

JELSMA DE JONG ADVOCATEN

Selection of cases – Track record

2016 - 2017

- o Representing the seller of a printing and media company in a share purchase transaction, including all the underlying documentation such as loan agreements and pledge deeds.
- o Representing the buyer in a share purchase transaction of shares in an e-commerce company with various platforms for classifieds.
- o Representing a 40% shareholder of a Dutch media company in a dispute at the Court of Utrecht about dividend payments with its major shareholder.
- o Setting up a legal structure in The Netherlands for a company originating from the Far East in the travel industry and booking branch.
- o Representing a private entrepreneur in court to secure and recover money borrowed to a debtor unwilling to pay.
- o Trusted legal (e-commerce) adviser of a Dutch company with various platforms/marketplaces for classifieds and so-called vertical business.
- o Advising a number of foreign shareholders in a number of Dutch companies that are part of large scale real estate business.
- o Involved as advisors and litigators in a large scale fraud case with vast media attention, negotiating settlements with a number of parties involved.
- o Representing a business in a dispute at the Court of Amsterdam with its former law firm.
- o Representing the ultimate beneficial owner of a Dutch B.V. that was victim of fraud: asset tracing and recovery with respect to an amount of over USD 6 million that "disappeared".
- o Representing a municipality in the Netherlands and a foundation around a USD 10 million fraud scandal. Recovered damages from the various legal entities involved and from the directors and advisers of the foundation in question.

BEFORE 2016

- o Representing a client in a dispute with its former law firm about totally unrealistic an excessive billing with the result of the law firm having paid back a substantial part of the invoice amounts.
- o Member of the legal team that advised the Spanish telecom giant Telefónica in the sale of its 75% stake in the Dutch TV productions company Endemol.
- o Represented a Dutch Bank at the Court of The Hague in recovery proceedings against a bankrupt debtor.
- o Initiated summary proceedings at the Court of Rotterdam with a successful claim to immediately release a USD 20 million third party attachment by a Swiss oil company under a Dutch affiliate of a Georgian Investment Fund in order to facilitate a Georgian/Kazakh privatization transaction.
- o Advised and represented a Turkish national bank in the reorganization and closure of two of its retail branch offices in the Netherlands. After out of court negotiations about severance payments and other terms and conditions the employment contracts of all the personnel were terminated under a settlement agreement.

- Defended the shareholders of a Dutch consumer Electronics company against a claim filed by Commodore about the enforceability of an SPA. Commodore's claim that it had become the owner of the shares in the capital of these entities was entirely rejected by the President of the Amsterdam Court.
- Started discovery proceedings in the Netherlands on behalf of a large UAE Bank with a claim against ABN Amro Bank to disclose certain evidentiary documents for an investigation into a possible large-scale fraud case. Both the Amsterdam Court and the Amsterdam Court of Appeal rejected this claim, but the Supreme Court finally ruled in favour of the UAE Bank.
- Successfully reversing the executed share purchase transaction on behalf of original sellers/founders of a large consultancy firm.
- Recovered damages for an oil and gas well drilling company, after its debtor, an Israeli company, left a claim of over USD 1 million unpaid and after this Israeli company was sold to a straw man in the Netherlands. Identified the straw man with the assistance of a private detective and submitted a claim against him at the Court of Amsterdam. Shortly after the claim was granted, a settlement was reached with the parties behind the Israeli company.
- Advised and represented the Finnish Stora Enso in the reorganization of its affiliate in the Netherlands. After having drafted a redundancy scheme, the appropriate number of employment contracts was terminated in accordance with this scheme and on the basis of an out of court settlement.
- Part of the team that advises and represents the Liquidators on the British Virgin Islands of Fairfield Sentry, one of the victims of Bernard Madoff's fraud in a substantive claim brought by the Shell Pension Fund at the Court of Amsterdam.
- Defended Curver Benelux and Curver Luxembourg both affiliates of the Israeli Keter Group, in a 1.4 million euro claim from its distributor in Greece. This claim was entirely rejected by the Court of Breda and Curver's counterclaim was almost entirely granted.
- Advised and represented a large number of employers in and out of court around various individual as well as collective employment law issues and disputes.
- Acted as adviser and member of the investigation team in a large scale cross-border forensic fraud investigation for a listed multinational. Heard many witnesses during a significant number of informal hearings, together with two senior partners, worked closely together with the investigators from the law firm DLA Piper in London (2001-2005)
- Formed part of the team that advised the investment bank Merrill Lynch in the public bid by the Israeli Real Estate Fund Brack Capital on all outstanding shares in the capital of the Dutch and British Real Estate Fund Haslemere. Besides adviser, acted as co-author of all the required press releases and the offer document.
- Member of the legal team that advised Dexia Banque Internationale à Luxembourg in its public bid on all outstanding shares in the capital of the Dutch bank Kempen & Co.
- Advised, drafted contracts and performed legal due diligence for a large number of (intended) M&A transactions.