that the contracts attributed to the lenders and banks were jointly and severally responsible under the 1974 Consumer Credit Act.

The verdict has paved the way for thousands of British timeshare members to pursue legal action, seeking to annul their contractual arrangements and associated loans. This legal recourse aims to claim *hundreds of millions* of pounds to recover capital, interest, maintenance fees and any other associated costs, including litigation expenses.

## BUSINESS ENERGY CLAIMS

Business energy claims refer to legal actions or processes initiated by businesses to seek compensation or remedy regarding issues related to their energy contracts. These claims often arise due to various factors, including misleading practices, hidden fees, or other unfair dealings by energy brokers or suppliers.

Common issues that may lead to business energy claims include:

- **Misrepresentation:** if businesses were provided with misleading information or promises by energy brokers or suppliers, they may have grounds for a claim.
- **Hidden Commissions:** if businesses were unaware of hidden commissions within their energy contracts, they might pursue a claim to reclaim these undisclosed fees.
- **Unfair Contract Terms:** claims may arise if the terms of the energy contract are deemed unfair or if important details were not transparently communicated.
- **Overcharging:** businesses may file claims if they believe they were overcharged for energy usage or if there were errors in billing.
- **Breach of Contract:** any violation of the agreed-upon terms in the energy contract may be cause for a business energy claim.

In the context mentioned earlier about the investigation by the Office of Gas and Electricity Markets (OFGEM) in the UK, businesses may pursue claims to reclaim hidden commissions that were not properly communicated during the procurement of energy through brokers.

Business energy claims can lead to financial compensation, adjustments to contracts, or other forms of remedy to rectify the perceived injustices or discrepancies in the energy agreements.

This legal recourse will claim hundreds of millions of pounds for claimants to recover hidden costs, interest and any other associated costs, including litigation expenses.

The Energy Provider is ultimately responsible for settling these claims.

## THE INVESTMENT PACKAGE

Previously exclusive to institutional investors, we are now meeting the demands of a disruptive and evolving industry by inviting individual investors to finance mis-selling loan agreement legal cases and business energy claims. Expanding the opportunity and opening the market to high-net-worth investors, we are unaware of any other law firm competing within our space.

- **Minimum investment:** £18,000, generating a 20% return.
- **Pro Rata Returns:** between 20% and 25% per annum, depending on the amount invested. Please refer to page 10 for financial examples.
- **Duration:** the anticipated term for each case conclusion is 12 months.
- **Success Rate:** a judicial review secured a positive outcome for these litigation claims.
- **Risk protection:** each low-risk investment is Insured by an insurance bond, issued by an FCA-regulated insurance broker to indemnify unsuccessful outcomes.
- **Prospect Database:** vast access to a legitimate interest database of meritable prospects awaiting funding.
- **ROI:** a daily rate will commence 14 days following the successful clearance of investors' funds in the KWS Law client account.
- **Stringent Selection Process:** maximising success rates and delivering positive outcomes.

### Exploring The Insurance Bond

The insurance bond is commonly used in litigation. In this instance, its primary purpose is to safeguard investor capital in the unlikely event that a loan agreement mis-selling case or business energy claim is unsuccessful.

Purchased after the dispute has arisen and once barristers have agreed to pursue the case, the insurance bond covers a range of legal costs, including court fees, expert witness fees, legal representation fees (barristers and solicitors) and other disbursements related to the case. It also covers costs that may be awarded against the claimant if they lose the case. The cost of acquiring the insurance bond is incorporated into the minimum funding amount for each case.

KWS Litigation prioritises investor protection and as such, we have instituted an insurance bond within our corporate structure. Upon onboarding new investors, we promptly inform our FCA-regulated broker. From here, the investor's contribution is seamlessly integrated into the insurance bond cover, comprehensively covering investor funds. Indemnifying the investor, the insurance bond ensures that the principal sum is reimbursed in the unlikely event that the case is unsuccessful.

