

ProfileOn:

AMYA Abogados S.L., Madrid, Spain

AMYA is an international law firm established by José M. Alcántara, himself an internationally respected maritime lawyer and practitioner for more than thirty years. The firm has evolved to become not only one of Spain's key referral legal practices for shipping law and transport law generally, but also for business and commercial legal services, particularly after Carlos Llorente joined AMYA as a partner. Mr. Llorente brought to the firm his expertise in the field of road transport law, and a thorough knowledge and understanding of commercial legal issues acquired as a previous practitioner at Baker & McKenzie in Madrid. For more than twenty years he has been a commercial and international law professor at several leading Spanish universities.

Our head office is in Madrid and we have a closely-linked network of offices covering Barcelona, Bilbao, Gijón, Las Palmas (Canary Islands), Marbella/Algeciras, Valencia and Vigo, and immediate access to legal offices throughout Spain which also provide full legal services. AMYA is a leading member of a group of associated international offices whose core specialisation is shipping law, but we also provide an effective, dynamic international service in all the other principal areas of practice thanks to our strong relationships with a number of the world's most reputable law firms and our membership of the Euro-American Lawyers Group.

AMYA's client portfolio is drawn from a broad cross-section of national and international small, medium and large businesses in all fields. We have first-class relationships with all our clients based on direct contact, efficiency, swift response and mutual trust. Clients have expressed high levels of satisfaction with our service commitment and success in defending their interests, as is regularly evidenced by their praise in leading legal publications, rankings and reviews.

AMYA draws on its practitioners' excellent technical skills, universally acknowledged in the legal sector and characterised by the firm's high degree of specialisation, extensive experience, innovation and quality of advice. We are held in high regard both for our transactional work and our success on clients' behalf in litigation, arbitration and other Alternative Dispute Resolution proceedings.

Contact: *Carlos Llorente, partner – carlos.llorente@amya.es*



José Alcántara and Carlos Llorente

E A L G D I R E C T O R Y

**AUSTRIA
VIENNA**
Dr KLAUS OBLIN LL.M.
Attorney at Law
Josefstaedler Strasse 11
A-1080 Vienna
t: +43-505-37050
f: +43-505-370510
e: office@oblin.at

**BELGIUM
BRUSSELS
KOAN ASSOCIATION
D'ADVOCATS**
100 Boulevard du Souverain
BE 1170 Bruxelles
t: +32(0)2 566 9000
f: +32(0)2 566 9010
e: pds@koan.be
cads@koan.be

**LOUVAIN
CURIA**
Maria-Theresiastraat 34A
3000 Leuven
t: +32 16 50 00 51
f: +32 16 50 00 52
e: robbie.tas@curia.be

**DENMARK
COPENHAGEN
CUBUS ADVOKATERNE**
Dronningens Tværgade 30, 5
1302 København K
t: 00-45-33-23-10-10
f: 00-45-33-23-50-10
e: office@lawfirm.dk

**ESTONIA
TALLINN**
ADVOKAADI BÜROO PAUL
VARUL
Ahtri 6A
10151 Tallinn
t: +372 6 264 300
f: +372 6 264 306
e: tallinn@varul.ee

Office also in
TARTU

**FINLAND
HELSINKI
JUS NORDICUM**
Ludviginkatu 3-5 A
FIN 00130 Helsinki
t: 358 9 622 5166
f: 358 9 622 5466
e: vell.sainio@kolumbus.fi

**FRANCE
PARIS**
THOMAS, HERBECQ
& ASSOCIES
3 Square Petrarque
75116 Paris
t: 33-(0)1-47-55-44-00
f: 33-(0)1-47-04-51-31
e: thass@thomas-herbecq.com

**HONG KONG OFFICE
THOMAS, MAYER & ASSOCIES**
2101, Tower One
Lippo Centre
89 Queensway
Hong Kong
t: +852 3710 5000
f: +852 2905 1500
e: ericjeanthomas@tmahk.com

**GERMANY
HAMBURG**
SCHRÖDER & PARTNER
Rechtsanwälte, Fachanwälte
Ballindamm 3
D-20095 Hamburg
t: +49 (40) 32 02 99 0
f: +49 (40) 32 02 99 222
e: info@schroederlaw.de

Offices also in
KIEL and WESTERLAND (SYLT)

KIEL
VON DER MOSEL
RECHTSANWALTE
Horn Campus
Kaistrasse 101
24114 Kiel
t: +49-431-36-39-80
f: +49-431-36-37-49
e: info@vondermosel.de

**FRANKFURT
WEIGAND & KELLER**
Holzweg 16
61440 Oberursel/Taunus
(Frankfurt area)
t: +49 6171 58 05 55
f: +49 6171 58 05 58
e: weigand@german-lawyer.com

