

McDermott  
Will & Emery

# Europe

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# The European Practice

## AWARDS & RECOGNITION

- “To have a firm that has a tacit understanding of the realities of the business environment is great.”  
– *Chambers UK 2011*
- “A superb group of experts” – *Chambers Global 2010*
- “Market sources praise this outfit for its prowess in patent enforcement and for its skilful handling of patent infringement cases.” – *Chambers Global 2010*
- “The quality of the individual team members at McDermott Will & Emery/ Stanbrook LLP is impeccable both in terms of knowledge about the law and the knowledge about the decision making processes in DG Competition.”  
– *Legal 500 EMEA 2010*
- “Excellent at communicating trade issues to broad cross-sections of managers in multiple countries”  
– *Chambers Global 2010*
- “Market sources praise this outfit for its prowess” – *Chambers Global 2010*
- 29 of our European partners are listed by *Legal Experts 2010*
- Recognised corporate/M&A teams in Italy and the United Kingdom – *PLC Which Lawyer? 2009/2010*
- “A terrific and easy-to-work-with tax practice, with a lot of depth internationally” – *Chambers Global 2009*
- Leading firm in Germany, Italy and the United Kingdom – *International Tax Review’s World Tax 2009*
- Ranked in the first tier for intellectual property – *Chambers Global 2009*

McDermott Will & Emery's European practice complements the Firm's capabilities in the United States and Asia and enables us to offer first-rate legal advice to our clients operating in this diverse region, characterised by many different national and EU-wide regulations. We provide complete multidisciplinary legal service to a broad range of European and international businesses, private individuals and authorities including:

- FTSE 100/FTSE 250 and *Fortune* 500 companies
- Leading international banks and other financial institutions
- Governmental and regulatory authorities
- Trade organisations
- Privately held businesses

With more than 120 lawyers and professionals based in key European financial and regulatory centres Brussels, Düsseldorf, London, Milan, Munich, Paris and Rome, we have an established network of top legal advisers. We also have excellent longstanding relationships with legal advisers in jurisdictions where we do not have a physical presence, allowing us to provide and project manage integrated, localised advice by sourcing the best professionals for a particular project.

We have handled significant matters in many countries throughout Europe, as well as Southeast Asia, the Middle East and Africa, and can represent our clients in a number of different languages to suit their domestic and international business needs.

Our tightly managed teams, with hands-on partner involvement, regularly manage complex cross-border transactions with components in multiple jurisdictions throughout the world.

In addition to focused, multidisciplinary advice, our clients benefit from an interactive approach with a host of client support services that add value to their business.

# The European Practice

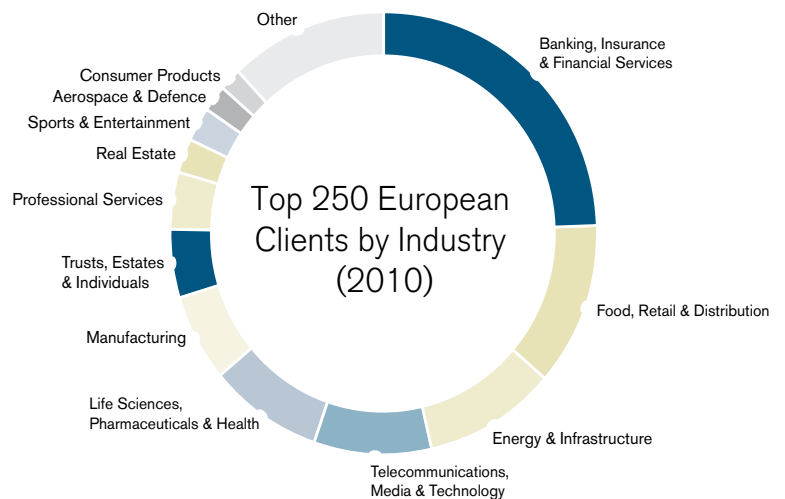


Our core areas of practice in Europe are as follows:

Corporate (including M&A)	Intellectual property
Employment	International private client
Energy	Litigation, arbitration & dispute resolution
EU competition, regulatory & trade	Restructuring & insolvency
Finance	Tax
Health & life sciences	

## INDUSTRY EXPERIENCE

Our European team combines outstanding legal skill with deep industry experience. Our cross-border capability is enhanced by our lawyers' knowledge of specific industry sectors and familiarity with the business contexts in which they operate. This, combined with our geographic diversity and interdisciplinary nature, enables us to provide creativity, resourceful thinking and a client-focused approach to any legal issue. As a team, we have the ability to leverage the Firm's extensive global industry experience, which distinguishes our practice and adds value to each matter we work on for our clients.





# Capabilities

## **CORPORATE (INCLUDING M&A)**

As a globally integrated team our corporate practice provides professional advice on small- to large-size deals, frequently with a cross-border perspective. We combine detailed industry knowledge with core legal skills to represent domestic and international clients in both friendly and hostile public tender offers, negotiated share and asset acquisitions, joint ventures, mergers and spin-offs. Our team advises on all aspects of general corporate and commercial law, including private equity investments, initial public offerings, international equity offerings and going-private transactions, and we provide guidance on shareholder activism and other securities law issues that arise in a European or cross-border context. The team also delivers full-service advice with respect to domestic and cross-border joint ventures, strategic alliances, mergers and acquisitions (M&A), divestitures and public and private corporate restructurings.

## **EMPLOYMENT**

Our team is acknowledged for the quality of commercially practical and sensitive legal advice we provide. We advise on the full range of employment issues, including wrongful and unfair dismissal, executive severance, confidentiality and restrictive covenants, employee fraud, discrimination, union recognition and works councils, industrial disputes, breaches of fiduciary duty, corporate governance, TUPE, pensions, and employment, employee benefit and data-protection aspects of acquisitions.

## **ENERGY**

As part of one of the world's leading energy firms our European practice provides a seamless multi-jurisdictional legal service to energy producers and traders across Europe, the United States, the Middle East and Southeast Asia in all aspects of physical and financial trading, structured transactions, and domestic and international regulations and compliance. We have a strong and growing practice advising on all aspects of the renewable power industry, from initial financing and funding through to the build and management of sites.

## **EU COMPETITION, REGULATORY & TRADE**

We provide sophisticated competition advice before the European Commission and other EU institutions, as well as before national competition authorities. Our full range of EU competition services includes transaction counselling, advice on State aid, public procurement, merger control notification, representation in cartel investigations, technology licensing, and pricing and distribution arrangements. We represent clients on contentious matters, including sector inquiries and EU and Member State litigation, arbitration and mediation.

We advise clients on the full range of EU regulatory issues in sectors such as agriculture, aviation, chemicals, cosmetics, energy, environment, food and beverage, life sciences, pharmaceuticals and medical devices, telecommunications and transport. Our activities include the development of new EU and international regulatory programmes, interpretation of and compliance with existing rules, and their implementation in the different EU Member States.

Our EU trade lawyers have been involved in more than 100 anti-dumping cases, including a number of precedent-setting cases in the European Courts. The team provides clients with strategic advice on potential anti-dumping and countervailing action, representing them when cases are opened and taking the matter to the European Courts in justified cases. We represent national and multinational producers and exporters from around the world, including Brazil, Canada, Guatemala, India, Japan, Malaysia, Pakistan and the United States.

# Capabilities



## **FINANCE**

Our finance team advises clients in the banking and financial services sectors on regulatory matters as well as on straight, structured and asset-backed debt issuances, syndicated and bilateral loans, acquisition and venture capital finance, asset and project finance, derivatives and other treasury products, funds and debt restructurings. Our client list spans the financial service and corporate sectors, and includes leading international commercial and investment banks, clearing houses, investment houses, insurance companies and other financial institutions.