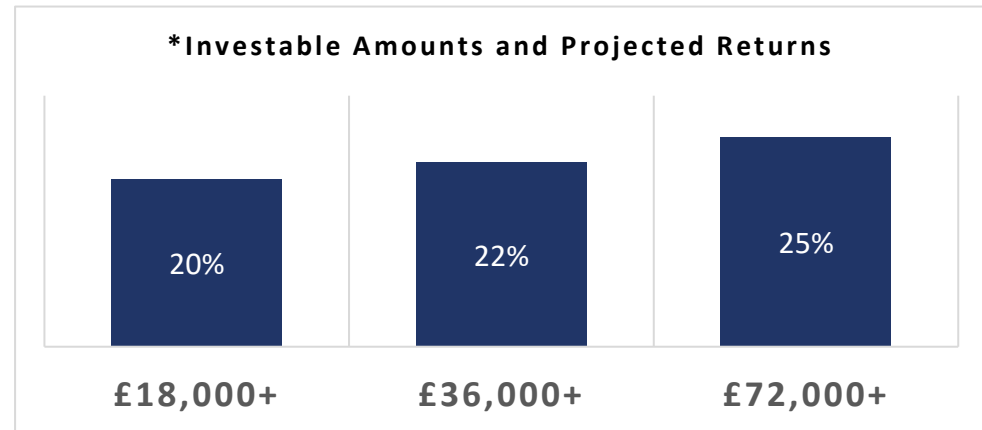
For investor peace of mind, KWS Law is regulated by the Solicitors Regulation Authority (SRA). At the same time, the policy is underwritten by leading, regulated insurance bond providers and issued through FCA-regulated brokers.



## KEY FINANCIALS

### Sources and Uses

Case Acquisition  
Barrister and Counsel's Opinion  
Expert's Report  
Counsel Particulars of Claims (PoC)  
Issue Fee  
Hearing Fee  
Insurance Bond



\*Returns based on successful cases

## FINANCIAL EXAMPLES

### Example One

Total Capital Invested:	£18,000.00
Total Cases Funded:	1
Number of Successful Cases:	1
Number of Unsuccessful Cases:	0
Return on Investment (Annual Percentage):	20%
Annual (Pro Rata) ROI:	£3,600.00
Daily Rate (Pro Rata):	£9.87
<b>Total Return (Inc capital):</b>	<b>£21,600.00</b>

### Example Two

Total Capital Invested:	£72,000.00
Total Cases Funded:	4
Number of Successful Cases:	4
Number of Unsuccessful Cases:	0
Return on Investment (Annual Percentage):	25%
Annual (Pro Rata) ROI:	£18,000.00
Daily Rate (Pro Rata):	£49.51
<b>Total Return (Inc capital):</b>	<b>£90,000.00</b>

### Example Three

Total Capital Invested:	£36,000.00
Total Cases Funded:	2
Number of Successful Cases:	2
Number of Unsuccessful Cases:	0
Return on Investment (Annual Percentage):	22%
Annual (Pro Rata) ROI:	£7,920.00
Daily Rate (Pro Rata):	£21.70
<b>Total Return (Inc capital):</b>	<b>£43,920.00</b>

### \*Example Four

Total Capital Invested:	£72,000.00
Total Cases Funded:	4
Number of Successful Cases:	3
Number of Unsuccessful Cases:	1
Return on Investment (Annual Percentage):	25%
Annual (Pro Rata) ROI:	£13,500.00
Daily Rate (Pro Rata):	£36.99
<b>Total Return (Inc capital, ROI and insurance bond indemnity):</b>	<b>£85,500.00</b>

\* In the unlikely event a case is unsuccessful, the principal sum is returned via your insurance bond.

*Please note: the above information is not exhaustive and is intended as an outline only and may be subject to change in the future. Further, nothing in this section constitutes investment, tax or legal advice. The illustrative tables above are examples only and are not indicative of actual cases.*

## INVESTOR HIGHLIGHTS

- The average term is 12 months, in contrast to the significantly longer timeframes associated with typical private equity deals.
- The low-risk investment has no direct correlation with conventional financial markets, safeguarding against market fluctuations and volatility.
- The stringent selection process only accepts cases vetted by an FCA-regulated claims management company, along with legal opinion from an independent barrister confirming the highest probability of a successful outcome.
- The litigation and consumer protection regulatory requirements are compliantly adhered to throughout the process.
- The High Court's decision to uphold the Finance Ombudsman Service's ruling sets a legal precedent and carries ultimate legal weight.
- The unique nature of litigation funding carries the potential to generate notably larger returns when compared to other alternative asset classes.
- The investor receives the low-risk principal amount along with the pro rata annual rate on completion of a successful outcome.
- The investor receives the low-risk principal amount invested via the insurance bond, in the unlikely event that a case is unsuccessful.
- The option to reinvest at any stage.

