



## Commercial Contracts and Litigation

### OUR APPROACH

Commercial contracts are often associated with paperwork. We aspire to offer much more than that.

Contracts are concluded every day by thousands of commercial actors in numerous sectors. They are at the core of our clients' activities and our commercial contracts practice is proud to be considered not only as an outstanding provider of legal services, but also as a partner in business. We share our clients' enthusiasm for projects and are eager to collaborate with them in finding sound and pragmatic solutions from conceptualisation through to closing of business deals, in a price-sensitive way.

Although our priority is to avoid litigation by preventing or defusing disputes, legal proceedings are sometimes the only way forward. Our lawyers are sharp litigators and have earned a strong track record of successful results in trials and arbitration procedures involving contractual disputes.

The experience of our people, and their permanent contact not only with in-house legal counsel, but also with managers, entrepreneurs and engineers in the field, has led us to build up a natural understanding of business in numerous industries. We often anticipate needs, get deals back on track and come up with creative solutions, not only from a legal point of view but also from a perspective of risk management and economic opportunity, which is often highly appreciated by our clients.

### OUR CLIENTS

Our clients include major multinational companies as well as domestic companies. Whether based in Belgium or active on the Belgian/European market, they operate in a large variety of sectors, such as energy, chemicals, automotive, retail, pharmaceuticals and construction and engineering.

### OUR TEAM

Our team is made up of lawyers who combine in-depth knowledge of Belgian and international business law with strong litigation experience. Our people frequently speak at conferences and seminars, and publish articles on a wide range of commercial law issues. Our legal rigour only serves to enhance our ability to find practical solutions for your business. We offer seamless cross-practice services with our other teams such as regulatory, tax, labour and corporate.

## OUR SERVICES

We assist clients in numerous sectors to determine the most appropriate business scheme, to deal with business-critical situations and to litigate when necessary.

In addition to advising on standard contracts we have significant experience in creating franchising and distribution networks, industrial construction and engineering, energy supply and distribution, joint ventures, and complex production and transformation contracts in key industrial sectors such as chemicals, agro-business, the food industry and mining.

## EXPERIENCE HIGHLIGHTS

- Assisting contractors in charge of the construction of various North Sea offshore wind farms in contract drafting, negotiations and disputes on unforeseen circumstances and financial issues.
- High claims litigation as a consequence of the termination of an agreement between an airline and its General Sales and Service Agent for cargo.
- Representing a large oil and gas company against a €30M claim brought in relation to the operation of a cogeneration (combined heat and power) plant.
- Advice to the participants of a Consortium Agreement and EU Grant Agreement for hydrogen infrastructure and fuel cell electric vehicle fleet.
- Advising clients in industries such as oil and gas, pharmaceuticals, catering, services, automotive, retail, and cosmetics on their expansion through franchising and other distribution methods or on reorienting their current distribution strategy.
- Assisting a major Swedish furniture manufacturer with the negotiation of construction agreements and with dealing with non-performing contractors and subcontractors jeopardising the timely opening of stores.
- Assisting a major sports retail brand in product recalls and litigation against its supplier.
- Advising the Council of the European Union with regard to claims and counterclaims under the agreement on construction/renovation of the "Europa" building.
- Representing Belgium's largest oil refinery and other pipeline operators in a major liability case for compensation of their economic loss as a consequence of a landslide incident during dredging works, damaging underground pipelines and causing production stop.
- Advising energy and telecom operators on distribution through Multilevel marketing
- Assisting public authorities in "private enforcement" claims for excess payments against companies that had been fined by the European Commission as members of a cartel.
- Successfully defending a major petrochemical company against an €80M claim brought by a foreign reseller of polypropylene as a consequence of a supply stop.

## GLOBAL PARTNERS

Liedekerke is the exclusive member firm for Belgium of a number of international networks. One of these networks is Lex Mundi, the world's leading network of independent law firms with in-depth experience in 100+ countries worldwide.

[www.liedekerke.com](http://www.liedekerke.com)

## PARTNERS

- Olivier Vanden Berghe
- Aimery de Schoutheete
- Etienne Kairis

## WHAT OTHERS SAY ABOUT US

*Aimery de Schoutheete represents multinational corporations and state-owned entities in commercial disputes and international arbitrations. He has particular expertise assisting clients with Congolese law matters. He is hailed by one client as "a very seasoned and sharp lawyer who combines thorough legal knowledge and skills with a very practical approach."*

Chambers Europe - 2020

*Olivier Vanden Berghe is the main name for commercial contracts disputes.*

Legal 500 - 2020



## CONTACT

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