



CASCIONE
ADVOGADOS

Our Firm
2023

We are a full solution law firm that offers superior legal services in all areas of corporate law. We combine technique, commercial vision and empathy to navigate transactions and challenges of all levels of complexity, helping our customers and partners to always go further. From startups to global companies, from disruptive technologies to heavy industries, we don't just provide legal services: we are your business partner.

We are a people business. Our partners are among the most admired attorneys in their respective practices and we are our clients' first choice. Our lawyers have excellent academic and professional credentials and are constantly encouraged to pursue graduate programs in Law, as well as in complementary areas such as administration, economics and accounting.

Our culture is based on integrity, cooperation, empathy and diversity. Our multidisciplinary background and extensive experience in different market segments allow us to approach each problem from all relevant angles and design strategic solutions for the most complex challenges, whenever and wherever they arise.



The partners are hands-on and the team is highly technical, with a deep understanding of the Brazilian market and ability to explain it to international clients

Chambers and Partners

The 'very competent and serious' team provides 'stellar advice'. They provide 'a very high service level', with strong expertise in several areas.

The Legal 500



AREAS OF EXPERTISE

- Administrative, Infrastructure and Regulatory
- Asset Management & Investment Funds
- Capital Markets
- Competition & Antitrust
- Contracts
- Corporate Disputes
- Corporate, M&A and Private Equity
- Doing Business in Brazil
- Environment & Natural Resources
- Financial Markets
- Energy and Project Financing
- Government Relations
- Intellectual Property
- International Trade
- Insurance & Reinsurance
- Labor and Employment
- Litigation and Arbitration
- Payments and Fintechs
- Privacy and Personal Data Protection
- Real Estate
- Restructuring & Insolvency
- Tax
- Technology & Innovation
- White-Collar Crime, Compliance and Corporate Investigations





AREAS OF EXPERTISE

ASSET MANAGEMENT & INVESTMENT FUNDS

Our firm has an exclusively dedicated team with extensive experience in advising on matters related to the asset management activity and investment funds structuring, providing legal support to asset managers, fiduciary administrators, family offices, consultants of securities, distributors of securities, investment independent agents and investors in general.

Among the activities performed by our team in matters related to **Asset Management**, are included:

- advice on the process of incorporation and registration of asset managers, fiduciary administrators, consultants of securities, distributors of securities and investment independent agents before the competent authorities, as well as on all regulatory and compliance aspects applicable to such services;
- assistance in the preparation or review of manuals, policies and internal rules and procedures required by the applicable regulation;
- advice on the structuring and preparation of compensation plans for asset management firms' professionals based on the performance of investment funds;
- advice on the legislation and regulation applicable to investments carried out by investors in general, including institutional investors, such as close-ended and open-ended pension funds and insurance companies;
- assistance in administrative proceedings in defense of the interests of asset managers, fiduciary administrators, consultants of securities, distributors of securities and investment independent agents, including before the Securities and Exchange Commission – CVM and the Financial and Capital Markets Entities National Association – ANBIMA; and
- representation of clients in connection with discussions regarding the applicable regulation, including public hearings submitted by the competent authorities.

Among the activities performed by our team in matters related to **Investment Funds**, are included:

- advice on the structuring, registration and maintenance of all types of investment funds, including private equity funds (FIP), receivables funds (FIDC), real estate funds (FII), investment funds in the agro-industrial productive chains (FIAGRO) and mutual funds (FIF), such as equity, foreign exchange, multimarket and fixed income investment funds;
- advice on the structuring and implementation of distribution of shares issued by investment funds in the securities market;
- advice on the structuring of investment vehicles abroad, including for fundraising purposes by local investment funds;
- advice on transactions involving the reorganization of investment funds, as well as the sale of assets that are part of their investment portfolios;
- advice on administrative procedures, lawsuits and conflict resolution involving investment funds;
- participation and advisory in investment fund's general meetings of shareholders; and
- advice on due diligence processes to verify compliance with regulatory and contractual obligations.

Also, due to the capacity of our firm to provide legal advice to our clients in the most diverse areas of law, the **Asset Management & Investment Funds** team has the support of a multidisciplinary and highly specialized team, which is prepared to assist in the solution of all aspects related to the asset management activity and the structuring of investment funds and the assets comprising their investment portfolios, including corporate, tax, M&A, antitrust, insolvency and credit recovery aspects.



ADMINISTRATIVE, INFRASTRUCTURE AND REGULATORY

Our Administrative Law and Regulatory Practice has extensive experience with governmental authorities and is qualified to meet our clients' demands concerning their projects whenever the engagement of the public sector as a client, regulator or as a business partner is required.

In addition to advising our clients in various administrative law and regulatory matters, we offer many years of expertise accumulated in the structuring and modeling of concessions and public-private partnerships for both private companies and governments. Our team also represents national and foreign clients before regulatory agencies in the context of transactions, of the ordinary course of their businesses and in litigation matters.

- Legal assistance in the management of public contracts;
- Technical assistance in the legislative process;
- Representation before audit courts and other control authorities;
- Government contracts, bids and contracts; and
- Administrative litigation.

CAPITAL MARKETS

Our capital markets team has vast experience in a wide variety of operations involving securities, which enables us to advise our clients on different operations in the segment with accuracy and efficiency.

We represent the main global financial institutions, as well as publicly traded companies, hedgefunds, asset managers and investors. We advise on the issuance of public and private offers in the domestic and international markets, with the issuance of bonds and securities such as shares, debentures, ADRs, BDRs, commercial papers, bonds and notes.

Our full service structure allows us to rely on advice from various areas of the firm, such as tax, labor, regulatory, real estate, contracts, compliance and litigation to masterfully manage the risks involved in all these operations and ensure their success.

- Administrative proceedings before the Brazilian Securities and Exchange Commission (CVM);
- Compliance issues for listed companies;
- Authorization to commence business operations and registration of market participants;
- Representation of investors at shareholders' meetings;
- Securitizations;
- Initial public offerings;
- Investment funds; and
- Public and private placement of securities in Brazil and abroad.



COMPETITION AND ANTITRUST

Our Competition and Antitrust Law team provides agile and effective legal consulting concerning competition and regulatory issues, representing, with transparency and accurate technique, our clients before CADE, regulatory agencies and other Public Administration bodies. We operate in all steps of the process, from advice concerning daily commercial practices to themes related to merger control and anti-competitive practice investigation.

