

KNOWLEDGE. INVOLVEMENT. RESULTS.



FURTEK KOMOSA
ALEKSANDROWICZ

FKA Furtek Komosa Aleksandrowicz was established in 2001 as a commercial law firm providing complex legal services. We are known for our open business culture, independent view and FKA's values which ensures that our clients always get the best possible service.

Our mission is to build long-term relationships with our clients and business partners. One of the firm's key advantages is its team of experienced lawyers who for years have built up their practical skills and reputation advising leading Polish and global companies on complex domestic and international transactions.

We apply all our knowledge and expertise to ensure our Clients the best possible results. The effects of our work have been recognised and appreciated by international legal rankings, such as: Legal 500 EMEA, Chambers Global, Chambers Europe and IFLR 1000.



INDEPENDENT
VIEW:

Chambers Europe 2015

"FKA's proactive team provides fully professional services, deep knowledge and the ability to explain complex legal issues."

Legal 500 EMEA 2015

"The effective FKA is praised for its quick response times and communication."

WHERE WE CAN HELP?

We provide our clients with professional service, legal advice of the highest quality, and innovative solutions in the areas of: company law, commercial law, mergers and acquisitions, labour law, competition, financing and restructuring, tax and intellectual property law, with particular emphasis on the financial, telecommunications, energy, FMCG, IT, retail, food & beverages, postal and oil & fuel sectors.

CORPORATE/COMMERCIAL LAW

We bring our comprehensive knowledge and experience to the field of company law.

“Lawyers at FKA have excellent project management skills and very good legal knowledge. Tadeusz Komosa heads the team, which routinely advises very high-profile clients on matters such as domestic and cross-border M&A, joint ventures, equity investments and demergers” – Legal 500 EMEA 2015.

We also advise on internal company relations, including good practice, corporate governance, internal corporate regulations, and disputes associated with exercising shareholder rights and ownership supervision. We provide assistance in real estate transactions and in preparing and negotiating all types of commercial agreements.

“Edyta Jusiel has a great personality and climbs the rankings after receiving lots of positive feedback from clients. They appreciate her concise advice and comment: She has a very good understanding of the underlying business considerations” – Chambers Europe 2015.

– We have advised Orange Polska S.A. on several transactional projects, among others: the sale of the Call Centre and the acquisition of the Datacom System.

– We have advised the Management Board of Polkomtel S.A. (a target) during the sale of 100% of the shares by the shareholders. It was the largest M&A transaction in Central and Eastern Europe in 2011 (EUR 4.5 bn).

FINANCIAL INSTITUTIONS

“The effective FKA is praised for its quick response times and communication. Leszek Rydzewski’s team acts for banks in a mixture of contentious and non-contentious matters. Marek

Furtek – the firm’s head of dispute resolution and arbitration – is active in this sector” – Legal 500 EMEA 2015.

When we work with banks or other financial institutions, we aim to understand the client’s individual needs and reconcile them with the sector’s regulatory environment. We help companies negotiate project finance agreements (credit facilities, bond issues).

“FKA provides extremely good service, and is praised for its international quality combined with legal knowledge.” – Legal 500 EMEA 2013.

– We have advised Alior Bank S.A. on the financing of two wind farm construction projects in Poland implemented by two companies from the capital group of Warszawskie Przedsiębiorstwo Mostowe MOSTY.

– We have advised PKP S.A. (Polish Railways) on finance documentation both with commercial banks and in-

ternational development banks to ascertain the level of borrower/issuer covenants with a view to massive real estate projects to be developed with commercial partners on the basis of the railway station locations and aimed at optimising the railway asset base.

LITIGATION, ARBITRATION AND MEDIATION

We are very proud of our successful representation of banks and other financial clients in dispute resolution matters over the years.

“The firm’s banking litigation skills are second-to-none” – Legal 500 EMEA 2008.

If you can’t avoid litigation or arbitration, we are here to help. To meet client needs, we form specialist teams from various areas of law, who then devise and implement the optimal solution from the procedural point of view.

“Head of the arbitration department Marek Furtek is noted by sources as an excellent lawyer” – Chambers Global 2012.

“This solid firm has built up a great reputation in all areas of dispute resolution. It frequently acts on disputes involving major Polish manufacturers, banks and service providers” – Chambers Europe 2008.

In addition, we advise in connection with administrative proceedings before provincial administrative courts and before the Supreme Administrative Court.

– We have represented a leading company from the energy sector in several court proceedings relating to commercial matters.

