

Setting the Standards

"Outstanding Team"

Legal 500 EMEA 2013

"A strong commercial and fiscal disputes expertise"

Chambers Europe 2012

"Practical, problem-solving approach"

Chambers Global 2011

"Clients enthused about this boutique firm, praising its fantastic and diligent lawyers"

Chambers Europe 2010



In business, it's the skill in handling the rough spots that ultimately defines one's ability to succeed. Today's business leaders need highly flexible attorneys with a deep comprehension of the business phenomena. They want impeccable ethics and unwavering services. They want value.

And they demand attorneys with demonstrable, exceptional record of success.

It is because we understand the realities of the Romanian market that we developed a focused business practice, aimed to provide more than just quality legal advice. And thanks to our like-mindedness to the clients, as well as to our rich and challenging business experience so far, we constantly manage to offer our clients "one-stop shop" custom-tailored services to add legal value to their business – rather than simply deliver the assistance we are requested for. In our day to day practice we constantly aim to set the standards for the quality and precision of legal advice and keep in mind that the first and foremost thing our clients look for in their attorneys is more than just an unbiased professional. They need a business partner.

Sorin Strătulă

Managing Partner Strătulă Mocanu & Asociații



SM&A has "an international outlook"

Chambers Europe 2012

"Dynamic and commercially oriented approach"

Chambers Global 2011

"Strătulă Mocanu & Asociații is a full-service law firm with a strong reputation in the market for its litigation practice"

Legal 500 EMEA 2010





Strătulă Mocanu & Asociații

Firm

ABOUT US

Strătulă Mocanu & Asociații is a rapidly developing Romanian Law Firm, with a strong commitment to ethical values and a significant business legal practice that focuses on a broad spectrum of commercial legal aspects.

By providing high quality legal assistance in a great diversity of legal matters, our firm has reached, since its set up in September 2006, a respectable portfolio of both local and international clients, gaining the reputation sought by its founding partners when committing to the principle of Setting the Standards.



Our attorneys have in time developed a sophisticated business approach, with a clear focus on commercial objectives, as well as a keen understanding of the clients' businesses and industries that allow us to provide strategic legal advice in a reliable, efficient and discreet manner.

Thanks to its growing experience with the international business environment, our Law Firm can accurately provide legal assistance in three foreign languages, all of which currently hold an international status – English, French and Spanish.

Firm

AWARDS AND RECOGNITION

During the recent years, SM&A gained a significant portfolio of **awards for excellence and outstanding achievements in different fields of legal services**, from various independent and international legal publishers, editors or business titles.

This is a brief list of most recent awards:

- Arbitration Law, Firm of the Year in Romania for the 2013 Global Law Experts, Practice Area Awards and Advertising Law, Firm of the Year in Romania for the 2013 Global Law Experts, Practice Area Awards
 Global Law Experts (www.globallawexperts.com)
- Romanian Overall Law Firm of the Year 2012 - ACO Magazine (www.acqmagazine.com)
- "Arbitration Law Firm of the Year in Romania", and "Advertising Law Firm of the Year in Romania" - Corporate INTL Magazine, Corporate INTL 2012 Global Awards (www.corp-intl.com)
- Romanian Boutique Law Firm of the Year
 2012 Acquisition International Magazine (www.acquisition-intl.com)
- "2012 Arbitration Law Firm of the Year in Romania" - Corporate INTL Magazine (www.corp-intl.com)

Strătulă Mocanu & Asociații is currently recommended by the following international legal directories:



Dispute Resolution, Restructuring & Insolvency, Corporate and M&Ay



Endorsed by PLCWhich lawyer?

Dispute Resolution IT, Telecoms & Media

Dispute Resolution IT, telecoms and media



"Managing partner and head of dispute resolution Sorin Stratula has a thriving practice as a litigator" Chambers Global 2013.

RANKED IN CHAMBERS GLOBAL 2013 Sorin Strătulă





Recomanded Lawyer 2012

Sorin Strătulă

Managing Partner

Sorin is the Managing Partner of Strătulă Mocanu & Asociații and a member in good standing of the Bucharest Bar.

He graduated Magna cum laudae the Bucharest University – Law Faculty (1999). Prior to founding Strătulă Mocanu & Asociații Sorin acted as associate with Mușat and Associații Law Firm (1999-2000) and then joined Nestor Nestor Diculescu Kingston Petersen Law Firm, until September 2006.

Major areas of expertise include Dispute Resolution, Insolvency & Restructuring, Real Estate, Intellectual Property and Public Procurement.