Our full service and multidisciplinary capacity, which gathers Public Law, Economic Law and Corporate Law experts, ensures that our assistance is agile, business oriented and, mainly lined-up with our clients' needs and goals.

- Preventive advice concerning the various commercial practices;
- Leniency and cease-and-desist agreements with authorities;
- Defense in cartel and administrative proceeding investigations related to alleged anti-competitive practices, as well as the representation in correlated indemnification suits.
- Notification of the most varied types of merger cases to CADE;
- Implementation and improvement of competition compliance programs;
- Due diligences; and
- Judicial disputes.

CONTRACTS

Our Contracts team is experienced in assisting national and international clients in a wide range of contracts. We are constantly involved throughout relevant moments of the formation, performance and resolution of conflicts of important contracts. In the formation of agreements, we assist clients in the negotiation of term sheets, memorandums of understandings and final documents. During the performance of the rights and obligations of contracts, we assist clients in legal issues and negotiations. Finally, we also help clients with contract related disputes.

Our Contracts team works closely with other areas of practice, always taking into consideration other important legal aspects, such as taxation, competition and compliance.

- Sale and purchase of assets and real estate properties;
- Collateral and security agreements in general;
- Banking and financial contracts;
- Franchise and sales representation contracts;
- Construction, built to suit, EPC and other construction related agreements; and
- Sale and purchase of goods in general.



CORPORATE DISPUTES

Acting in cooperation with our Litigation team, we provide state-of-the-art strategic advice on corporate disputes at pre-litigation and litigation stages, whether before administrative or arbitration courts. We seek sophisticated and efficient solutions for solving corporate disputes involving conflicts between minority and majority shareholders, abuse of controlling power, corporate governance, internal board of directors' rules, administrative and audit councils and other related matters.

Our highly qualified team has business acumen and the ability to anticipate problems and the next moves of the other side, as well as a systemic vision of organizations, partners, investors and other stakeholders of a business entity, ensuring a successful performance that guarantees our clients' best interest.

We have extensive experience in state and federal courts and in the main mediation and arbitration chambers in Brazil and abroad. A senior partner is always overseeing and monitoring the disputes. Our goal is to bring fast results and avoid the distress associated with corporate disputes that can bring deep emotional strain and high costs.

- Disagreements between partners;
- Breakdowns in business relationships;
- Unexpected successions;
- Unfair or parasitic competition;
- Use of assets for personal benefit;
- Fraud and
- Determination of assets and valuation.



CORPORATE, M&A AND PRIVATE EQUITY

Our Corporate, M&A and Private Equity team is a reference in the sector due to its exclusive combination of technical superiority, experience and customized assistance. We are recognized by the main legal rankings as leaders in the field and we have advised some of the most important transactions in the country.

We know that each transaction is unique, and we recognize and understand the particularities of each client as well as their business activities. Our lawyers provide a practical approach, business vision, creativity and commitment with excellence for each matter in which we are involved.

We count on highly experienced and qualified professionals who advise national and international companies in all phases of complex transaction as well as during the life cycle of their business. Our team works in synergy with other practices of the firm, providing sophisticated solutions, mitigating risks and ensuring safety in the specific needs of each operation.

We are highly recognized in the area of private equity, advising investment fund managers and institutional investors, both domestic and foreign, as well as investees. We understand the particularities of the sector and know how to navigate it strategically and quickly to complete operations.

- Contracts related to mergers and acquisitions;
- Corporate reorganizations;
- Publicly-held companies;
- Foreign investments in Brazil;
- Corporate governance;
- Business contracts in general, including franchise agreements, commercial representation and distribution;
- Intellectual property;
- Legal audits;
- Private auctions;
- Joint ventures;
- Private equity and venture capital;
- Arbitration and corporate litigation;
- Succession of family businesses;
- Incorporation and maintenance of companies.



DOING BUSINESS IN BRAZIL

Our team provides complete advice to foreign clients on matters related to the legal and fiscal structuring of their business in Brazil. Thanks to our full service capability, we offer end-to-end advice, from corporate, tax, labor, environmental and regulatory organization to conducting audit processes.

Counting with an experienced and multidisciplinary team, we assist our clients in the incorporation of legal entities in Brazil, registration of foreign investments with the Central Bank of Brazil and in the planning and implementation of corporate structures, mergers, acquisitions, spin-offs and transformations. Our attorneys are business oriented and highly experienced in greenfield projects, assisting clients from the blueprints to the delivery of the premises, and offering the modeling and design structure that best meet our clients' needs.

Our lawyers are fluent in several languages and have in-depth knowledge of the legal and regulatory systems of the corporate world, providing sophisticated and efficient solutions to foreigners seeking to navigate the complex Brazilian corporate apparatus.

ENERGY AND PROJECT FINANCING

We advise national and foreign companies, strategic and financial investors, service providers, equipment suppliers and financial institutions in a vast array of legal matters and contracts in the context of infrastructure and energy undertakings in Brazil. Our advice ranges from construction and operation agreements to regulatory assistance, project modelling and contracts, project M&A and project finance.

In particular, our lawyers have extensive experience in greenfield projects, from their preparation to the commencement of operations. Our team is multidisciplinary and is always ready to propose a project structure which, from a legal perspective, best meet our clients' goals.

Besides their solid legal expertise, our professionals are familiar with practices, standards and features of highly complex projects, which allows for an objective and swift advice. Our track-record in infrastructure projects ensures an efficient and high quality legal service.

- Generation of electric power, mainly from renewable sources
- Electric power transmission
- Water supply and waste water treatment
- Solid wastes
- Street lighting
- Airports
- Railways
- Ports
- Highways



ENVIRONMENT AND NATURAL RESOURCES

Our Environmental Law team operates in the most varied sectors of the economy, offering specialized strategic solutions to ensure legal certainty for our clients' decisions, negotiations and procedures.

We are aware of the influence of socio-environmental risks on the image of companies and institutions and we have experience with prevention, mitigation and settlement of damages. In addition, we value integrated solutions (civil, criminal and administrative) and negotiation and good relations between the public and private sectors whenever possible.

Our performance combines deep knowledge of environmental standards with experience with environmental agencies, the Public Prosecutor's Office and the Judiciary.

