

DISPUTE RESOLUTION



PREMIUM Services  
*for*  
PREMIUM Clients

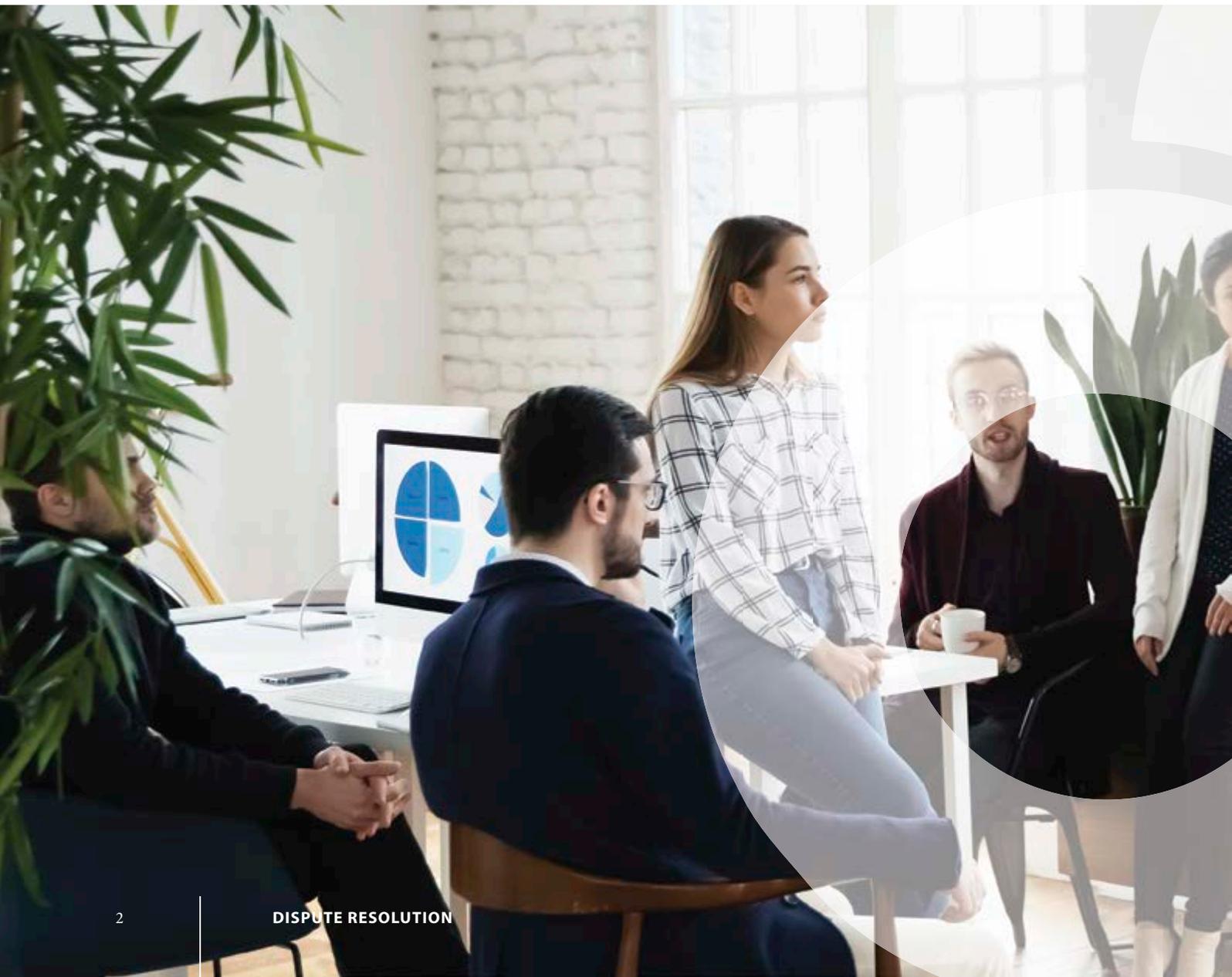


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Popescu & Asociatii has terrific, experienced people and very bright and enthusiastic young lawyers. They are prominent in disputes, and they do everything in an exceptional way. The level of service we receive is excellent, as is the caliber of people engaged in our work. They provide outstanding legal advice, especially in view of the challenges of a cross-border litigation environment”.