# INVESTMENT INFORMATION



Can you imagine a world where litigation paves the way for justice-deserving claimants *and* opens up an intelligent avenue for diversifying your investment portfolio?

That's exactly what we offer. We step into the British legal arena on behalf of consumers who have been mis-sold loan agreements or have business energy claims; everyday people who fell victim to mercenary sales techniques and underhand practices.

Our robust, disruptive approach fuels innovative solutions that are truly groundbreaking and rooted in the fundamental legal principles underpinned by the High Court.

But that's not all! Investor capital is low-risk and protected by a shield of security, opening up the potential for substantial returns, between 20% and 25% per annum pro rata.

This opportunity isn't just smart; it generates a positive social impact and shapes a brighter future—where justice prevails and investments flourish.

## MARKET ANALYSIS

The competitive landscape of the UK consumer litigation investment market is characterised by dynamic growth, evolving regulations and increased investor interest. Our specialised expertise, robust track record and meticulous approach mean we are strategically positioned as a formidable player, well placed to attract a diverse array of litigation funders and investors.

### Market Expansion

The consumer litigation investment sector has witnessed significant growth, driven by an upsurge in consumers pursuing compensation for a spectrum of issues encompassing mis-selling, data breaches and violations of consumer rights.

### Market Size

Research conducted by law firm *Reynolds Porter Chamberlain LLP* reveals the top 15 UK litigation funders reported record assets of £2.2 billion on their balance sheets in 2020/21, signifying an 11% increase from the preceding year.

### Regulatory Landscape

The framework governing litigation funding and consumer protection has a favourable impact on market dynamics. Recent regulatory changes and updates have streamlined entry into the market for new participants, including individuals.

### Risk Assessment and Diligence

Our rigorous approach to risk assessment and due diligence has garnered the attention of both substantial and smaller-scale investors alike.

### Investor Appetite

Burgeoning investor demand means that both individual and institutional investors are seeking low-risk alternative investment avenues to diversify their portfolios, enhanced by exceptional returns of between 20% and 25% per annum.

### KWS Litigation Specialisation

We specialise in distinct categories of consumer litigation cases, including financial services, mis-selling, product liability and data breaches. Our specialised expertise positions KWS Litigation as a competitive force, attracting a spectrum of cases and investors.

### KWS Litigation Case Origination

Our extensive experience, track record of successful resolution and network and affiliation with accomplished enterprises grant us the capacity to source viable consumer litigation cases—a pivotal competitive component.

## CASE ACQUISITION

The growing demand for litigation funding as an alternative investment is attributed to several factors. Its role in supporting legal cases for financial consumers is evolving accordingly.

Working in collaboration with Addlington-West Group Ltd., means we have access to numerous legitimate interest and meritable prospects who are actively awaiting funding and seeking assistance in pursuing claims of finance mis-selling and business energy claims.

To ensure the viability and success of each case, we employ a stringent selection process and apply uncompromising criteria.

**This process involves three stages of assessment to identify the most suitable cases:**

1

**Addlington-West Group conducts a preliminary assessment of potential claims to assess their merits and eligibility. This step filters out and eliminates the cases that may not meet the necessary criteria for success.**

2

**Conforming claims are then passed over to KWS Law for expert reports. An Answer in Principle (AIP) is given before each potential case is transferred to an independent barrister.**

3

**The assigned barrister systematically evaluates each claim and provides a percentage estimate for success, pursuing only those cases with notably high probabilities and meeting the stringent insurance bond requirements.**

## **BARRIERS TO JUSTICE**

Historically, lawyers have taken on cases with strong merits, but law firms are increasingly facing challenges in providing the necessary funding. Moreover, the expenses associated with legal action can be burdensome for ordinary, everyday people who fell victim to mercenary sales techniques and underhand practices. Oftentimes, claimants struggle to self-finance their claims and pursue legal action against finance mis-selling and business energy claims.