**GREECE
ATHENS**
STELIOS GREGORIOU
& ASSOCS.
6 Alexandras Ave.
Athens 10682
t: +30 210 8221411
f: +30 210 8820691
e: info@gregorioulaw.gr

**HUNGARY
BUDAPEST**
KAPOLYI LAW OFFICE
1061 Bp.,
Paulay Ede u.50.11floor
Budapest
t: (1) 267 3975
f: (1) 267 3949
e: kek@keknet.hu

**IRELAND
DUBLIN**
WHITNEYMOORE
Wilton Park House
Wilton Place
Dublin, 2
Republic of Ireland
t: 353 1 611 00 00
f: 353 1 611 00 90
e: ecomms@whitneymoore.ie

**ITALY
MILAN**
STUDIO LEGALE
FUMAGALLI GRANDO
Corso di Porta Vittoria,10
20122 Milano
t: 39-02-551-800-76
f: 39-02-551-929-59
e: fumagalli.grando@fglex.it

**LUXEMBOURG
DSM DI STEFANO SEDLO
MOYSE**
2a, boulevard Joseph II
BP 2648
L-1026 Luxembourg
t: +352 262 562-1
f: +352 262 562-2
e: contact@dsmlegal.com

**NETHERLANDS
TILBURG**
DE VOORT HERMES DE BONT
ADVOCATEN & MEDIATORS
Prof. Cobbenhagenlaan 75
Postbus 414
5000 AK Tilburg
t: +31 (0) 13 466 88 88
f: +31 (0) 13 466 88 66
e: advocaten@devoort.nl

**NORWAY
OSLO**
ADVOKATFIRMA HARTSANG DA
P.O.B. 1348 Vikla
NO-0113 Oslo
t: 47-22405600
f: 47-22405610
e: hcs@hartsang.no

**POLAND
WARSAW**
PRZEMYSŁAW P. KRZYWOSZ
KANCELARIA PRAWNA
ul-Marconich 11/5
02-954 Warsaw
t: +48 (0) 22 642-53-19
f: +48 (0) 22 842-85-14
e: p.krzywosz@ppk.com.pl

**PORTUGAL
LISBON**
BARROS, SOBRAL, G.GOMES
& ASSOCIADOS, SOCIEDADE
DE ADVOGADOS R.L.
Av. da Liberdade, N.º 262 - 4.º E
1250 - 149 Lisboa
t: +351.21.3875702
f: +351.21.3875743
e: law@bsgg.pt

**SPAIN
MADRID**
AMYA ABOGADOS, S.L.
Princesa, 61 – 5th floor
28008 Madrid
t: +34 91 548 83 28
f: +34 91 548 82 56
e: amya@amya.es

**SWEDEN
STOCKHOLM**
BJORN GARDES
ADVOKATBYRA AB
Box 2005
SE-131 02 NACKA
Stockholm
t: 46-8-679-70-95
f: 46-8-611-71-95
e: law@bjorngarde.se

**SWITZERLAND
GENEVA**
HORNING HOVAGEMYAN
20 rue Général-Dufour
1204 Geneva
t: +41 22 809 6464
f: +41 22 809 6465
e: d.horning@hhavocats.ch

**LOCARNO
SALVIONI E SALVIONI**
Via Gallinazza 6
6601 Locarno
t: +41-91-751-12-38
f: +41-91-751-94-84
e: info@salvionilaw.ch

**TURKEY
ISTANBUL**
TAN AVUKATLIK BUROSU
Cumhuriyet C. 5/4 Taksim
Istanbul
t: 90 212 255 45 99
f: 90 212 255 32 99
e: info@tan.av.tr

**UK – ENGLAND
MANCHESTER**
DWF SOLICITORS
Centurion House
129 Deansgate
Manchester M3 3AA
t: +44 (0) 161 603 5000
f: +44 (0) 161 603 5050
e: info@dwf.co.uk
w: www.dwf.co.uk

Offices also in
LONDON, LEEDS,
LIVERPOOL & PRESTON

**UK – SCOTLAND
GLASGOW**
BIGGART BAILLIE LLP
Dalmore House
310 St Vincent Street
Glasgow G2 5QR
t: +44 (0) 141 228 8000
f: +44 (0) 141 228 8310
e: info@biggartbaillie.co.uk

EDINBURGH OFFICE
No 2 Lochrin Square
96 Fountainbridge
Edinburgh EH3 9QA
t: +44 (0) 131 226 5541
f: +44 (0) 131 226 2278
e: info@biggartbaillie.co.uk

**UNITED STATES
CALIFORNIA**
FRIEDEMANN GOLDBERG LLP
420 Aviation Blvd
Suite 201
Santa Rosa, CA 95403
t: +1-707.543.4900
f: +1-707.543.4910
e: info@frigolaw.com