In the project finance area, we advise on all aspects of energy and infrastructure transactions, from the beginning stages of project development through to the negotiation of commercial contracts and financing arrangements supporting the project. Our team advises a broad spectrum of clients including utilities, banks and other debt investors, project developers, oil and gas companies, mining companies, infrastructure funds, hedge funds, construction companies, strategic investors and private equity concerns. The team has advised on groundbreaking deals in the transport, gas, power, oil, renewables, real estate, petrochemicals and telecommunications sectors.

## **HEALTH & LIFE SCIENCES**

The European health and life sciences team counsels European and international organisations in every major sector of the industry on regulatory and business transactions issues. We also advise clients on advertising rules and promotional activities, product liability, professional ethics and industry contracts. We help clients develop, test, finance and market discoveries, providing legal counsel on all aspects of this work during pre-clinical development, clinical trials and post-approval development marketing and use.

## **INTELLECTUAL PROPERTY**

Our practice offers an integrated service across all areas of intellectual property (IP) media and technology, including patents, trade marks, copyrights, designs, trade secrets, data protection, privacy and media. Our clients cover a wide breadth of businesses, ranging from cutting-edge, high-technology industries such as semiconductors, biotechnology, life sciences, software, electronics, chemical and pharmaceutical, to established industries such as manufacturing, food, beverage, machine tool, transportation, entertainment, recreation, advertising, marketing and management consulting. We have the skills and local knowledge to undertake that diverse range of work.

## **INTERNATIONAL PRIVATE CLIENT**

This international practice advises business owners, corporate executives, ultra-high net worth individuals and family groups across the globe on all aspects of cross-border wealth management, trust and estate planning, and wealth transfer issues, with particular experience in UK, US and South African legal, tax and compliance matters.

## **LITIGATION, ARBITRATION & DISPUTE RESOLUTION**

Our dispute resolution practice consists of lawyers who are highly skilled in domestic and international litigation and arbitration. Our professionals provide clients with personal local service, regularly acting for multinational corporations involved in local business disputes before the national courts, and representation in complex cross-border matters, which is reinforced by the Firm's global strength. The team prides itself on its ability to provide assistance on alternative techniques of dispute resolution and in major domestic and international litigation.



# Capabilities

## **RESTRUCTURING & INSOLVENCY**

Our restructuring and insolvency practice offers a global, fully integrated team across the Firm. Our lawyers are knowledgeable in virtually all aspects of counselling regarding distressed transactions, with particularly deep experience in complex international and cross-border restructurings, as well as acquisition of troubled enterprises in North America and Europe. The restructuring and insolvency practice is particularly adept at applying the talents of related practice areas in order to provide seamless advice regardless of the complexity of the assignment or the jurisdictions involved.

## **TAX**

Our European tax advisers provide professional advice in all areas of taxation for major companies doing business in Europe as well as those operating internationally. We offer strategic European and international tax-planning services, covering all direct and indirect taxes, and deliver innovative advice quickly and effectively. Our objective is to place tax planning into context, working closely with our clients to ensure that our advice fits their commercial objectives and enhances their return on investment.

# Belgium



We offer clients extensive EU competition, regulatory and trade advice. The office supports the Firm's antitrust and competition practice to service our global client base.

The Brussels office has lawyers of many different nationalities, the majority of whom are bilingual, if not multilingual. We have lawyers admitted to practice in several EU jurisdictions, as well as the United States. This international environment not only provides a wealth of different viewpoints and approaches to the cases we work on, but has also built up an excellent network of contacts internationally over the years.

Our EU competition lawyers provide sophisticated competition advice before the European Commission and Courts, as well as before national authorities. We have experience in counselling clients on the whole spectrum of competition issues, as well as a deep understanding of the industries in which they operate. These include life sciences, medical devices and pharmaceuticals, energy, chemicals, finance, food and beverage, manufacturing, sports and media, technology and transport.

Our EU trade team counsels exporters, complainants and importers in EU anti-dumping investigations, and advises international investors on customs, export controls and trade-related matters, notably origin, preferential tariffs and anti-circumvention measures. Together with our colleagues in the United States, we provide international investors, producers and traders with fully integrated World Trade Organisation (WTO), trade and customs services.