### **The Way Forward**

To address these financial challenges, litigation funding has emerged as a solution. Vital in providing the necessary capital for cases of finance mis-selling and business energy claims, it ensures that a lack of funding doesn't impede or restrict otherwise viable claims. Providing access to justice, litigation funding expedites the legal process, levels the playing field and increases the chances of favourable settlements.

### **Why Invest in Litigation Funding?**

We extend a warm invitation to individual investors ready to participate in financing legal cases related to mis-sold loan agreements and business energy claims. In return, investors stand to gain a share of the proceeds, enjoying generous pro rata returns ranging between 20% and 25% per annum. Our litigation funding opportunity offers a low-risk income, contributing to diversified portfolios and reduced overall risk. What's more, this investment avenue is not directly correlated with traditional financial markets.

Investors benefit from our legal expertise in navigating the judicial review process, conducting thorough case due diligence and effectively managing the entire process. By supporting individuals seeking justice against credit providers, financial institutions, energy brokers and energy providers, especially in situations where they may lack the financial means for legal action, our investment model creates a mutually beneficial outcome.

It's a win-win scenario for both investors and those pursuing justice.

## PROMINENT INVESTORS

Prominent investors and firms have actively participated in the UK's litigation funding sector, comprising dedicated litigation funders, institutional investors, law firms and high-net-worth individuals. These key players in litigation funding encompass:

**Burford Capital:** Renowned as one of the foremost and globally recognised litigation funders, Burford Capital extends financial support for a broad spectrum of litigation and arbitration cases in both the UK and international arena.

**Therium Capital Management:** Therium stands as a leading international litigation funder with a robust presence in the UK market. They specialise in funding commercial litigation, arbitration, group actions and class actions.

**Vannin Capital:** Vannin Capital is an established litigation funding firm with a notable footprint in the UK market, providing financial backing for a diverse range of legal cases.

**Calunius Capital:** Operating from London, Calunius Capital is a litigation funder that specialises in funding international arbitration and litigation.

**Harbour Litigation Funding:** recognised for its expertise in financing solutions for commercial disputes, Harbour Litigation Funding is instrumental in supporting arbitration and litigation cases.

**Institutional Investors:** including pension funds and sovereign wealth funds, have allocated capital to litigation funding, either directly or through dedicated litigation funds.

**Law Firms:** certain law firms in the UK offer litigation funding to their clients, either by advancing legal expenses or by collaborating with litigation funders to provide financial assistance.

**Private Equity and Hedge Funds:** Some private equity and hedge funds have expressed an interest in litigation funding and have even established affiliated litigation funding entities.

**High-Net-Worth Individuals and Family Offices:** accredited individual investors, high-net-worth individuals and family offices may actively participate in litigation funding opportunities.

**Alternative Investment Funds:** various alternative investment funds have ventured into the litigation funding landscape, engaging in a wide array of legal cases as investors.

### Notable Litigation Funders

- **Peter Thiel:** co-founder of PayPal and an early investor in Facebook, Peter Thiel has garnered recognition for his investments in litigation funding.
- **Mark Cuban:** distinguished entrepreneur and investor Mark Cuban has demonstrated interest in litigation funding as a compelling alternative investment.
- **David Boies:** an esteemed attorney, renowned for his involvement in high-profile legal cases, David Boies has actively participated in litigation funding endeavours.

**Litigation investment is now seeing an upsurge in individuals who are keen to diversify their investment portfolio due to the strong ROI and protected capital.**



# HISTORY OF LITIGATION FUNDING

Also known as third-party litigation financing or simply litigation finance, this concept is nothing new. Spanning several centuries with ancient origins, litigation funding has significantly evolved. Here's an overview of the key milestones and developments in the history of litigation funding:

## **Ancient Rome and Greece (Circa 4th Century BC)**

In ancient Rome and Greece, wealthy individuals and investors would financially support legal cases in exchange for a share of the proceeds if the case was successful.

