

# 5 Commonly-Asked Questions

## About Bentham's Litigation Funding Process

Bentham IMF and its parent company, IMF Bentham Ltd., have reviewed thousands of cases around the globe, investing in nearly 200 cases and portfolios since becoming the world's first publicly-listed commercial litigation funder in 2001.

We often receive questions from parties interested in understanding the practices we employ. Here are the top 5 most common:

### How does the funding process work?

1. Opportunity Assessment: Upon confirming the case meets **our baseline criteria**, we execute a non-disclosure agreement and negotiate a term sheet with the parties. (typically 7-10 days)
2. Due diligence: We do an in-depth review of the **merits** and **economics** of the case. (typically 30 days)
3. Investment: When we approve a case for funding, we execute a **funding agreement**, **deploy the capital** and proceed to **monitor** the investment through case resolution.

### Does a dispute have to be at a certain stage in the litigation to qualify for funding?

We fund matters at various stages of the dispute resolution process, from pre-filing all the way through appeals and enforcement.

**Pre-Filing Through Trial:** In addition to capital, our team of experienced former trial lawyers offers claimants insights into the strengths and weaknesses of their claims, which can help them develop strategies for reaching successful conclusions.

**On Appeal:** We help appellees monetize portions of judgments won at trial or in arbitration while pending affirmance and payment.

**In Enforcement:** Claimants who have a final judgment can use funding to maximize collection of the judgment.

### What do we look for in an investment?

We focus on **high-value litigation with strong prospects for success**. For single-case funding requests, we typically finance amounts in excess of \$1 million and generally require the realistic litigation proceeds to exceed \$10 million.

Portfolios must include three or more strong cases and affirmative claims that support funding of at least \$2 million.

### How does Bentham raise capital and do investors have input into the company's investment decisions?

In November 2019, we announced the formation of a new fund for U.S. investments with an initial size of **\$500 million** and the potential to increase to **\$1 billion**. This fund is capitalized by Bentham and by outside investors, with Bentham retaining the exclusive right to select cases for investment.

### What does Bentham need to see from a claimant to evaluate a case?

We seek information to help us determine a case's potential **value, strengths and weaknesses**, the **ability of a defendant to pay**, and the **length of time** the case may take.

Have more questions? Visit [benthamimf.com](https://benthamimf.com) for more information and contact us for a consultation.