- Licensing and environmental regularization.
- Environmental legal audits (IPO, M&A, green bonds and other debt securities).
- ESG - structuring, reviewing and auditing corporate policies.
- Environmental administrative and judicial processes.
- Legal assistance before environmental agencies and the Public Prosecutor's Office.
- Contaminated areas – remediation and contractual negotiation between individuals;
- Environmental risks and liabilities – prevention, mitigation and regularization;
- Water and forest resources – incentive and use policies;
- Solid waste, reverse logistics and post-consumption responsibility;
- Projects for the generation and sale of carbon credits; It is
- Legal assistance for technical studies and analyses.



FINANCIAL MARKETS

Our Financial Markets team is recognized for its superior technical quality, experience and in-depth market knowledge.

We advise our clients on transactions in the financial market, including domestic and cross-border banking operations, structured credit operations and debt restructurings. We also have outstanding performance in matters involving consulting in banking and foreign exchange regulation, payment regulation, financial innovation, compliance and authorization processes of financial and other regulated institutions.

With a highly specialized team completely dedicated to the industry, we have built a remarkable track record, having participated in some of the largest operations in the market. Our diversified experience and customer base allow us to advise masterfully any type of financial transaction in all sectors of the economy.

- Domestic or cross-border loan operations;
- Structured credit operations;
- Financial operations related to foreign trade;
- Debt restructuring operations;
- Financing operations of various sectors of the economy;
- Operations with BNDES and with regional development banks;
- Operations with multilateral organizations and export promotion agencies;
- Derivative contracts;
- Public placement of securities in Brazil and abroad;
- Securitization;
- Investment funds and resource management;
- Authorization for the operation of financial institutions and payment institutions;
- Administrative processes in the Central Bank of Brazil and in the Resources Council of the National Financial System;
- Intervention and liquidation processes of financial institutions;
- Registration of foreign capital;
- Regulation of the foreign exchange market;
- Banking regulations;



INSURANCE AND REINSURANCE

Our Insurance and Reinsurance practice has advised some of the most complex operations in the insurance industry in Brazil. Our team is consistently one of the first choices for major mergers and acquisitions in the insurance sector, restructurings, disputes involving insurers and reinsurers and a series of other operations.

We count on a multidisciplinary team focused on providing efficient solutions, both in time and in cost benefit, assisting policyholders and insurers and managing and mitigating risks in their operations.

Our team is composed of highly qualified professionals to advise domestic and foreign clients on a wide range of issues related to the insurance and reinsurance market, working in cooperation with our tax, corporate and litigation lawyers.

- Corporate and regulatory aspects of M&A deals and joint ventures involving companies in the sector;
- Regulatory aspects of the selling of insurance and reinsurance in the country;
- Establishment of subsidiaries of international insurers and reinsurers;
- Legal issues with the Superintendency of Private Insurance (Susep);
- Insurance and reinsurance contracts;
- National and international disputes related to the matters listed above; and
- Tax aspects related to the matters listed above.



INTELLECTUAL PROPERTY

Our Intellectual Property team has extensive experience in legal issues related to the acquisition, protection and management of intellectual property rights, which encompasses areas such as patents, trademarks, copyrights, and trade secrets, playing a crucial role in safeguarding our clients' rights of creation and innovation. We provide high-quality specialized services to ensure legal compliance and the defense of their interests.

Among our services, the following stand out:

Acquisition and Protection of Rights

- Feasibility analysis, filing and monitoring of trademark, patent, industrial design, software, domain name, plant variety, copyright, and other forms of intellectual property registration applications with the relevant authorities.
- Evaluation and management of trademark portfolios, with continuous collision monitoring.

Consultancy

- Strategic advice for the protection of intellectual property rights and trade secrets, as well as structuring business models for the exploitation of these assets.
- Legal status evaluation of intellectual assets (due diligence).
- Counseling on the legality and protection of content on digital platforms and social networks.

Dispute Resolution

- Representation in administrative proceedings before the National Institute of Industrial Property (INPI).
- Representation in proceedings before the National Self-Regulation Advertising Council (CONAR).
- Handling of judicial, arbitral, mediation, and other ADR processes involving intellectual property rights, unfair competition, and digital law.

Commercial Transactions

- Drafting and negotiation of contracts involving licensing and assignment of intellectual property rights, copyrights, R&D initiatives, technology transfer, specialized technical assistance services, trade secrets, software development, software licenses, and franchise agreements.
- Drafting and negotiation of coexistence agreements for trademarks.
- Structuring and formalization of operations involving royalty payments.
- Registration of contracts with INPI and other relevant bodies.

Legal Opinions and Technical Assistance

- Preparation of legal opinions.
- Acting as technical assistant in dispute resolution procedures involving intellectual property rights.



INTERNATIONAL TRADE LAW

Our International Trade Law team represents our clients' interests before government agencies and international organizations. We provide sophisticated and agile legal advice on trade defense investigations, customs issues, negotiation of international agreements, drafting of legal opinions, among other relevant matters of international scope.

Our team has experience advising clients in relation to Brazilian trade defense instruments and export control laws. Our highly experienced lawyers, combined with our full service capability, offer strategic advice to ensure that our clients are able to obtain the best possible conditions for their activities in Brazil and abroad.

- Advising national producers, importers and exporters on trade remedies matters (for instance, feasibility analysis and risk assessment);
- Representing companies in investigations and reviews on dumping, subsidies and safeguards investigations before the Subsecretariat for Commercial Defense and Public Interest – SDCOM, part of the Secretariat of Foreign Trade of the Ministry of Economy.
- Advising Brazilian companies in trade defense investigations abroad, in cooperation with international law firms;
- Representing companies in proceedings for temporary amendments to Mercosur's Common External Tariff – TEC before the Foreign Trade Chamber – CAMEX, of the Ministry of Economy.

LABOR AND EMPLOYMENT

Our Labor team helps our clients to navigate on the complex Brazilian labor laws environment, offering solutions that help the companies to be more competitive, always providing security for decision making.

We have extensive experience in representing clients from the main sectors of the economy in structured operations in a wide variety of ways. We relate to our clients' specific challenges from a deep understanding of their business and industry, mitigating risks and creating effective strategies to help employers avoid or reduce litigation.

- Administrative and judicial proceedings;
- Due diligence;
- Admission, transfers and contractual rescission of expatriate employees;
- Collective negotiation;
- Elaboration and improvement of remuneration policies;
- Labor compliance;
- Implementation and review of policies;
- Outsourcing.