## **Early English Common Law (13th-17th Centuries)**

During the British medieval and early modern periods, litigation funding was practised, primarily by nobility and the wealthy, to finance lawsuits and share in potential recoveries.

## **Champerty and Maintenance Laws (Medieval to 19th Century)**

In response to perceived abuses of litigation financing, champerty and maintenance laws were enacted in medieval Europe and subsequently carried over to the American colonies. These laws restricted third-party involvement in lawsuits, deeming it unethical and potentially illegal.

## **Late 19th Century and Early 20th Century**

In the late 19th and early 20th centuries, legal and regulatory changes in the United States and the United Kingdom began to relax champerty and maintenance laws. This led to a gradual resurgence of litigation funding.

## **The 1960s-1980s**

The modern era of litigation funding can be traced back to the 1960s and 1970s when entrepreneurs and investors began providing financial support to claimants in exchange for a share of the proceeds. These arrangements often involved personal injury cases.

## **The 1980s-1990s**

During the 1980s and 1990s, litigation funding expanded beyond personal injury cases into commercial litigation and class action lawsuits. The industry saw increased participation from financial institutions and specialised litigation funding firms.

## **Late 1990s-2000s**

The 1990s and early 2000s marked significant growth in the litigation funding industry, with a proliferation of litigation funding companies and increased recognition of its importance in facilitating access to justice and managing legal costs.

## **Landmark Cases and Regulations**

Several landmark legal cases and regulatory developments helped shape the litigation funding landscape. Notable cases include the US Supreme Court's decision in the 1992 case of "Hudson v. Michigan," which upheld the validity of third-party litigation funding arrangements.

## **Global Expansion**

Litigation funding expanded beyond the United States and the United Kingdom, with firms and providers operating in various jurisdictions worldwide.

## **21st Century Growth and Legal Clarity**

The 21st Century has seen continued growth in the litigation funding industry, with increased awareness and acceptance of its role. Legal and regulatory frameworks have also become clearer in many jurisdictions.

# FACT SHEET

**There are two distinct types of claims:**

## 1. LOAN AGREEMENT MIS-SELLING CLAIMS

These claims are substantiated by a UK High Court Judicial Review. This declared the related contracts as unenforceable and stipulated the repayment of all funds including interest and disbursements. As a result, contracts must also be unwound.

- [Click To Read The Review >](#)

## 2. BUSINESS ENERGY CLAIMS

OFGEM, the regulatory authority overseeing the UK energy industry has raised awareness based on their review findings. The evidence suggests a significant number of energy brokers or *Third-Party Intermediaries* (TPIs) recommended energy contracts with undisclosed or hidden commissions. Unfortunately, these suggested contracts were not in the best interests of the businesses involved. Despite being marketed as the most competitive prices available, in reality, many businesses ended up paying inflated prices. The resolution of these claims will follow a similar approach to the previously addressed PPI claims, utilising the principles of Plevin Law which had incredible levels of success.

- [Click To View The Judgment >](#)

## THE SELECTION PROCESS

These claims will undergo scrutiny and evaluation through a thorough three-stage selection process. This process involves initially engaging a Claims Management Company, followed by a solicitor's assessment and the preparation of an expert report, before ultimately undergoing a review by a Barrister. Leveraging *over* five decades of litigation funding experience ensures a comprehensive and well-informed claim evaluation process.

## KWS LAW LIMITED

- Solicitors Regulation Authority (SRA) regulated law firm- SRA number: 830165.
- Neil Davis-Berkeley is the Founder and Managing Director.
- Caroline June Kerswell is the Solicitor and Director regulated by the SRA.

[Click to View The Solicitors Regulation Authority Website >](#)

## THE INSURANCE BOND

- Operates within an SRA-compliant model backed by the current case law of England and Wales and offers
- 100% capital protection.
- Issued through Amberis, a trading style of Parker Colby Insurance Brokers Ltd.
- Parker Colby Insurance Brokers Ltd is authorised and regulated by the Financial Conduct Authority (FCA: 300069).