Our EU regulatory lawyers are uniquely positioned to offer co-ordinated regulatory advice on international and cross-border issues to clients operating in a diverse range of industries. The Brussels practice is ranked consistently by Legal 500 EMEA, particularly in the fields of energy, environment, food and drugs, pharmaceuticals and biotechnology, and transport.

## AWARDS & RECOGNITION

- "The advice rendered is always of very high quality, concise and helpful."  
– *Chambers Global* 2010
- "Excellent technical understanding of the subject [International Trade/WTO] and considerable experience of the Court of First Instance" – *Chambers Global* 2010
- "McDermott Will & Emery/Stambrook LLP is well placed to advise on regulatory matters, in addition to acting in arbitration and litigation" – *Legal 500 EMEA* 2010
- "The Belgian branch of this international player may be small, but it is regarded as packing quite a punch thanks to its long-serving lawyers." – *Chambers Global* 2009
- "Two of the best trade lawyers in the EU"  
– *Legal 500 EMEA* 2009
- "Great coverage and resources – it is able to respond quickly in different languages and give advice on laws in different countries." – *Chambers Global* 2009
- "Very practical advice, with good experience and skills in dealing with EU institutions" – *Legal 500 EMEA* 2009
- "Great awareness of the workings of the Commission – he [Clive Stambrook QC OBE] has been in Brussels so many years, he knows what approach to take."  
– *Chambers Europe* 2009
- "A skilled and extremely client-oriented professional, with an efficient, reliable and responsive manner" – *Chambers Europe* 2009



# France

McDermott Will & Emery's Paris office provides multidisciplinary legal services to domestic and international clients. We focus on cross-border transactions in the areas of competition, corporate, dispute resolution, employment and tax.

Our team brings a wealth of practical and impressive legal and business backgrounds to all matters on which they advise. In addition to guidance on specific issues and multidisciplinary advice, McDermott clients in France, or based internationally, benefit from an interactive approach with a host of client support services to truly add value to their businesses.

From France we represent clients in a number of jurisdictions, including Europe, Japan, America and Asia. We also advise French businesses and associations and French affiliates of European, US, Canadian, Middle East, North African and Asian multinational corporations.

Our team of highly qualified professionals have come together in Paris with the common goal of servicing the many multinational corporations based there and internationally as well. France is a vital hub within Europe, and our team of skilled lawyers has the capabilities, knowledge and experience to service the needs of their clients on domestic and cross-border bases.

A number of our partners are multilingual, languages spoken include Arabic, English, French and Spanish. These language abilities enable our team to reach beyond the standard service many other firms provide to their clients—a capability that differentiates our French practice from a number of our competitors allowing us to better service their multi-jurisdictional needs.

Each of our France-based practices is part of an international network of collaborative lawyers who share ideas on trends and key developments in law as well as on the numerous industries in which we operate. As a result we are able to provide seamless, multidisciplinary service to our clients.

Our corporate lawyers advise domestic and international organisations and private equity funds on mergers and acquisitions, securities and listing transactions, corporate restructuring and bankruptcy law. The team represents clients in a wide range of industry sectors including, but not restricted to, energy, tour operating and telecommunications.

Our dispute resolution team counsels on behalf of companies in civil, criminal and administrative matters. The team also provides international trade advice and guides clients through the opportunities and obstacles posed when trading internationally.

Our EU competition team advises on the full range of competition issues and provides sophisticated competition advice and effective results-orientated representation before the European Commission and other EU institutions, as well as before the national courts.

Our employment practice advises businesses on issues such as termination, discrimination, harassment, restrictive covenants breaches, strikes and other collective conflicts. We counsel clients on the labour and employment aspects of domestic and transnational commercial and corporate transactions, as well as due diligence investigations, audits, employment contracts, restructuring plans, reductions in force, separation agreements, workplace policies and best practices.

Our tax practice advises clients in international tax issues, restructurings of companies, mergers and acquisitions and the creation of joint ventures. Our team counsels multinational companies on the organisation of their tax departments to control their tax risks and their effective taxation rates. We also provide tax advice to entrepreneurs, particularly when relating to international environments.