LITIGATION AND ARBITRATION

Our Litigation practice provides high-quality legal services to Brazilian and foreign clients. We advise several commercial activities in the main industries and sectors, representing our clients in legal proceedings in first and second instances, both in state and federal courts, and in superior courts.

We have a highly specialized and experienced team, which offers cutting-edge assistance in simple or highly complex disputes, as well as in crisis management. Our fundamental objective is to avoid lengthy and costly litigation for our clients.

We believe in long-term relationships, as well as effective partnerships to handle your disputes. We seek efficient and quick solutions, guaranteed by the technique and experience of our professionals, combined with solid knowledge of our clients' business and market.

Our team also has extensive experience in international and local arbitrations, involving disputes in several areas. Our professionals combine extensive knowledge and mastery of sophisticated conflict resolution techniques.

We provide our clients with solutions and insights more effectively and efficiently than any other firm, including selecting the most qualified arbitrators and arbitration centers. Ethics, objectivity and transparency are vital commitments to our clients in the provision of services, whether in consultancy or representation in courts of law and tribunals of all orders.

- Administrative and judicial proceedings;
- Mediation and arbitration;
- Consulting for conflict prevention and resolution;
- Disputes related to Civil Law, Commercial Law, Consumer Law, Public and Administrative Law, Trademarks and Patents, Regulatory Law, Corporate Law and Banking Law;
- Homologation of foreign judicial decisions before Superior Tribunal de Justiça (Superior Court of Justice) and subsequent implementation;
- Succession claims and wills implementation, prenuptial and convenience agreements, adoptions, interdictions and child custody, among other proceedings; and
- Litigation related to family issues.



PAYMENTS AND FINTECHS

Our Payments and Fintechs team is recognized for its technique, experience, multidisciplinary, personalized attention and innovative approach.

We advise our clients on the analysis and structuring of new financial products and payment solutions. Our practice involves advising marketplaces, technology companies, payment facilitators, payment institutions, credit fintechs and financial institutions.

With a highly specialized team dedicated to the sector, we have built a relevant track record, working with some of the main players in the industry. Our diverse experience and customer base allow us to advise efficiently and with mastery any type of demand that involves means of payment and financial innovation.

- Structuring of payment arrangements;
- Instant payments, e-wallets and other payment services or products;
- Open banking;
- Credit fintechs and peer-to-peer lending;
- Prevention of money laundering;
- Marketplaces and e-commerce payment services;
- Securitization and anticipation of receivables;
- Cryptocurrency;
- Initial coin offerings (ICO);
- Crowdfunding;
- Authorization for the operation of financial institutions and payment institutions;
- Administrative processes in the Central Bank of Brazil and in the Resources Council of the National Financial System;
- Regulation of the foreign exchange market;
- Banking regulations;
- Regulation of means of payment; and
- Structuring of innovative financial products and services.



PRIVACY AND PERSONAL DATA PROTECTION

Compliance with the General Data Protection Law (LGPD)

Conducting complete LGPD adaptation projects for private companies and public bodies, including the preparation or review of policies and documents, structuring of a governance program and training;

Preparation and review of policies, privacy notices, terms of use, terms of consent, forms and other documents for compliance with the LGPD and other applicable data protection laws;

Adaptation of policies, terms of use and international documents to Brazilian legislation.

Consulting and Assessments

Answering queries about privacy and data protection involving different business areas;

Advice on the development of products and services with regard to the preservation of privacy, protection of personal data, aspects of cybersecurity and technology;

Preparation and review of Data Protection Impact Assessments (RIPD/DPIA);

Elaboration and revision of legitimate interest assessments (LIA), data transfer impact assessments (TIA) for other jurisdictions, as well as formulation of documents to enable international transfers;

Assessment of the level of maturity and compliance with the LGPD of organizations that have already implemented a privacy governance program;

Review of mappings/records of data processing activities to validate legal bases;

Assessing the compliance of websites with the LGPD, including the use of cookies, privacy policy and terms of use;

Assessment and advice on the structuring of procedures for responding to requests and exercising the rights of data subjects, under the terms of the LGPD;

Strategic assistance in direct response to data subjects;

Assistance in communicating with the ANPD (National Agency for the Protection of Personal Data), whether in cases of incidents, issues related to data subject rights, among others;

Assistance in the investigation, communication and negotiation with partners in cases of incidents involving personal data;

Assessment and assistance in structuring plans to respond to security incidents involving personal data;

Due diligence in data protection for evaluation of suppliers and partners;

Due diligence on data protection and cybersecurity for merger and acquisition (M&A) transactions and investments.



PRIVACY AND PERSONAL DATA PROTECTION

Contracts and Policies

Preparation, review and negotiation of complex contracts involving the processing of personal data;

Preparation and review of contracts, instruments, policies and terms for employees, customers, partners, websites, software.

Elaboration and review of privacy and data protection clauses for various legal instruments;

Training and Qualification

Conducting privacy and data protection training for employees, partners and service providers;

Preparation of presentations, booklets and other materials to raise awareness of privacy and data protection.

DPO

Support to the internal DPO appointed by the organization in the development of its activities, with responses to queries involving privacy and protection of personal data.

Legal Opinions

Elaboration of legal opinions on the viability and legality of operations, products, arrangements under the LGPD and other applicable laws.



REAL ESTATE

Our Real Estate team offers a complete and accurate analysis of the possible legal structures for the development of our clients' real estate projects. We have experienced professionals in a multidisciplinary team who offer sophisticated and agile solutions for real estate investments, direct or indirect, as well as aspects related to the development, financing and management of these assets.

We advise our clients by carefully evaluating opportunities and risks involved in new ventures and offering flexible and intelligent legal solutions that support the efficient management of their business.

We understand the legal and regulatory challenges of the industry and are ready to offer state-of-the-art legal services throughout the entire real estate business chain

- Rural and urban real estate operations;
- Buy and selling of properties;
- Real estate guarantees, such as mortgages and fiduciary dispositions;
- Real estate audits;
- Mergers, dismemberments, condominium institution and allotments;
- Contracts for planning, construction and real estate management;
- Creation of real estate investment funds;
- Securitization of real estate receivables, through Real Estate Receivables Certificates (CRI);
- Financing operations;
- Commercial and Built to Suit Rental Agreements;
- Sale and leaseback operations
- Legal advice in disputes involving real estate in administrative and judicial proceedings;
- Real estate aspects of industrial and business projects, with special attention to administrative, fiscal and environmental issues; and
- M&As involving real estate and Shopping Center companies.