Sorin is ranked by the Chambers Global 2013 and Chambers Europe 2012 legal directories among the top 10 dispute resolution lawyers in Romania, while he was designated "Litigation Lawyer of the Year 2011 in Romania" by business title Corporate INTL Magazine (www.corp-intl.com)

Sorin is proficient in English and has a working knowledge of French.

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"An excellent communicator who can deal with any matter entrusted to him, no matter how difficult" Chambers Europe 2012.



Cosmin Mocanu

Partner

Cosmin is a Partner of Strătulă Mocanu & Asociații and a member in good standing of the Bucharest Bar.

He graduated Magna cum laudae the Bucharest University - Law Faculty (2004), as well as the Master courses in Business Law with the Nicolae Titulescu University in Bucharest (2005). Prior to founding Strătulă Mocanu & Asociații, Cosmin acted as associate with Muşat & Associații Law Firm (2003-2004) and then joined Nestor Nestor Diculescu Kingston Petersen Law Firm, until September 2006.

Major areas of expertise include Dispute Resolution, Corporate and Commercial, Employment, M&A and Tax.

Starting November 2011, Cosmin is the President o East Legal Team EEIG, an independent alliance of law firsm from the Central and Eastern Europe Region, founded by SM&A together with a reputed Hungarian Law Firm.

Cosmin is ranked by the Chambers Global 2013 and Chambers Europe 2012 legal directories among the top 20 dispute resolution lawyers in Romania.

Cosmin is proficient in English, fluent in French and has a working knowledge of Spanish.

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Oana Strătulă

Partner

Oana is a Partner of SMA and a member in good standing of the Bucharest Bar.

She graduated Magna cum laudae the Iași University – Law Faculty (2002). Prior to joining Strătulă Mocanu & Asociații, Oana acted as a founding partner of Dragne & Asociatii (2010-May 31st, 2012), senior associate of Mușat & Asociații (2007-2010), and associate with several law firms (2003-2007).

Major areas of expertise include IP, Competition, Banking & Finance, PPP and Concessions, Dispute Resolution.

Oana is proficient in English and has a working knowledge of French.

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PRACTICE AREAS

Our practice areas cover the entire spectrum of legal matters that may accompany a business set up and operation in Romania, irrespective of industry area or the investor's country of origin. In terms of any investment process, the key legal areas in which our attorneys excel are focused around eight core practice groups:

- Corporate and Commercial
- Employment
- Mergers & Acquisitions
- Real Estate & Construction
- Dispute Resolution
- Intellectual Property
- Procurement & PPP
- Tax

INDUSTRY SECTORS

Here are, in a glimpse, some of the industry sectors we currently serve:

In the Tobacco Industry, we provide constant assistance and representation to a world leading British-American tobacco producer, especially in arbitral and judicial disputes arising out of its tobacco marketing and regulatory activities.

We currently assist an US world leading company in the Pharmaceutical sector, with a serious of employment and debt recovery related issues.

Se are serving major players within Automotive Industry, in dispute resolution cases, as well as by offering legal counselling in connection to state aid processes.

In the Health Services area, we provided assistance in the setup, and currently advice the post incorporation activities of several medical clinics operating famous UK franchises of food intolerance and allergy sensor tests.

Some of our premium clients act in the Energy industry area, operating companies the activities of which range from renewable and green energy, to nuclear energy. In the Real Estate Development and Residential industry we are proud to assist investors and developers of various nationalities, among which an internationally acknowledged Turkish Residential Compounds developer and operator .

Over the last years, our legal counselling in the IT & Telecom industry, as well as that in the Media and Advertising sector have been repeatedly acclaimed and recognized by the prestigious Legal 500 EMEA directory.

We currently provide hands-on, daily assistance in the Radio & TV Production and Broadcasting industries, as we are proud to include in our portfolio well known radio stations, concert organizers and TV show producers both local and international.

We currently provide significant assistance to a series of investor companies in the setting up and operating a chain of Fast Food restaurants, under a German franchise the tradition of which goes back to the 1950s.

A popular Retail Chain, active in Bucharest and in the Eastern part of Romania, is retaining our services for various litigation specific issues related to the operation of their business.

Apart from traditionally providing close counseling to several US based Publishing Houses, our more recent projects include significant legal assistance in a series of projects pertaining to the Printing and Graphics industry area.