# Germany



Our German practice delivers high-end legal services to clients in Germany, elsewhere in Europe and around the world, with German qualified lawyers based in Düsseldorf, Munich, Brussels, New York and Rome. This cross-office, cross-cultural group is familiar with many different legal approaches in the global marketplace. Our lawyers counsel multinational enterprises and international clients with German and other European interests, as well as those based in Germany.

We have extensive capital markets experience and represent issuers, underwriters and other related parties on all types of equity issues, both cross-border and in the German market. Our lawyers also advise clients on transaction structuring, regulatory issues and disclosure matters. Our corporate practice works with various organisations on cross-border transactions and joint ventures and we have been involved in many German and other European mergers and acquisitions, participating in all stages of these transactions.

Our restructuring & insolvency practice focuses on all issues arising from corporate insolvencies and restructurings (both solvent and insolvent) including, inter alia, acquisitions out of some of the most famous German insolvency proceedings.

Our real estate team advises both domestic and international investors, developers and financial institutions on commercial property transactions, commercial real estate finance, property management matters including commercial tenancy law as well as on real estate developments and complex joint venture structures.

Our tax practice comprises lawyers with significant experience in mergers and acquisitions, restructurings, value-added tax issues, real estate transactions and global estate planning.

Our health care group is interdisciplinary, bringing together all of the regulatory, transactional, finance, real estate, restructuring and tax knowledge necessary to deliver effective, efficient and focused services to our health industry clients.

Highly skilled in telecom, media and technology (TMT), our lawyers provide extensive advice regarding commercial transactions, licensing and distribution agreements, M&A, litigation and all regulatory and strategic matters affecting the TMT industry.

Our employment lawyers advise on the implementation of operational changes and on labour laws relating to transactions and privatisation. We represent clients in shop agreements, social plans and other collective labour laws. Beyond this, we also frequently draft employment, service and compensation agreements and advise on employee benefits, pension schemes and secondments.

Our dispute resolution practice advises clients on and represents clients in a broad range of commercial disputes, be it by means of litigation, arbitration, mediation or ADR.

## AWARDS & RECOGNITION

- “Very strong presence in healthcare, real estate and media” – *Juve Handbook* 2010/11
- “Recommended for Corporate and M&A with strong international aspects, including restructuring” – *Juve Handbook* 2010/11
- “Traditionally strong tax team with excellent reputation for audits and litigation in before the Finance Court” – *Juve Handbook* 2010/11
- “Experienced, creative and trustworthy arbitrator who ensures prompt and in-depth work” – *Legal 500 EMEA* 2010
- “Cutting edge advice and solutions perfectly match our needs” – *Chambers Europe* 2009
- “Always involved in interesting and influential tax litigation before the ECJ” – *European Legal 500* 2009
- “Restructuring deal of the year” – IFLR European Award 2008
- Nominated as Law Firm of the Year for Employment – *Juve Award* 2008
- Law Firm of the Year for Media – *Juve Award* 2005

# Italy



From our offices in Milan and Rome we advise Italian and international clients on banking and finance, corporate and M&A, dispute resolution, EU competition and regulatory, intellectual property and tax matters.

We provide sophisticated legal and practical advice, combining the highest level of knowledge with experienced project management and excellent teamwork. We pride ourselves on our creativity in addressing complex situations and our client-focused approach.

Our services are focused on the areas of law where we can truly add value, enabling us to position ourselves at the top of the market.

We extend our services to Italian clients reaching beyond national borders, international firms looking to penetrate the Italian economy and international organisations that operate on a global scale. While coordinating our knowledge to meet the technical concerns of a case or transaction, we focus on providing seamless client service.

We advise public and privately owned companies of all dimensions, from small and family-owned businesses to medium-size companies and large, multinational organisations. Our clients operate in a wide range of industries.