**(BENCHMARK LITIGATION)**

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# OUR TEAM

As one of Romania's top business law firms, POPESCU & ASOCIAȚII provides **PREMIUM legal services to PREMIUM businesses**, both in Romania and abroad, in all the relevant areas of practice, and especially in all industries of interest for active economic players.

Our mission is to **deliver strategic, excellent and innovative legal and business solutions**. Excellence, collaboration, and innovation are at the core of the way we work, with each other and with our clients.

We focus on **building long-term relationships** and we do this by staying true to our founding principles: to provide client service at the highest standards, always keeping in mind work ethics, integrity and the responsibility towards our clients businesses, deals and cases that they entrusting us.

We do not believe in follow our competitors; **we want to lead the way** by seeking opportunities to foster and support innovation, new solutions, and to seeing things differently, working together with our clients to bring ideas to life that address the challenges and opportunities they face. We act as a seamless partner for them by aligning our expertise to their industries, allowing us to be an extension of their team.

At POPESCU & ASOCIAȚII, **we do not just solve legal problems, we prevent them**, by developing compliance mechanisms for our clients to ensure smooth running of their day-to-day activities. Being alert to potential problems allows us to solve problems before they ripen into disputes or other legal consequences, saving our clients' money and allowing them to focus their attention and resources where they belong: on their business.







# OUR REPUTATION

REPUTATION IS A PRECIOUS ASSET, AND IT IS THE REASON WHY WE VALUE IT.

Our clients recognize our collective commitment to provide excellent service through the shared qualities that keep us together: a strong experience, common sense, integrity, and work ethics.



Ranked in CHAMBERS EUROPE

Ranked in LEGAL 500 EMEA

Ranked in BENCHMARK LITIGATION

Ranked in IFLR 1000

Octavian POPESCU, Partner:  
Lawyer of the Year in Romania,  
BENCHMARK LITIGATION AWARDS

Finalist: Law Firm of the Year  
in Romania, BENCHMARK LITIGATION AWARDS

Awarded as Best Litigation  
Law Firm in Romania,  
LEGAL AWARDS GALA

Awarded as one of the Best  
White-Collar Crime Romanian law firms,  
LEGAL AWARDS GALA



# OUR DISPUTE RESOLUTION PRACTICE

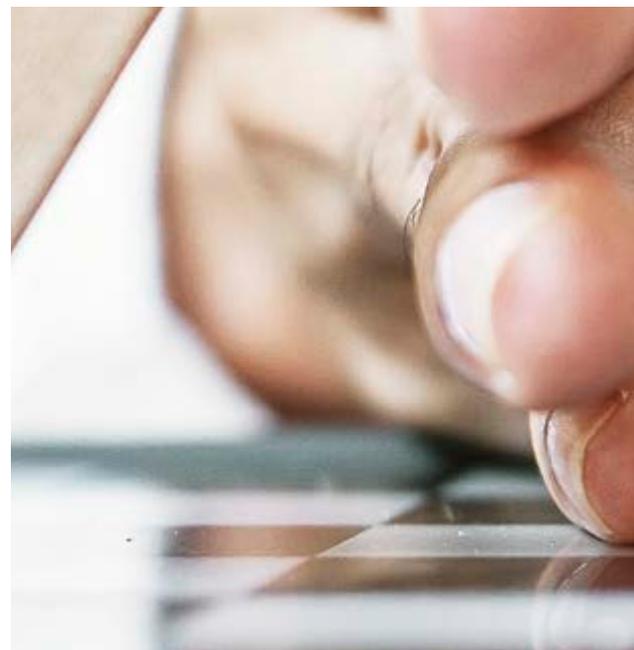
Our **Dispute Resolution** practice is broadly based and has acquired unrivalled expertise, being one of the first in the country to be organized along departmental lines. Disputes being an inevitable consequence of business activity in an increasingly regulated, high speed environment, we aim to provide our clients with advice that is sound, realistic, and forthright.

Our lawyers' experience ranges from representation in the lower courts to the High Court of Cassation and Justice, as well as in the Constitutional Court and extends to national and international arbitration (ICSID, ICC and UNCITRAL procedures). Most of our instructions have involved highly complex cases, including voluminous documents and heavy research work. We work closely

with our clients (most of which are multinational corporations and large local companies) to understand their needs, before recommending the right solution.