SIGNIFICANT CLIENTS

Here are some of our most significant clients and their industries:

- British American Tobacco (world leading tobacco manufacturer and distributor)
- Pirelli Tyres (world leading tyre manufacturer)
- Pfizer HCP Corporation (world leading pharmaceutical company)
- UPC (world leading telecom and media group)
- Espe Energia (major Italian regenerating energy company)
- Anchor Group (major Turkish mall developing and operation group – a subsidiary of FIBA Holding)
- **Gameloft** (mobile game production)
- KNM Group Berhad Malaysia (oil & gas equipment production)
- Protan SA (neutralization of animal by-products)
- Lowe Group subsidiary of Lowe Worldwide (German media and advertising company group)
- Sinevizyon TV Production (Turkish TV producer company)

"Strătulă Mocanu & Asociații skillfully blend the top quality services of big law firms, with the friendly fees of a boutique, and the very important personal involvement of both partners – and that is an outstanding deal".

> Radu Culic, Corporate Affairs and Legal Director, UPC Romania

Corporate & Commercial (Giving our clients the edge)

GENERAL CORPORATE EXPERTISE:

In the general corporate area, our work reaches the peak of its diversity, ranging from incorporations, corporate duty and liability issues, special corporate vehicles, shareholding restructurings, social capital issues, inter-group financial schemes and the protection of minority shareholders.

COMMERCIAL CONTRACTS EXPERTISE:

To name but a few commercial instruments in the drafting, negotiating, and most importantly, safeguarding of which our attorneys are highly skilled, such range from sale purchase agreements, receivable and share assignments, international sales, leases, distribution agreements, joint-ventures, franchises, license agreements, loans, agency agreements, enterprises, to any type of collaterals, insurance and re-insurance agreements, as well as a great variety of services agreements.

Sure enough, our vast practice and business oriented approach do play a chief part in recommending our commercial contract practice. But when it all comes down to gaining the edge in a transaction, it is our extended, challenging business litigation experience that allows us to catch the full view of each deal, of its tricks and traps, of all its possible outcomes. And that is what making the difference is all about.

- We have assisted a major Turkish real estate, construction, fast food restaurants investor during the setup and operation of a number of companies for the purpose of developing a fast-food chain franchise of a well-known and successful German fast food franchise
- We provided assistance to a major US based aviation repair services provider in connection with the shareholding restructuring of its Romanian subsidiary
- We have assisted an international oil & gas industry sector corporation based in Malaysia in conducting a legal due diligence analysis on a targeted Romanian entity, providing legal analysis in all the areas in which the targeted company operates, including employment, real estate, tax, IP and regulatory.

"Over the last 3 years, Strătulă Mocanu & Asociații have provided outstanding dispute resolution advice. Whether it is arbitration, administrative procedures, or commercial disputes, when it comes to successful awards, they are the ones to see".

> **Laura Moisi**, Legal Counsel, British American Tobacco Romania

Dispute resolution (Engineering victories)

DISPUTE RESOLUTION EXPERTISE:

Our Dispute Resolution team represents clients in front of all Romanian courts of justice, the Constitutional Court, the State Office for Patents and Trademarks, The Competition Council, as well as in arbitration proceedings (including ICC, UNCITRAL, CCIRB procedures).

With a significant and verifiable success rate, we take pride in the experience and reputation gained in areas such as administrative and fiscal, insolvency, real estate and ownership recovery, intellectual property, employment, insolvency, banking and finance, corporate and commercial claims, competition, insurance, as well as in all-kind enforcement related disputes.

At the same time, we have developed alternative dispute resolution techniques to provide swift and creative remedies, assisting clients through mediation and conciliatory procedures, as well as in negotiations to minimize the risks and reach the best amiable solutions.

- We represent a world leading British-American tobacco company in a large number of arbitration and judicial claims generated either by commercial disputes between our client and its commercial partners, or in administrative disputes with a number of regulatory authorities
- We currently assist and represent a world leading US based pharma multinational in a series of inter-connected trial procedures, including one major insolvency procedure of one of the biggest Romanian drug distributors, with all related claims. The total amount of the receivable mass against this important Romanian pharmaceutical distributor, currently in insolvency, is of Euro 355,000,000
- We successfully represented a world leading Italian tyre manufacturing company in an approx. EUR 600,000 damages claim against the national oil pipe administration company for defaults of the latter in duly signalling and notifying the existence and placement of an oil pipe located under client's industrial land.
- We currently defend of a significant Turkish construction company in a EUR 45,000,000 litigation claim jointly lodged by the owner of an important office building in central Bucharest and its insurance company, whereby claiming from all parties involved in the building construction and design alleged damages generated by an accidental fire in the summer of 2009.

"Strătulă Mocanu & Asociații offer excellent services within incredible timeframes, for more than reasonable fee rates. They are one great deal".