RESTRUCTURING AND INSOLVENCY

Our Restructuring & Insolvency practice provides services to domestic and international clients, of all industry sectors, in insolvency and debt restructuring cases, both in Brazil and abroad.

Our multidisciplinary team can assist clients in complex and delicate cases, involving many skills and fields of expertise. Our attorneys have an excellent background and a deep academic and practical knowledge. The thickness of our expertise was molded not only in reputable postgraduate courses and in innovative researches, but also in the award-winning practice in some of the largest and most complex restructuring cases in the last decade. Our know-how makes the whole difference when aiding clients on strategic and decisive matters and for defending their interests, as it allows us to be quick, accurate and efficient on sensitive issues. The combined efforts of our teams allow us to deliver works of any size and complexity, to handle specific issues on detail, and to develop unique and innovative ideas.

Our practice is diversified and resourceful. Our experience and expertise do not prevent us from handling each case and client as if it were the last, from paying attention to every detail, from understanding individual needs, and from thinking of intelligent and customized solutions.

1. Assisting on planning, drafting and implementing strategies on matters involving debt restructurings, insolvencies, pre-packaged and court-supervised reorganizations, and bankruptcy liquidations, including on the representation in court proceedings and in creditors' meetings;
2. Assisting on the preservation and recovery of credits, and on representation in enforcement measures;
3. Negotiating and drafting agreements involving multiple parties, including restructuring workout agreements, collateral agreements, plans of reorganization, and pre-packaged plans of reorganization;
4. Assisting on planning, structuring, assessing risk, and implementing of alternatives for:
 1. acquisition of distressed companies or assets;
 2. acquisition of claims against debtor companies;
 3. restructuring of companies, including by means of debt-to-equity swaps;
 4. concession and renegotiation of loans, guarantees and security interests, and other forms of financing of companies in distress.



TAX CONSULTING

Our Tax practice provides consulting and litigation services to domestic and foreign clients, individuals and legal entities, which are engaged in the most varied economic sectors. We advise clients in all aspects related to domestic and international taxation, focused on corporate reorganizations, project finance, infrastructure and energy (including renewables), capital and financial markets, and many other industries and sectors of practice.

Our professionals share the same commitment to excellence and practicality, focusing on providing an accurate and quick answer to our clients' needs and always addressing their business peculiarities. To achieve these goals, the tax team is divided in groups focused on our clients' industries and economic sectors.

We provide our clients with tailor-made solutions, including in respect to customs and social security matters, among which we can highlight:

- Tax planning and tax advisory on different domestic and cross-border transactions, including in respect to social security and customs matters, as well as tax consulting on the definition of the tax burden levied over different industries and sectors of practice.
- Tax planning and structuring on corporate reorganizations.
- Drafting legal opinions and memorandums addressing different tax matters.
- Assistance in respect to the correct fulfillment of ancillary obligations and tax returns.
- Assistance in obtaining tax and customs special regimes, and in negotiating tax incentives and adhering to tax installment agreements.
- Review of the methodologies adopted to calculate taxes and social security contribution, as well as consulting for complying with the Brazilian transfer pricing and CFC rules.
- Drafting, negotiation and follow-up of formal requests to reduce and/or eliminate Custom Duty on imports (including ex tarifario requests).
- Drafting of succession and matrimonial plans, including those intended to patrimonial protection, as well as assistance on the repatriation of values.
- Performing legal due diligences, as well as quantification of risks and exposition deriving from materialized tax liabilities.



TAX LITIGATION

- Drafting and follow-up of administrative defenses against tax deficiency notices and/or against decisions denying the homologation of tax setoffs.
- Management of materialized tax liabilities, including drafting and follow-up of judicial defenses/appeals against tax foreclosures.
- Drafting and follow-up of judicial measures either to reduce the tax burden or to recover overpaid/undue taxes.
- Drafting and follow-up of writs of mandamus intended to clear goods and/or restrain unfair and illegal actions practiced by tax/customs authorities.
- Assistance during tax inspections, including drafting of responses to notifications received by the taxpayer.
- Assessment of the risks of loss associated with tax cases in order to determine the need of booking provisions/reserves in one's financials and the opportunity to adhere to incentive installment programs.



TECHNOLOGY AND INNOVATION

Our Technology, Innovation and Data Protection area has extensive experience in the development of legal solutions to meet the daily demands and operations of our clients, as well as in responding to situations involving the digitization of corporate and personal relationships perceived over the last few years.

Our team has specialized professionals, who have multidisciplinary knowledge and experience in advising on the structuring and development of innovative products, services, complex contractual negotiations, improvement of corporate governance structures, crisis management, legal audits of companies within M&A transactions, and judicial or extrajudicial representation in matters related to technology, innovation, and data protection.

We also assist companies with its Brazilian General Data Protection Law ("LGPD") adaptation and development of compliance programs, providing support to our clients in situations related to the processing of personal data, analyzing and developing legal strategies for business models, processes, products and services.

Over the course of our activities, we have built a relevant track record, working with participants from various sectors, including retail, e-commerce, technology companies, financial institutions and payment institutions. Our experience and diversified client base allow us to efficiently and technically advise any type of demand that involves technology, innovation, data protection and consumer protection.

- Assistance in conducting LGPD adaptations and development of LGPD compliance program;
- Review of international privacy and data protection governance programs, to meet LGPD requirements and other the local particularities of the operation;
- Drafting or review of policies, procedures, internal documents and terms of use;
- Drafting, reviewing and negotiating complex contracts involving personal data processing activities with customers, suppliers and business partners;
- Drafting or review of legal instruments to enable international transfers of personal data;
- Preparation of analyses, memoranda and legal opinions on matters involving technology, innovation, data protection and cyber security;
- Assistance in the prevention, management and response to information security incidents involving personal data;
- Interaction and representation before government entities and institutions, and regulatory bodies;
- Interaction and representation, judicial and extrajudicial, in demands and lawsuits related to technology, data protection and cyber security;
- Drafting of a response plan for information security incidents;
- Assistance in the development of products and services, with attention to the privacy, data protection, cyber security, consumer protection and technology aspects;
- Legal due diligence regarding data protection and cyber security of third-parties, in M&A transactions;
- Assistance and support to Data Protection Officers (DPO) and to its roles and activities;
- Advice, preparation and review of Data Protection Impact Assessments (DPIA);
- Analysis of contracts related to sharing and data processing activities, software licensing and technology transfer;
- NFTs, Blockchain, platforms and social media networking; and
- Legal analysis related to Artificial Intelligence, structuring operations, products, and services, risk and legality analysis, assistance in contract development, partnerships, terms of use, policies, and others.