Our work in the contentious field has involved all types of disputes, including commercial, intellectual property, banking and finance, tax issues, insolvency, insurance, labor, maritime, real estate, securities, and additional claims raised during enforcement of civil and commercial judgments or awards.

Being a full-service law firm, we can count on the support of our recognized white-collar crime, anti-corruption compliance, corporate, tax disputes, real estate, and intellectual property teams, thereby covering the full spectrum of business needs.







# OUR DISPUTE RESOLUTION SERVICES

- **Administrative litigation:** breaches of administrative or legal norms or their improper application by the state body;
- **Bankruptcy, insolvency and restructuring litigation:** disputes arising from many of the most well-known and complex bankruptcy cases;
- **Commercial and civil litigation:** disputes arisen from merger and acquisition/sale, commercial contract, or business competition, handled with a practical, commercial approach;
- **Competition disputes:** sanctions imposed by the competition authority, with representation before national courts, pleading for annulment or reduction of the fines;





- **Contractual litigation:** disputes arisen from disagreements about the terms and conditions;
- **Early neutral evaluation:** a flexible way to resolve business disputes without the parties needing to resort to full-scale litigation or arbitration;

- **Employment disputes:** general employment claims, labor agreements, work accidents, individual or mass dismissal decisions;
- **Enforcement of foreign judgments:** disputes arisen from disagreements regarding the recognition and enforcement of decisions taken in other jurisdictions;



- **Environmental and public law litigation:**  
disputes regarding public and environmental legal matters and regulations' breach;
- **Fiscal disputes:**  
annulment of tax authorities' decisions, recovering of fiscal debts, cancelation of fiscal documents, VAT refund;
- **Governmental investigation:**  
representing companies, high-profile individuals and trustees facing governmental investigations, brought by a range of agencies;
- **International dispute resolution and investigations:**  
disputes involving cross-border transactions or deals;



■ **IP and IT disputes:**

IP rights breaches, trademarks, patent rights, designs, logos, litigation in IT field;

■ **Product and professional liability:**

representing international and local professionals in matters ranging from routine third-party discovery to complex, multi-jurisdictional lawsuits and regulatory actions;

■ **Real estate disputes:**

litigation arisen from sale purchase agreements, loan agreements, land restitution.





# OUR KEY LANDMARK WORK

- **The bank with the highest market share in Romania**, in which the EBRD acts as a strategic investor and its subsidiaries and also its representatives in relation to various/multiple regulatory disputes including but not limited to the manner of implementing new legal continue requirements according to DIRECTIVE (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (implemented in Romania through 129/2019 law), the manner in which the bank has implemented AML procedures, as well as in relation to the control procedures initiated by the regulatory authority NBR in connection with the manner in which the Bank has fulfill its legal obligations in respect of the other subsidiaries and with the National Financial Surveillance Authority.
- **One of the leading banking corporations in the Middle East** in connection with various judicial proceedings and procedures for recovering the bank's historical damages (worth over USD 325,000,000), but also with the implementation of the provisions legal requirements in relation to the National Bank of Romania and the state-owned Romanian banking institution, regarding the settlement of the situation of the claims of the National Bank of Romania and related to a former private bank owned by the client.



- **One of key players in the supplier electricity industry** in connection with multiple commercial, administrative, and fiscal litigation derived from the audit reports conducted by the Romanian Court of Auditors, as well in the insolvency proceedings against one of the largest petrochemical companies in Romania and South-East Europe.
- **A national cultural forum, covering scientific, artistic and literary sectors** in the most complex process restitution in Romania in the modern period, having as object the restitution of over 28,000 ha of forest lands and their protection from the execution procedures against the client, with a value exceeding EUR 85 million, but also in managing the conflicts arising in connection with one of the most important PPP strategic investment projects concerning the construction and operation of a medical city near Bucharest which includes an emergency hospital, medical research center, medical faculty and medical and university campus.