– We have represented several banks before the courts and the Court of Arbitration at the Polish Bank Association in a series of litigations concerning derivatives.

TAX LAW

FKA ensures the tax optimisation and security of projects, providing comprehensive tax advice of the highest quality concerning both direct and indirect taxation. We propose innovative yet practical solutions suited to the business needs of our clients.

“Mariusz Aleksandrowicz is a top-class specialist who takes a comprehensive approach” – Legal 500 EMEA 2015.

We give tax advice on all types of transactions, from mergers and acquisitions and business restructuring through leasing transactions and project financing to real estate transactions, capital markets and financial transactions, individually tailored to a client's needs.

We assist in taxation disputes, including disputes before administrative courts.

“Mariusz Aleksandrowicz of FKA maintains his reputation as one of the best tax lawyers in Poland. He is particularly recommended for litigation and stands out for his vast knowledge and understandable explanations. You can be sure that his advice covers all the issues” – Chambers Global 2015.

– We have advised Poczta Polska S.A. (the Polish Post) on tax aspects of financial services.

– We provide a leading company from the energy sector with ongoing tax advisory including, among other things: corporate income tax, real estate taxation, excise tax and taxation of franchise agreements.

EMPLOYMENT LAW

We have many years' experience in all aspects of labour law, including employing managers or key employees, negotiating conditions for termination,

workplace discrimination, group layoffs, negotiating severance terms, transferring a workplace to a new employer, outsourcing, health and safety, and issues related to recruiting foreigners.

“Jolanta Zarzecka-Sawicka is an adroit employment practitioner at FKA, who assists with a broad range of transactional matters and disputes” – Chambers Europe 2013.

– We have advised on all aspects of the day-to-day employment issues of SAD, a premium reseller of Apple's products.

– We have advised one of the leading banks on a broad range of employment issues including litigation matters and managerial contracts.

RESTRUCTURING AND INSOLVENCY

We advise on complex restructurings. Our experts advise clients on contingency planning, insolvency filing

requirements and proceedings, debt restructuring, distressed financing and rescheduling.

“FKA proactive team provides fully professional services, deep knowledge and the ability to explain complex legal issues. Primarily it advises financial institutions as creditors and its work includes the renegotiation of credit facilities, the sale of assets and obtaining support from shareholders and investors. The experienced Leszek Rydzewski heads the practice” – Legal 500 EMEA 2015.

– We have represented mBank S.A. in a debt recovery process with regard to the bank's credit and bond debt position as a result of the insolvency proceedings of a bankrupt holding company listed on the WSE.

– We have represented Bank PKO BP S.A. and Bank BGŻ BNP Paribas S.A. in restructuring the debt of the Polish capital group listed on the WSE.

INTELLECTUAL PROPERTY AND NEW TECHNOLOGIES

“Recognised for its litigation prowess, this Polish team is propelled into the rankings this year thanks to its growing presence in the IP market. Focusing on securing clients' interests in slew of issues from license

agreements to advertising development agreements“
– Chambers Europe 2013.

We also specialise in new technologies law, including IT and Internet agreements and telecommunications law.

– We have advised one of the leading banks on the introduction of an automated trading platform for foreign exchange transactions delivered by an international provider of information services and IT solutions.

– We have advised Bank PKO BP S.A. on a security monitoring system in the bank and on licensing and implementing a universal central banking system, as well as in the process of selecting the supplier of an Integrated IT System.

COMPETITION LAW

We advise our clients on their antitrust policies, litigation and regulatory strategies. Our practice covers all areas of antitrust and competition law, including merger control (as part of the M&A transactions), abuse of dominance, antitrust disputes, compliance and sector regulation.

We have been involved in some challenging disputes before the Office of Competition and Consumer

Protection (UOKiK) and before the Court of Competition and Consumer Protection (SOKiK) and higher courts and are recognised for finding creative and strategic solutions to complex antitrust issues.

“Agnieszka Skrok leads the team at FKA, which is acting for a number of financial institutions” – Legal 500 EMEA 2014.

– We have represented Bank Handlowy w Warszawie S.A. (Citibank) and numerous companies from the consumer banking sector in court proceedings before the Court of Competition and Consumer Protection (SOKiK) and the Court of Appeal.

– We have advised PGE S.A. (Polish Energy Group) on a merger control procedure before the Office of Competition and Consumer Protection in relation to the concentration with a network of 11 maintenance and servicing companies.



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