WHITE-COLLAR CRIME, COMPLIANCE AND CORPORATE INVESTIGATIONS

Our team has been advising Brazilian and international clients on matters involving corporate crimes for nearly 20 years. In recent years, working with foreign law firms in multiple jurisdictions, we have advised clients in negotiations before state and federal authorities, both nationally and internationally.

We provide preventive and multidisciplinary legal advice based on the peculiarities of the each industry or individual to mitigate reputational risks, developing strategies along with other teams in the firm so that our clients obtain the best solutions in the criminal field in line with their business.

We represent individuals and companies, whether victims or investigated, in complex cases involving business crimes in a variety of economic sectors within police inquiries, investigative and administrative sanctioning procedures, and criminal claims in all instances.

We have extensive experience in corporate investigations involving ethical and legal breaches, such as internal fraud and embezzlement, bid-rigging, corruption, money laundering, insider trading, front-running, workplace accidents, and moral and sexual harassment, among other matters concerning labor issues.

During the last decade we have carried out internal and independent investigations in companies around Latin America, Europe, and the United States, including investigations conducted by international agencies such as the SEC, DOJ, and SFO, reporting to authorities, boards of directors, and external audits.

Our experience covers all phases of the implementation and review of anti-corruption compliance and anti-money laundering programs, including risk assessment involving the business or its third parties, drafting codes of conduct, internal policies, and guidelines, conducting ABC due diligence in M&A and capital market operations, and third-party background checks. For clients who do not have a compliance department, we provide advice directly to the business and legal departments.

We have also conduct tailored training for board members and employees at different hierarchical levels on a variety of topics according to the risks and needs of our clients.

- Public administration;
- Competitive and Popular Economy;
- International cooperation;
- Bankruptcy Crimes;
- Digital Law and Telecommunications;
- Electoral;
- Public Faith (falsities);
- Corporate Fraud and Patrimony;
- Safety and Public Health;
- Money Laundering and National Financial System;
- Individual Freedom and Honor;
- Bidding;
- Environment;
- Capital markets;
- Tax and Social Security Order;
- Organization of Work;
- Public Peace (criminal organization and criminal associations related to Corporate Criminal Law);
- Intangible Property;
- Consumer Relations.



OUR TEAM



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Languages
English

Ana Paula is a partner active in Finance, Project Finance, Capital Markets, Private Equity and Mergers and Acquisitions departments.

She frequently represents banks and other financial institutions, multinationals, private and publicly held corporations, hedge funds, investment funds and other investors in a wide range of banking and finance transactions and on matters related to the infrastructure industry, including project finance, structured finance, acquisition financing, and local and international debt capital markets, as well as in banking regulatory matters.

She was Foreign associate at Cleary Gottlieb, a major NY law firm, between 2010 and 2011..

She is a Member of the Corporate Law and Capital Markets Commissions in IBRADEMP, of ABDIB – Associação Brasileira da Infraestrutura e Indústrias de Base, of the Brazilian Institute Corporate Governance – IBGC and of Ibrademp – Instituto Brasileiro de Direito Empresarial.

Education

- Law degree from Brazilian top school (USP)
- Law degree from Pierre Mendès-France University
- LLM in the University of Virginia – US.

Recognitions

- IFLR 1000
- Análise Advocacia Mulher
- Euromoney Legal Media Group



Brunno Morette

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Languages

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Spanish

Brunno Morette has over 15 years of experience advising domestic and foreign clients on their investments in Brazil, focusing on corporate law, M&A operations, complex contracts, infrastructure projects, dispute resolution and privacy/data protection, having worked for major Brazilian firms with national and international presence and as in-house counsel of the holding company of an important Brazilian industrial group. He served as a visiting associate at the Garrigues office in Madrid, Spain, in April 2012 and July 2013.

Education

- Specialization in International Business Law – Centro de Estudios Garrigues and The Institute for Global Law and Policy at Harvard Law School (Madrid, Spain) – 2013
- Master of Laws – LL.M. in Private International Law, with honors, IE (Madrid, Spain) – 2011
- Certification in Business Administration – Instituto de Empresa – IE (Madrid, Spain) – 2011
- Bachelor of Law – Faculty of Law, University of São Paulo (USP) – 2008
- Exchange student at the Universidad de Salamanca (Salamanca, Spain), Integrated Estudios Program – PEI – 2006

Recognitions

- Leaders League



Clarissa Oliveira

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Languages
English

Clarissa Oliveira has been practicing White Collar and Investigations since 2004 representing both individuals and legal entities in complex multidisciplinary white-collar matters.

Her extensive track record of includes almost two decades of trials both in State and Federal Brazilian Courts and several corporate investigations responsive to subpoenas from Brazilian authorities, Department of Justice (DOJ), Securities and Exchanges Commission (SEC), and the Serious Fraud Office (SFO).

She has broad experience in evaluating internal controls and has developed and implemented several, Anticorruption, Anti-Fraud to public tenders, Anti-Money Laundering (AML) at financial institutions and players in the capital markets.

Clarissa is listed among the best white-collar practitioners in Brazil by several rankings and has participated in many panels around the globe discussing cross border investigations, business crime defense and other compliance matters.

Education

- LL.B., Law School of the Presbyterian University Mackenzie
- Advanced Degree in Human Rights of the University of Coimbra
- Advanced Degree in Economic Crimes of the University of Coimbra
- Post Graduation in White Collar Crimes of Fundação Getúlio Vargas (FGV)

Recognitions

- Who's Who Legal – Business Crime Defence



Denise Junqueira

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Languages

English
Spanish
French

Denise Junqueira is a licensed attorney in São Paulo and New York.

Her experience includes several complex merger control cases, negotiation of remedies and multi-jurisdictional transactions across various industries such as telecommunication, transportation, banking, pharmaceutical, food/beverage and energy.