- **A Greece-based leading international player in EPC, metallurgy, electrical power and gas trading, present in Europe, the Middle East and North Africa, with activity in 29 countries** in a multitude of litigation files with the Romanian State (both as shareholder of the companies acquired by the group in the privatization process in Romania, and as a public entity, regulatory or supervisory), in connection with the manner of fulfillment by the client of the investment obligations resulting from the privatization, but also with the way of executing the bipartite obligations derived from the arbitral awards pronounced in the arbitrations carried out by the parties in connection with the privatization contract.
- **One of the most important holding of companies in Romania** in various litigation files in relation to the development and execution of one of the most important PPP contracts entrusted by the Bucharest City Hall to the private environment for the construction and arrangement of the largest skating rink in Romania with an estimated value of over 100 million. At the same time, we assisted the Client in the conflict over the development and execution of contracts with the National Company “Bucharest Airports” for the modernization and expansion of the runways of Henri Coanda Otopeni Airport (Bucharest) necessary to expand the Airport in the context of the European Football Championship 2020.



- **A prominent bank in Romania, part of a large Dutch banking group**, in connection with a variety of judicial and extrajudicial litigations/proceedings concerning the way in which bank and its representatives has been linked to the compliance requirements imposed by the Romanian judicial authorities.
- **The leading retail player on the Romanian market, the local division of a large German retailer**, in a variety of civil, commercial, or criminal disputes arising from the company's commercial activity both in terms of accidents in its stores and in relation to other contractual aspects.
- **A Romanian central administration, through the administrative territorial units** (the town hall of a well-known Romanian leisure resort city) in connection with the manner of establishing the taxes on the properties owned by the Royal House of Romania.
- **The Romanian Group companies of a leading pan-European debt specialist for banks and institutional vendors** with respect to servicing disputes arising out of or in connection with the settlement of NPLs, but also with NPLs sale and acquisitions (assisting in connection with portfolio due diligence, but especially in their subsequent service).



