CORPORATE LITIGATION

A STRATEGIC AND EFFICIENT APPROACH TO PREVENTING AND RESOLVING CORPORATE DISPUTES IS ESSENTIAL FOR MANAGING BUSINESS RISKS. AGAINST A BACKDROP OF GROWING PUBLIC SCRUTINY OF COMPANIES, THEIR OFFICERS AND DIRECTORS AND SHAREHOLDERS, **CORPORATE LITIGATION** HELPS TO PRESERVE THE ASSETS AND INTERESTS OF ALL STAKEHOLDERS DIRECTLY OR INDIRECTLY AFFECTED BY THE ORGANIZATION.

Our firm has a group that specializes in defending and resolving disputes involving privately-held and publicly-traded companies. In addition to our strong performance in corporate court and arbitral litigation, we have extensive expertise in administrative litigation.

We closely monitor the activities of bodies such as the Brazilian Securities and Exchange Commission (CVM), the National Financial System Appeals Council (CRSFN), THE Central Bank, and the Private Insurance Superintendence (Susep), in addition to monitoring B3 proceedings, in order to advise our clients on compliance with Brazilian capital market regulations.

We develop efficient strategies to defend companies, officers and directors, shareholders, board members, and committees in the pre-sanctions phase (such as, for example, responding to official letters) and in administrative proceedings (whether or not for sanctions) brought by regulatory bodies and capital market entities.

Our work includes preventive measures to avoid litigation and advisory services both in the pre-litigation phase and during the corporate dispute. We also defend our clients in administrative, court, and arbitral proceedings related to corporate matters.

STRATEGIC SOLUTIONS IN CORPORATE LITIGATION

ADMINISTRATIVE LITIGATION

- Representation in leading capital market cases.
- Preparing answers to inquiries from the CVM, B3, and the Central Bank, involving complex matters for listed companies, managers, investment funds, and other capital market players.
- Extensive experience in defending against administrative sanctions proceedings conducted by the CVM. We deal with various accusations, such as breach of fiduciary duties, internal controls problems, abusive exercise of voting rights, and insider trading, among other issues.
- Drafting and negotiating proposals for consent decrees and consultations with regulatory bodies.

ADVISORY/PREVENTIVE ADVICE

- Knowledge of the regulations issued by the main market agents, such as CVM, the Central Bank, and other regulatory agencies, and technical knowledge of the positions of these regulatory bodies.
- Drafting memoranda and legal opinions on ways to mitigate the risks of corporate disputes involving shareholders, officers and directors, tax advisors, and members of committees of privately-held and publicly-traded companies.
- Legal support for resolving disputes between shareholders, including mediation.
- Analysis of creative solutions to prevent disputes or, if they are unavoidable, to put our clients in an advantageous position in the event of litigation. This includes reviewing contractual provisions in mergers and acquisitions, private equity and similar transactions, to ensure that agreements are effective in the event of a dispute.
- Development of strategies in investigations prior to the initiation of sanctions proceedings.
- Representation in mediation and conciliation processes.
- Assistance in deciding whether to use an arbitration clause as an alternative dispute resolution mechanism, with a specific analysis of the deal in question.

COURT/ARBITRAL LITIGATION

- Extensive experience in court and arbitral proceedings involving highly complex corporate issues.
- Defining a strategy for the court or arbitral proceeding in order to maintain the value of the asset in dispute and maximize the client's chance of success.
- Extensive experience in representing clients at all levels of the Judiciary, both in state courts and higher courts (STF and STJ). This also includes vacatur suits that seek to challenge administrative decisions in court.
- Specialized professionals with representative experience in ad hoc or institutional arbitrations. We have appeared before various arbitration chambers, including the ICC, the International Court of Arbitration in London, the American Arbitration Association, Brazil-Canada, the FGV Chamber of Conciliation and Arbitration, the Market Arbitration Chamber, and CIESP/FIESP.

Our knowledge and experience in corporate litigation ensure that our clients are always well represented and protected, offering security and efficiency in the management of business disputes.

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