[Click To View The Amberis Website >](#)

[Click To View Parker Colby Insurance Brokers Ltd: Companies House >](#)

[Click To View Parker Colby Insurance Brokers Ltd: FCA Financial Services Register >](#)

## OVERALL PROTECTION

- ✓ Investments are protected by an Insurance Bond and Professional Indemnity Insurance.
- ✓ Insurance Bond issued through an FCA Regulated Broker.
- ✓ Oversight by the Solicitors Regulation Authority (SRA).
- ✓ Professional indemnity insurance covers the cost of compensating clients for loss or damage resulting from negligent services or advice provided by a business or an individual.

- [Click To View The SRA Insurance Act 2015 Guidance >](#)
- [Click To View The FCA Professional Indemnity Insurance >](#)

## Q&A

**Q. What is the relationship between KWS Law Limited and KWS Litigation?**

**A.** KWS Litigation was founded as a trading style of KWS Law—a specialist litigation division that allows us to provide more choice, innovation and transparency.

**Q. Am I dealing with regulated entities?**

**A.** Yes! KWS Litigation is a solicitor's firm regulated by the Solicitors Regulation Authority (SRA). Our insurance bond is issued through a broker regulated by the Financial Conduct Authority (FCA).

**Q. Is my capital protected?**

**A.** Yes! Your capital is safeguarded through an insurance bond.

**Q. Can the investment exceed 12 months?**

**A.** If your investment extends 12 months, it will be calculated on a daily rate. This ensures you will receive the contracted percentage return until the claim's completion.

**Q. What happens if the claim is unsuccessful?**

**A.** In the event of an unsuccessful claim, KWS Litigation will liaise with the insurer and your invested capital will promptly be returned to you. However, there will be no additional return on your investment.

**Q. Will I receive regular updates?**

**A.** Yes! Regular updates will be provided whenever there are changes in each claim.

**Q. What happens if the financial institution or energy company goes bankrupt?**

**A.** Financial institutions and energy companies have implemented various instruments to protect claimants in such scenarios.

**Q. Are these claims supported by the High Courts?**

**A.** Yes! The parameters for these claims have been established by the High Courts and both the Claims Management Company and KWS Litigation meticulously adhere to them.

**Q. When will I receive my capital and returns on my investment?**

**A.** Your funds will be paid to you within 10 working days of KWS Litigation receiving payment from the settlement of the claim.

## HOW TO APPLY

### 1. INFORMATION MEMORANDUM AND CONSULTATION

Please read the full text of this Information Memorandum. If you are in any doubt about the action you should take or the contents of this document, please consult a professional, independent adviser authorised under the Financial Services and Markets Act who specialises in litigation investment.

### 2. APPLICATION FORM

Once you've decided to proceed, please complete the application form. Make sure you read and understand the associated Terms and Conditions. You have the option of posting your application to us or sending it to us via email. This process also includes submitting two forms of identification, including proof of address for anti-money laundering purposes. Please visit the Investor Portal section of our website for more information.

### 3. SELF-CERTIFICATION STATEMENT

In compliance with relevant regulations, you need to confirm your investor category as one of the following: a restricted investor, a sophisticated investor, or a high-net-worth investor. You can find the explanation for each category on the Investor Portal section of our website. Select the one that applies to you and include the corresponding statement with your application.

### 4. FUND YOUR INVESTMENT

Transfer the funds for your low-risk investment amount into the designated KWS Law client account. Payment is to be made via bank transfer and the details will be provided after we have received your application form. For your peace of mind, investor funds will be placed in a designated client account.

### 5. DOCUMENTS ISSUED

Once your application form and supporting information have been accepted and verified and your funds have cleared, you will receive an email confirmation and the investment will be recorded. Investors will then receive all appropriate and supporting documentation, including the insurance bond.

## LEGAL NOTICE

This Information Memorandum aims to provide potential investors with comprehensive and detailed information about the investment opportunity, including its structure, risks, financials and potential returns.

This document promotes transparency by disclosing all material information relevant to the investment and is designed to help investors conduct due diligence to evaluate the opportunity and assess whether the investment aligns with financial goals, risk tolerance and investment strategy.