Nadia Comanescu, Chief Legal, Pfizer Romania



Employment (Working out the knots)

EMPLOYMENT EXPERTISE:

Over the years, we have assisted major employers through negotiating and implementing individual employment contracts and collective bargaining agreements, restructuring procedures, preparing and implementing internal regulations, as well as through terminations and collective lay-offs and in negotiations with unions on employment rights disputes.

Our employment team has been involved in social impact activity reorganizations, including drafting and implementing restructuring programs, providing legal assistance to the management in the enforcement of restructuring programs with a view to maintaining a strict compliance with the relevant legislation, as well as with the applicable collective bargaining agreements.

- We have successfully assisted a world leading US based pharma multinational in the amicable settlement of an employment dispute with one of its regional managers
- We currently provide day to day assistance and advice in employment related legal issues to one of the major TV producers on the Romanian market – an international, Turkish based TV production company.
- We have provided successful assistance and representation to an Australian data base management company during the layoff procedures that accompanied the voluntary dissolution of its Romanian subsidiary

"The sound legal knowledge, excellent reaction, ingenious solutions and hands-on approach of each matter, warmly recommend the practice of Strătulă Mocanu & Asociații". **Amira Syoufi**, Country Manager, York Test Romania





Intellectual Property (A Trade Mark of Success)

IP EXPERTISE:

Our IP team provides qualified assistance in protecting and enforcing the clients' rights in operations such as mergers and acquisitions, franchising, joint ventures, licensing and assignment of intellectual and industrial property rights, as well as in negotiating, modifying and enforcing any type of copyright transfer.

We advise on a variety of agreements in relation to the creation, acquisition, licensing and exploitation of intellectual and industrial property, in the assessment of trademark and design availability and registration, and also in conducting market inquiries.

- We have successfully defended a major international, Turkish based TV production company in a copyright claim whereby the claimant requested the cease and desist of airing for one of the main prime time reality show programs produced by our client, as well as compensatory damages amounting EUR 360,000
- We successfully represented a major German-based tobacco company in challenging and overthrowing a preliminary refusal of registration of its trademark with the Romanian Patent and Trademark Office
- We currently assist and advise to a food and beverage Turkish investor operating a fast food chain of a major German franchise with regard to the various IP (especially in the patent and industrial design areas) related issues arising out of its day-to-day activities

"Strătulă Mocanu & Asociații provide us excellent assistance in a great variety of legal issues. With prompt, focused and efficient advice, they find ingenious solutions to each legal puzzle"

Elena Ion, Commercial Director, Lowe & Partners

Mergers & Acquisitions (Structuring smart solutions)

M&A EXPERTISE:

Our M&A practice covers a broad spectrum of possible transactions, including takeovers, amalgamations, spin-offs, outsourcings and other asset deals. We are skilled in the legal due diligence work for any involved party and provide integrated services that cover all mergers and acquisitions related aspects, such as IP rights, real estate and environmental issues, employment, corporate and commercial, financial and competition problems.

We provide clients with regulatory advice on deal structuring and tax optimization, with assistance through negotiations, through proceedings regarding approvals of concentrations before national competition authorities and in obtaining all necessary approvals, authorizations and licenses.

- We assisted and represented a major German media and advertising group during the acquisition of a Romanian IT and media company (focused on on-line business), providing full corporate assistance and due diligence service throughout the acquisition procedure
- We recently assisted one of the largest Israel graphics and printing company during the acquisition of a Romanian photographic distribution company's good will. The approximate value of the deal is of EUR 500,000
- We advised an international US based investor operating in the information technology industry during the acquisition of a Romanian IT company
- We assisted and advised a major American publishing house during the acquisition of a Romanian publishing company, providing full corporate and due diligence services

"Strătulă Mocanu & Asociații offer sound advice, practical solutions and in-no-time feedback on all matters. Add some friendly fees to this mix, and you get one fabulous legal services deal".

Ali Capa, CEO, Wienerwald Romania



Procurement & PPPs (Making the right bid)

PROCUREMENT & PPP EXPERTISE:

Our Procurement team provides a wide range of services, guiding clients through all stages of a tender, including preparation of all necessary documentation, and drafting PPP or procurement contracts, as well as on post award performance.

We assist and represent either awarded or unawarded bidders in administrative proceedings in front of contracting authorities and courts of justice in cases of both award challenge and procurement contracts amendment and termination.

- We assisted a major Brazilian medical equipment manufacturer during the challenge of a USD 4,000,000 tender for neonatology medical equipment against the Romanian Ministry of Public Health
- We currently assist the national provider of animal by-products collection services in a series of litigation cases against the Romanian State, concerning the termination of client's procurement contacts concluded with the Ministry of Agriculture, as well as involved approx. EUR 33 Million prejudice claimed to the State
- We are currently providing day-to-day full legal assistance to the Romanian subsidiary of a major multinational pharmaceutical producer based in the US, with the monthly tenders that the client is undergoing with state hospitals and other public health care providers in Romania

"I've worked with Strătulă Mocanu & Asociații day-to-day for the past four years, and no matter the problem, they've had the solution. My legal services shortlist starts and ends with them".