Denise assists clients with the design and implementation of tailored compliance programs and represents them in anti-competitive practices investigations, including abuse of dominance and cartel. She also advises clients on competitor collaborations, exchange of competitively sensitive information, merger compliance, distribution arrangements and vertical restraints.

Denise serves several foreign clients leveraging from her 5-year experience in the U.S., including positions at the U.S. Government (FTC), academia (NYU Law School), law firm and consulting firm.

Moreover, Denise Junqueira has extensive experience in trade matters representing clients before the Brazilian Foreign Trade Chamber. Denise advises clients in feasibility and risk analyses, as well as in investigations for the imposition of trade remedies, including antidumping, safeguards and countervailing duties. Additionally, she assists national manufacturers, importers, exporters, and any other parties intent on seeking and defending their interests before the Brazilian Foreign Trade Chamber in every stage of the investigation, from drafting change proposals to responding to the questionnaires sent out by the Subsecretariat for Commercial Defense and Public Interest.

Education

- Bachelor of Law from Pontifícia Universidade Católica of São Paulo – PUC/SP
- Bachelor of Economics from USP
- LL.M. in Trade Regulation from NYU Law School

Recognitions

- Leaders League
- Legal 500
- Análise Advocacia



Eduardo Boulos

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Languages

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Spanish

Eduardo Boulos has extensive experience in the representation of both domestic and international clients in the acquisition and sale of publicly traded corporations and privately-held companies, and in the negotiation of shareholders' agreements on behalf of both minority and majority shareholders. He has acted as counsel in some of Brazil's most high-profile transactions in various economic sectors in recent years. Eduardo also assists clients in corporate disputes, restructurings and in the formation and dissolution of joint ventures, on behalf of both Brazilian residents and nonresidents. In addition to this, he maintains a strong body of foreign clients whom he advises on issues relating to the commencement of business operations in Brazil, and the restructuring of family assets and estates.

Education

- LL.B., Law School of the University of São Paulo
- Masters` Degree in finance, Fundação Instituto de Administração (FIA)

Recognitions

- Chambers and Partners
- The Legal 500
- Leaders League
- LACCA Approved
- LACCA Thought Leaders
- Latin Lawyer 250
- Análise Advocacia 500
- IFLR 1000



Fábio Cascione

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Languages

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Fábio Cascione, founding Partner of Cascione Advogados, is recognized as one of the best lawyers in Brazil for the financial and capital markets law, with strong experience in local and cross-border transactions, including financing of infrastructure projects, trade finance, structured transactions, debt restructuring, securitization, issuance of debt securities and securities, including public offerings of Certificates of Real Estate and Agribusiness Receivables (CRI and CRA), debentures, infrastructure debentures, promissory notes, financial bills and investment fund quotas (Multimarket, Real Estate, Credit Receivables and Equity).

Fábio also advises on capital market regulation and banking regulation, including those related to fintechs, payment institutions and online banking. He is also recognized for his experience in real estate law, with emphasis on real estate structuring, due diligence and real estate financing, and for his performance in business and technology agreements.

Education

- LL.B., Law School of the University of São Paulo
- Advanced Degree in Corporate Law, Getulio Vargas Foundation, São Paulo
- Masters in Political and Economic Law, Law School of the Mackenzie Presbyterian University

Recognitions

- Chambers and Partners
- LACCA Thought Leaders
- LACCA Approved
- Leaders League
- Latin Lawyer 250
- Análise Advocacia 500
- The Legal 500
- IFRL1000



Felipe Estefam

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Languages
English

Felipe has solid experience in both consultancy and litigation in matters involving bidding, public infrastructure contracts, regulated markets, and dispute resolution in administrative, judicial and arbitral proceedings.

He is council of the higher legal Council of Federation of Industries of the State of São Paulo (FIESP-SP) and member of the list of arbitrators of Câmara de Mediação e Arbitragem Especializada – CAMES in São Paulo.

Felipe is author of several articles and books related to public law, including the book “Cláusula Arbitral e Administração Pública” (Arbitration clause and Public Administration), published by Lumen Juris.

Education

- LL.B., Law School of the Pontifical Catholic University of São Paulo
- Master and Doctorate in Law from Pontifícia Universidade Católica of São Paulo Master (LL.M); Cambridge University
- Master of Laws (LL.M) from the Erasmus University, the Netherlands



Gabriel Capella

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Languages

English

Gabriel Capella specializes in structuring and implementing financial transactions, including bank loans, securitizations, structured credit transactions and public and private placements of securities. Gabriel also provides legal advice regarding financial institutions and capital market regulations, and represents clients before regulators (Brazilian Securities Commission and the Brazilian Central Bank), self-regulatory organizations (ANBIMA and BSM) and managing entities of stock exchanges and over-the-counter markets (CETIP and BM&FBOVESPA)

Education

- LL.B., Law School of the State University of Rio de Janeiro
- Advanced Degree in Corporate Law and Capital Markets, Ibmecc, Rio de Janeiro
- Specialist in Corporate Law and Capital Markets from FGV/RJ



Guilherme Bertolini

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Office

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Languages

English

Guilherme's practice focuses on mergers and acquisitions, involving the negotiation of stock purchase agreements, as well as investment and shareholders' agreements, and the creation of corporate structures. He also works with corporate reorganizations, for either corporate groups or in situations involving wealth and succession planning. Guilherme's experience extends to the regulation of publicly-traded companies and corporate law in general.

Education

- LLL.B., Law School of the University of São Paulo
- Currently studying Economics at the School of Economics, Business and Accounting of the University of São Paulo

Recognitions

- The Legal 500
- Leaders League



Karin Klempp Franco

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Languages

English
German

Karin Klempp Franco has been practicing business law since 1996, with an emphasis on intellectual property, personal data protection and digital law. She has international professional experience in an European law firm. She is a university professor in courses of post-graduation (stricto sensu), executive post-graduation and graduation in Law. She acts as an arbitrator and mediator in several institutions.

Education

- Bachelor of Laws from the University of São Paulo
- LL.M. in International Business Law from Universität zu Köln, Germany
- PhD in Commercial Law from the University of São Paulo
- Fellow in International Commercial Arbitration (FCIArb), Chartered Institute of Arbitrators, London, United Kingdom.
- CIPP/E – certified professional in privacy and personal data protection for Europe – International Association of Privacy Professionals (IAPP), USA.