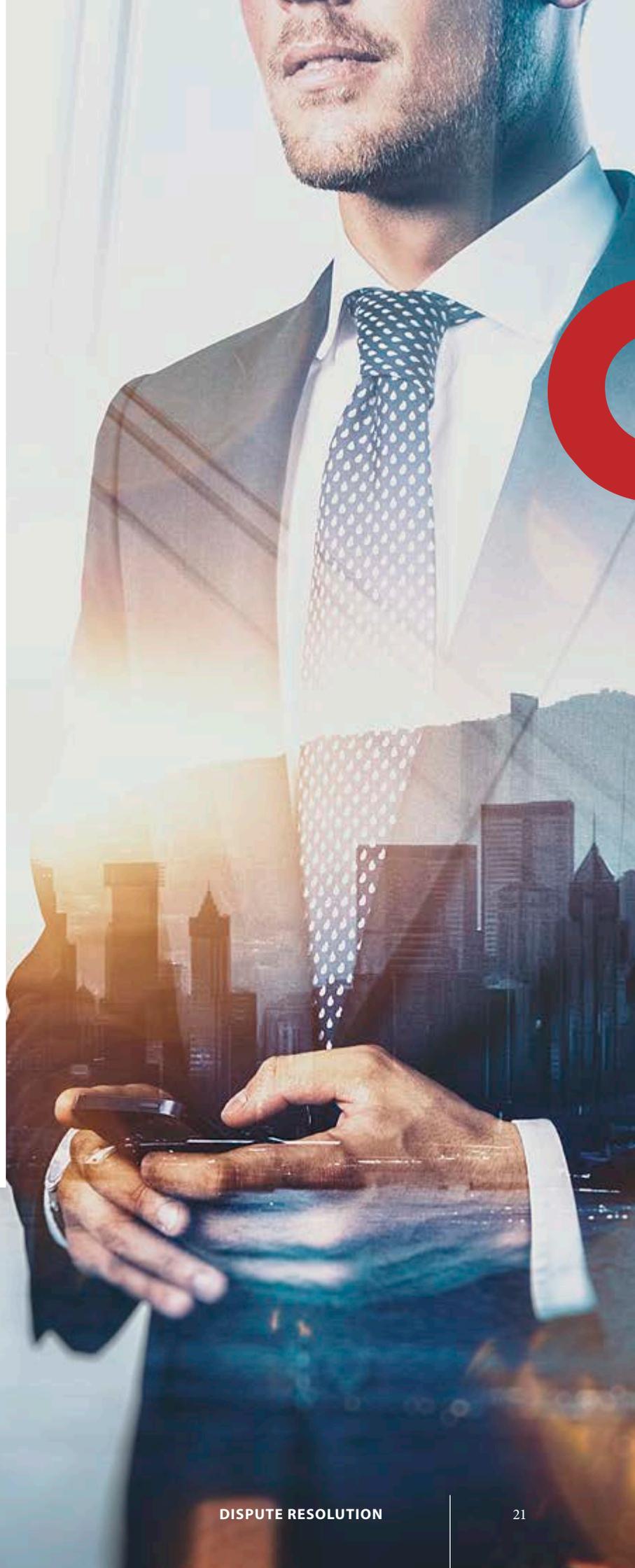


- **One of the most important system integrators in the Central and Eastern Europe (CEE), the Middle East and North Africa (MENA)**, in connection with (i) various commercial and insolvency litigation, (ii) administrative, civil and fiscal disputes derived from the contractual agreements concluded with Romanian State Authorities and other local and international partners with a total value exceeding 6 million, (iii) enforcement proceedings initiated for recovering of alleged debts etc., but also in respect of several high profile white collar crime cases, with an important financial impact of over EUR 50 mil derived from alleged accusations of corruption and/or money laundering, as well as the change of destination of the European funds granted.
- **One of the largest retailers of FMCG in Romania, part of a large worldwide retailer** during its network stores expansion (over 700 stores) as well as in the multitude of litigation arising from this activity, having as example the highly complex litigation and insolvency proceedings involving one of Europe's largest studio complexes.
- **A leading Romanian debt specialist for banks and institutional vendors** in connection to the whole range of legal files and issues which turn up in the enforcement proceedings and are likely to impede or to increase the difficulty of recovering several debt portfolios with a value exceeding EUR 10 million.



- **One of the most important construction companies in Italy**, with worldwide presence, in a series of judicial procedures arisen from closing and execution of a public procurement contract having as object the development of a national interest project in the sport field, located in Bucharest, with a value exceeding EUR 30 million.
- **A leading pan-European debt specialist for banks and institutional vendors** in a wide range of litigation derived from the forced execution procedures initiated and instrumented in Romania in connection with NPLs acquired to restructure and recover the debts whose cumulative value is over EUR 28 million.
- **An industrial company situated in the center of Romania**, historically specialized in lead, zinc and other nonferrous materials, part of a Greek Holding, in various judicial litigation/proceedings related obtaining the environmental permit for accomplishing the historical environmental related to the slag landfill.
- **The founder shareholder of the company which operates the entire optic fiber link for data transfer at Bucharest city level** in connection to various corporate and regulatory matters, derived from the highly contractual mechanism comprised in the Sale-purchase agreement concluded between the parties. Our mandate covers positioning advice for the Client as to avoid potential liabilities and termination of the contract.

- **One of the most important automotive dealers in Romania** in a highly complex bankruptcy procedure, entailing several reorganizations plans for reimbursing the major debt whose total value is over EUR 56 million.
- **The first cloud broker in Romania offering cloud sourcing solutions dedicated to private and public organizations** in connection with various insolvency and administrative disputes derived from the contractual agreements concluded with Romanian State Authorities and other local and international partners.
- **A high reputed developer of technology of transmission and distribution systems** for over 100 years in various court cases, regarding the enforcement proceedings for recovering a debt of over EUR 30 million.





# WHY POPESCU & ASOCIATII ?

We are focusing on the quality of legal services, oriented to efficiency and results, building our relationship with our partners (employees, peers and clients) on integrity, trust and confidentiality.

We pride ourselves on the services provided to our clients, many of them being leaders in their sectors, looking not only for legal expertise, but also advice on business issues and opportunities on the market. We are advising clients with essential business matters, from mergers and acquisitions and banking deals to employment, commercial matters, litigation, white-collar crime, insurance, real estate, IT, intellectual property and plans for restructuring.

In addition, whatever the area of expertise, students and qualified attorneys find a range of career opportunities at POPESCU & ASOCIATII. We take pride of our approachable, friendly, and team-based way of working: highly professional, with great sense of ethics, our attorneys are more than happy to share their expertise and knowledge with the new colleagues.



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The firm comprises sophisticated legal professionals with various levels of experience who are able to assist both large international corporations and local companies. They inspire a lot of confidence. The team is undoubtedly visible in relevant cases and they are strong opponents due to their level of specialization in depth of knowledge of the Romanian legal framework and regulations.”

**(BENCHMARK LITIGATION)**

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