



News

Hinshaw Legal Team Secures Nearly \$9 Million Win on Behalf of International Creditor in Florida

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In a Florida district court, a Hinshaw legal team consisting of Edward Lenci, Jenelle La Chuisa, and Rory Jurman recently secured a complete win for client Noble Prestige Ltd., a Hong Kong-based creditor. Jonathan Crompton of Reynolds Porter Chamberlain LLP (RPC) also represented Noble in the case.

At issue was the enforcement of two arbitration awards secured by Crompton and his RPC colleague Jason Carmichael from the Hong Kong International Arbitration Centre. The debtor and his attorney had sought to dismiss Noble's petition—filed in Florida federal court pursuant to the New York Convention—to confirm and enforce the international arbitral awards. That effort was defeated in a 2022 ruling. In subsequent proceedings, Hinshaw's legal team secured a win at the Eleventh Circuit when the court ruled that it did not have jurisdiction over the district court's dismissal order because the doctrine of pendent appellate jurisdiction did not apply.

The Florida district court has now ruled that the debtor and his attorney failed to move to vacate the awards within the three-month limitation period specified under the Federal Arbitration Act. As a result, the court entered judgments in favor of Noble, awarding over \$575,000 against the debtor's attorney and more than \$8.3 million against his client.

Lenci told *Law360* that the judge was correct to bypass the opposing arguments under Article V of the New York Convention based on the three-month limitation period, adding, "I'm certain, though, that Noble would have easily prevailed had Judge Smith reached those arguments."

Lenci noted in a *Daily Business Review* article, "The biggest challenge has been that our opponents have contested every point. But we still prevailed multiple times, in the underlying arbitration and in the federal enforcement proceedings."

Lenci concluded that "The lesson for those who are aggrieved by an [arbitration] award is to move to vacate it or prevent its enforcement right away, and certainly within the three-month limit of the Federal Arbitration Act. If that deadline is blown, the court can bypass whatever legitimate reasons there may have been for vacating an award or preventing its enforcement."

The case is *Noble Prestige Ltd. v. Horn et al.*, case number 9:20-cv-82357, in the U.S. District Court for the Southern District of Florida.

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Media Coverage of the Case

- "[Hong Kong funder confirms awards against conservator](#)" was published by the *Global Arbitration Review* on May 6, 2024.
- "[Attorney Hit With \\$575K Judgment, Client Faces Over \\$8.3M by Florida Federal Court](#)," *Daily Business Review*, April 9, 2024.
- "[HK Lender Gets \\$8M Arbitral Awards Against Fla. Atty OK'd](#)," *Law360*, April 4, 2024.
- "[Hong Kong funder's fight with conservator resumes in Florida](#)," *Global Arbitration Review*, November 2, 2023.
- "[Hong Kong Lender Looks To Restart Suit Over \\$8M Awards](#)," *Law360*, October 27, 2023.
- "[Hong Kong Award Fight Belongs In Fla., 11th Circ. Hears](#)," *Law360*, November 4, 2022.
- "[Hong Kong Lender Must Get \\$6M Arb. Award, Court Told](#)," *Law360*, May 10, 2022.
- "[Atty, Client Can't Escape Suit Over \\$6M Arbitration Award](#)," *Law360*, April 1, 2022.