Recognitions

- Análise Advocacia
- Análise Advocacia Mulher
- Chambers and Partners
- Thomson Reuters
- Leaders League



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Languages

English

Luiz Eduardo Corradini has experience in mergers and acquisitions and private equity transactions, as well as in the formation of joint ventures and consortiums, assisting domestic and foreign clients from various industries. Luiz Eduardo provides advice on corporate reorganizations involving publicly and privately-held corporations and limited liability companies. He also assists domestic and foreign clients in the incorporation and organization of businesses in Brazil, and in corporate disputes. Luiz Eduardo has experience in drafting corporate agreements and with Corporate Law matters in general.

Education

- LL.B., Law School of the University of São Paulo
- Bachelors in Business Administration, Getulio Vargas Foundation, São Paulo
- Post-Graduate Degree in Taxation, Law School of the University of São Paulo
- Master of Laws (LL.M.), Law School of the University of São Paulo
- LL.M., Berkeley Law University of California

Recognitions

- The Legal 500
- Leaders League



Luca Salvoni

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Office
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Languages
English

Luca Salvoni's practice covers tax and social security consulting and litigation matters, with a special focus on corporate reorganizations and M&A, including due diligence. Luca has experience assisting both Brazilian and foreign clients in the definition of their business models in Brazil and abroad (inbound and outbound investments), as well as on tax consultancy in general, including tax compliance.

Education

- LL.B., Law School of the University of São Paulo
- Specialized Degree in Tax Law, Law School of the Pontifical Catholic University of São Paulo

Recognitions

- Legal 500
- Leaders League
- Chambers and Partners



Marcelo Padua Lima

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Languages

English

Marcelo Padua Lima provides legal advice on banking, payments, securities, foreign exchange and foreign investment laws and regulations. Marcelo assists financial institutions, payment institutions and other market participants (in particular in the e-commerce and technology industries) in a wide variety of matters, including regulatory work, contracts, interface with regulators, financial innovation, bank secrecy, data privacy, consumer protection and compliance. Marcelo has also extensive experience structuring transactions in the financial and capital markets.

Education

- LL.B., Law School of the University of São Paulo
- Advanced Degree in Economic and Business Law, Getúlio Vargas Foundation, São Paulo
- Master of Laws (LL.M.), University of Chicago Law School

Recognitions

- Chambers and Partners
- Leaders League
- The Legal 500
- Análise Advocacia 500
- Business Today



Milana Martins

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Office

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Languages

English

Milana Martins advises Brazilian and foreign clients in the negotiation and structuring of domestic and cross-border M&A transactions and formation of joint ventures in different sectors of the economy, such as telecommunications, energy, mining, financial and infrastructure. She also counsels clients in corporate reorganizations, corporate disputes and in matters related to the Securities Market (including in regard to the regulations issued by the Brazilian Securities Commission), Corporate Governance and general Corporate and Contract Law. Clients have sought her for the implementation of corporate governance best practices and estate planning.

Education

- LL.B., Law School of the University of São Paulo
- Post-Graduate Degree in Taxation, Centro de Extensão Universitária

Recognitions

- Chambers and Partners
- The Legal 500
- Leaders League
- IFLR 1000



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Languages
English

Rafael Fernando Feldmann focuses his practice on Environmental Law and Public Law. In the environmental aspect, his experience involves 16 years of experience, with more than 300 financial operations (M&A, IPO, debt, among many others) involving legal-environmental diligences. He works with a wide range of industries (agribusiness, food, energy, mining, oil and gas, sanitation, chemical industry, medicines, technology, retail, among many others). Rafael also works in the coordination and sponsorship of claims in the litigation-environmental sphere in all the sectors mentioned above, both in the administrative and judicial spheres, having acted in more than 400 cases in this regard. Rafael is constantly mentioned in the press and named as a reference in the sector by several reputable publications in the legal market, such as Chambers Latin America (annually since 2010). In the field of public law, Rafael also has experience in oil and gas regulation in Brazil, having acted in lawsuits and consultations and also as a legal representative of operators before the regulatory body of this industry (ANP). His experience in this area also involves interaction with other agencies and public entities, such as ANTAQ, MAPA, MB, ANVISA, MJ, TCU, ANAS, DAEE, DPF, among others.

Education

- Law degree from Pontifícia Universidade Católica de São Paulo.
- Certified Internal Auditor for Internal Systems of Environmental Management, by Bureau Veritas Brasil.
- Specialist in Public Law from Fundação Getúlio Vargas.
- Master (LL.M) from IE Law School Madrid, Spain)

Reconhecimentos

- Chambers and Partners
- The Legal 500



Rafael Vega

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Office

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Languages

English

Rafael Vega Possebon da Silva specializes in tax law litigation, tax consultancy and tax planning for clients in diverse economic sectors. Rafael also provides tax advice on foreign investments in Brazil and on investment structures such as funds.

Education

- LL.B., Law School of the Pontifical Catholic University of São Paulo
- Degree in Tax Law, Law School of the Pontifical Catholic University of São Paulo
- Master of Laws (LL.M.), Law School of the Pontifical Catholic University of São Paulo

Recognitions

- Chambers and Partners Regions
- Leaders League
- Legal 500



Renato Moraes

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Office

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Languages

English

Renato Duarte Franco de Moraes focuses on judicial and arbitration proceedings, representing clients on different sort of matters both in the Judiciary and in arbitration panels. Renato has expertise on internet issues, having representing relevant players, and also on matters involving public administration, acting on claims and civil investigations.

Education

- LL.B., Law School of the University of São Paulo
- Master in Civil Law; Law School of the University of São Paulo
- Master (LL.M); Cambridge University
- Doctorate in Civil Law; Law School of the University of São Paulo

Recognitions

- The Legal 500
- Leaders League



Rodrigo Nunes

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Office

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Languages

English

Rodrigo Nunes is in charge of the firm's labor practice. He started his career at Philip Morris, and in the last 20 years he has worked for leading law firms. He represents clients in judicial litigation and administrative matters, preparing reports, opinions, due diligence and handles collective bargaining cases. His experience encompasses representation of clients from key economic sectors. Rodrigo's vast expertise makes him constantly alert to the most pressing and sensitive labor issues affecting the corporate environment.

Education

- LL.B., Law School of the University of São Paulo



THANK YOU!

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