> Ahmet Kalyoncuoglu, CEO, Sinevizyon TV Production Romania

Real Estate & Construction (Brick thick advice)

REAL ESTATE AND CONSTRUCTION EXPERTISE:

Our real estate attorneys advised on many land and construction acquisitions, providing A to Z guidance and making avoidable any encumbrances a large real estate deal may encounter.

We have developed a practical understanding of the realities in Romania's real estate environment and treat these matters not only in terms of legal due diligence, but also in terms of business efficiency, knowing that an investment on this market may be at risk if not implemented in strict observation of the timeline.

Either our clients want to build, develop, sell (or in any other way dispose of), purchase, lease or mortgage a real estate or intend to implement a green field or equity investment, we are there to help them exploit it to the full.

- We provided provide ongoing assistance and advice to a major Turkish real estate and construction company regarding the day-to-day legal issues related to a major and popular residential complex in the heart of Bucharest
- We assisted a group of Irish investors in relationship to the development of a residential and commercial complex in total value of EUR 34,000,000 in Timisoara city (situated in the western part of Romania)
- We provided ongoing assistance and representation to a world leading Turkish Mall developer and operator in a variety of day-to-day legal issues arising from the activity of the two most significant and popular Mall Centers in Bucharest

"During our 5 year collaboration so far, Strătulă Mocanu & Asociații have provided top of the line legal services, ingenious solutions and pro-active thinking, for friendly fees. And 100% success rate so far, to top it all". **Albert Pînzaru**, Anchor Group Legal Director

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Tax (Value Added To your business)

TAX EXPERTISE:

Our Tax team provides advice on taxation and assists clients in handling their fiscal obligations in order to achieve maximum tax benefits, efficiency and optimization in all types of transactions.

Our services cover the entire spectrum of fiscal matters, including general overview of the tax legal regime in Romania, analysis of double taxation avoidance treaties, as well as of banking and leasing operations, corporate finance, real estate rentals or any other commercial activity.

- We provided ongoing tax advice to a group of media, advertising and IT subsidiaries of a major German media group
- We assisted a significant US aerospace technology enhancement and services provider in identifying the optimal taxation regimes for the employment contracts concluded by the Romanian subsidiary of the client and the international work force it employs
- We provided ongoing tax-optimization advice to the Romanian subsidiary of a major Turkish TV producer in relation to its day-to-day activity

About EAST LEGAL TEAM – European Economic Interest Grouping

Different legal environments. One approach. One practice.

Strătulă Mocanu & Asociații is a Founding Member of East Legal Team – European Economic Interest Grouping (ELT) – an alliance of independent law firms from the Central and Eastern European region, with the main purpose of providing their clients a wealth of advantages arising from the interdisciplinary professional cooperation of the members, as well as from their ability to provide unified services at regional level.

The East Legal Team was established in March 2008 by founding members Strătulă Mocanu & Asociații and Balazs & Hollo Law Firms, is subject to the provisions of Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Groupings and has its seat in Budapest, Hungary. It covers an area of the following Central and Eastern European countries: Albania, Byelorussia, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Macedonia, Moldavia, Montenegro, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Turkey, Ukraine.

Currently, apart from Romania, ELT also includes member law firms from Hungary, Poland, Bulgaria, Czech Republic and Slovakia, as well as observers from Spain, Germany, Austria and Italy.



All current ELT members are business law firms with a remarkable reputation in their countries of origin, sharing not only sound ethical values and principles but also a rich, business oriented legal practice as their main business card.

ELT aims to provide at an international level the same top quality and integrated legal services each of the members offers in its home jurisdiction, both to international clients who seek to enter the region, as well to those who want to expand their already existent business to more than one country in this area. On a business market under continuous expansion and intensification, mainly due to the accession to the European Union of the countries in the region, ELT aims to reconcile the paradox most investors face when, although they act in highly similar business fields, they are at the same time subject to considerably differentiated legal systems.

Thanks to the cohesion and unified practice among the ELT members, our clients are kept safe from the many encumbrances usually faced when entering a new market, thus being able to better and more profitably achieve their business pursuits.

www.eastlegalteam.com



For more information about ELT please contact:

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"There is no case that these gentlemen could not handle"

Legal 500 EMEA 2013

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