Our team of highly experienced professionals has developed a well-established practice and reputation both in Italy and worldwide, and is capable of delivering legal services in English, German, French, Italian and Spanish to suit the needs of our clients operating internationally.

An interdisciplinary approach and efficient use of the resources available to us as an international firm means we can provide creative approaches to the numerous legal issues that confront our clients.

Each of our practices is part of an international network of collaborative lawyers who share ideas on trends, key developments in law and the numerous industries in which we operate.

## AWARDS & RECOGNITION

- “Strong client orientation and special skill in the energy sector” – *Legal 500 EMEA* 2010
- “Boasts perfect timing in supporting the client, excellent knowledge of the business sector and strong availability to the client” – *Legal 500 EMEA* 2010
- “Praised by clients for their technical skill and ability to propose effective solutions” – *Chambers Global* 2010
- Carlo Maria Paoletta is ranked in joint first place as Tax Professional of the Year – *TopLegal Awards* 2009



- “Experienced, fast and proactive” – *Chambers Europe* 2009
- “Ability to adapt client needs to specific situations” – *Chambers Europe* 2009
- “Knowledgeable and fast team” – *Chambers Europe* 2009
- “Excellent advice” – *Chambers Europe* 2009
- “Superb for Italian companies with international operations, since lawyers can work in many languages and are experts on both EU and national issues” – *Legal 500 EMEA* 2008
- “Explain the risks of each scenario, without getting too academic” – *Chambers Global* 2008



# United Kingdom

## AWARDS & RECOGNITION

- “Their great teamwork ensures excellent client service.” – *Chambers UK 2011*
- “This team is doing very well and punches well above its weight,” – *Chambers UK 2011*
- McDermott Will & Emery “knows about energy – its lawyers speak the lingo.” – *Chambers UK 2011*
- “These lawyers are great strategists and problem solvers.” – *Chambers UK 2011*
- “Hardest fighter in the field” – *Chambers UK 2010*
- “Smart operator” – *Chambers UK 2010*
- “Fantastic knowledge of [Financial Services Authority] and commodities regulation” – *Chambers UK 2010*
- “You always get to work with partners and save money thanks to the smaller numbers they have on a deal” – *Chambers UK 2010*
- “Always focused, and on top of every detail” – *Chambers UK 2010*
- “Very pleasant to work with and completely client-focused” – *Chambers UK 2010*
- “Notable as an energy-focused practice with related M&A and corporate law capability” – *Legal 500 UK 2009*
- “Analytical thinking and ability to address complex issues and provide solutions” – *Legal 500 UK 2009*
- “Good knowledge about commodities trading and regulation” – *Legal 500 UK 2009*

McDermott's London office brings a prestigious legal practice to Europe and complements the Firm's capabilities in Belgium, France, Italy, Germany and the United States, as well as the Firm's strategic alliance with MWE China Law Offices in Shanghai.

Unlike many US law firms in London, virtually all of our lawyers are UK-qualified which positions us well in the market. We offer legal advice to a wide range of domestic and international organisations operating around the globe.

From London we represent a wide range of clients, including:

- FTSE 250 and *Fortune* 1000 corporations
- Banks and other financial institutions
- Governmental organisations
- Small and medium-size businesses
- Trustees
- High-net worth individuals and families

The London practice has a strong industry focus, with clients active in a number of core sectors such as commodities, energy, financial services, food and beverages, life sciences, medical devices, pharmaceuticals and telecoms. The depth of our industry knowledge enables us to work seamlessly with our clients, truly adding value to areas that are important to them and their daily business needs.

Our clients benefit from the London office's interdisciplinary approach to legal services; we guide them through the business and legal risks involved in doing business in the continually evolving worldwide market.

Constant interaction across our global offices keeps our lawyers abreast of the most recent developments within the global business and political landscape, ensuring we are in the best position to provide the most effective advice.

To understand and meet our clients' business needs fully, our practice groups are broadly structured and many team members bring business acumen and an in-house perspective gained from industry experience.

# Contact Us

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Strategic alliance with MWE China Law Offices (Shanghai)

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