This document and its contents are strictly confidential and provided to you exclusively for your information. It must not be distributed, published, or reproduced in its entirety or in part, nor disclosed to any other individual, without the prior written consent of KWS Litigation.

### RISK WARNING

This Information Memorandum discloses information about investments tailored for specific qualifying investor classes and such content may not be suitable for all individuals.

By accessing and using the Information Memorandum, you acknowledge and confirm that you fall into one of the following investor categories: a high-net-worth investor, a sophisticated investor or a restricted investor.

Your use of this document signifies your agreement that you meet one of the investor categories as outlined above. Your understanding of potential risk factors is crucial for making informed investment decisions. KWS Litigation is not authorised to give financial advice. Before proceeding with this opportunity, it is advisable to thoroughly understand the specifics of the non-market-dependent investment and consult an appropriately authorised or regulated financial advisor to ensure alignment with your financial goals and risk tolerance.

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### SELF CERTIFICATION

This Information Memorandum is being sent to investors who have expressed an interest in investing in this opportunity. Equally, this investment opportunity is only directed at and being sent to investors who fall into one or more of the following categories: Restricted Investor, Sophisticated Investor, High-Net-Worth Investor.

If you wish to apply for this investment opportunity, you are required to self-certify as an investor in one of the aforementioned categories and complete an Investment Self-Certification statement as per FCA regulations. For information purposes only and to help you understand the categories, an overview of the category criteria is as follows:

*Restricted Investor:* an individual or entity with limited experience in financial markets or investment, often subject to certain legal or regulatory restrictions. *They may have specific limitations on the types of investments they can make or the amount they can invest, usually to protect their financial interests or reduce potential risks.*

*Sophisticated Investor:* an individual or entity with a high level of knowledge and experience in financial markets and investments. They possess a deep understanding of investment strategies, risks, and opportunities. Typically, they can participate in an understanding of investment strategies, risks, and opportunities. Typically, they can participate in a broader range of investment opportunities due to their knowledge and experience.

*High-Net-Worth Investor:* A high-net-worth investor is an individual or entity with substantial financial assets and wealth. They have significant net worth, often meeting specific financial thresholds, making them eligible for exclusive investment opportunities. High-net-worth investors may have access to more complex and potentially higher-yield investments, given their financial capacity, as defined by COBS 3.5 of the FCA Handbook.

For more definitions please visit the following links:

<https://www.handbook.fca.org.uk/handbook/COBS/3/5.html>

4.12.6 R of the FCA Handbook:

<https://www.handbook.fca.org.uk/handbook/COBS/4/12.html#DE5582>

### INVESTMENT APPLICATION

Investment applications are subject to rigorous criteria and there may be instances where your application is declined without specific reasons provided.

### ANTI-MONEY LAUNDERING DOCUMENTS (AML)

Anti-Money Laundering (AML) regulations require proof of identity as part of an investment application for several important reasons.

The investment application process includes proof of ID requirements to combat money laundering, terrorist financing and financial crimes. KWS Litigation requests this documentation as a proactive measure to ensure the integrity and security of the financial system and protect legitimate investors.

### FINANCIAL EXAMPLES

The financial examples contained within this Information Memorandum or contained within any promotional material surrounding this investment opportunity is for illustrative purposes only and should not be construed as indicative of actual investor risk.

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## BIBLIOGRAPHY AND RESOURCES

- **Essex Chambers:** [Financial Ombudsman Service successfully defends fractional ownership timeshare judicial reviews](#)
- **England and Wales High Court:** [\(Administrative Court\) Decisions](#)
- **Solicitors Regulation Authority:** <https://www.sra.org.uk/consumers/register/organisation/?sraNumber=830165>
- **Companies House:** <https://find-and-update.company-information.service.gov.uk/company/13397136>
- **The Financial Services Register:** <https://register.fca.org.uk/s/search?q=838665&type=Companies>
- **Companies House:** [ADDLINGTON-WEST GROUP LTD overview](#)

# THANK YOU!

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## DISCLAIMER

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