NEW YORK
WARSHAW BURSTEIN COHEN
SCHLESINGER & KUH LLP
555 Fifth Avenue
New York 10017
t: 1-212-984-7700
f: 1-212-972-9150
e: mlester@wbcsk.com

**WASHINGTON
GROVE, JASKIEWICZ
AND COBERT LLP**
1730 M Street, N.W.,
Suite 400
Washington D.C. 20036
t: 001 202 296-2900
f: 001 202 296-1370
e: rcobert@gjcobert.com
e: adanas@gjcobert.com

legalinterview

The Newsletter of the Euro-American Lawyers Group

Issue 24

Editor Angus Whitson angus@writehand.co.uk

Euro-American Lawyers Group 25th Anniversary Letter from the Chairman



Wolfgang Schröder, Chairman

2011 is a landmark year for the Euro-American Lawyers Group (EALG) and at this year's conference, from Wednesday 25 May to Sunday 29 May, we celebrate the 25th anniversary of the Group's foundation in 1986.

Norwegian lawyer Tore Sverdrup Engelschion conceived the original idea of establishing an international lawyers group. He was supported by our Honorary President Eric-Jean Thomas from Paris who was working frequently in Oslo at the time, and they began to work out the principles for such an association.

They were soon joined by John C.K. Elliott, from Manchester, and in 1986 these three decided to establish the Euro-American Lawyers Group. Preparatory meetings took place in Oslo, Paris, London and Stockholm. The first yearly meeting was organized in Paris in 1987 and our inaugural gala dinner was held at the celebrated Maxim's restaurant. By this time firms from Belgium, France, Norway, Panama, Spain, Sweden, UK and USA had joined the Group. Tore Engelshion became the first Chairman of the Group.

In the following two years the group quickly grew with firms from Portugal, Switzerland, Denmark, Germany, Italy, Luxemburg and Scotland.

Soon members of EALG covered almost all Western Europe. Following the fall of the Berlin wall, the Group started to expand into Eastern Europe, also seeking new members in America.

John Elliott, who in the meantime had opened an office in London, followed Tore Sverdrup Engelschion as second Chairman. I remember the first meetings of the Management Committee in John Elliott's office in London, and how impressed I was by his way of conducting the meetings.

John Elliot was followed by Eric-Jean Thomas, now our Honorary President, who in 1996 established an office in Hong Kong, which paved the way for the Group into Asia. David Ross from Biggart Baillie in Scotland followed Eric-Jean Thomas as chairman and for many years led the group with outstanding efficiency. He finally passed the torch to David Walton from DWF in Manchester, a former partner with John Elliott's firm.

I am happy to say that at our Madrid meeting we will have members from the Hong Kong firm joining us and giving individual members a chance to talk personally about business in China. We will also have a member firm from the United States joining the meeting and, as a visitor, a representative from the firm of Ortega & Zepeda, a prospective new member from Mexico City.



Copenhagen meeting 1997
l-r Tore Sverdrup Engelschion (Norway), John C.K. Elliott (England), Eric-Jean Thomas (France), David C.H. Ross (Scotland) – all of whom have served as Chairman of the Group.



How can the Euro-American Lawyers Group Help?

Does your business need to:

- ◆ Settle a shipping dispute in Spain
- ◆ Purchase a commercial property in Ireland
- ◆ Commence a hostile company take-over bid in USA
- ◆ Protect intellectual property in Estonia
- ◆ Tender for oil drilling rights in Greenland
- ◆ Go to arbitration in the Canary Islands

The EALG provides instant access to specialist legal advice in all the major commercial centres in Europe and America

For further information please contact your EALG office – details are on the back page of this issue of INTERVIEW

The Group offers a wide range of professional expertise throughout the world with a huge emphasis on personal contacts because most members have met each other several times in different locations, and started long lasting personal relationships if not friendships.

In my view this is one of the secrets of the success of EALG. I know that many members see themselves as a part of an international family with high professional standards.

When I took over the chair in Stockholm during the annual meeting in 2008, I was proud to become the new Chairman of EALG and I am now trying to enlarge our Group even more, bearing in mind that we should always maintain the highest professional standards and encourage personal relationships between the members.

I wish all of you who have come to Madrid a successful meeting, and I hope to see the rest of the members probably at our next half yearly meeting in Istanbul at the end of this year.

All my thanks to Carlos Llorente and his firm AMYA in Madrid, for offering to host our 2011 Yearly Meeting in this their capital city.

Wolfgang Schröder

*Schröder & Partner, Hamburg,
Chairman*

(With the complicity of Eric-Jean Thomas)



Autumn meeting 2010 in Athens.
Members visiting the Parthenon, an enduring symbol of Athenian democracy and culture.

Ireland - Investment Opportunities from NAMA

In the wake of the Irish banking crisis and collapse of the Irish property market, the Irish Government, in December 2009, ratified the creation of the National Asset Management Agency (NAMA).

The main purpose of NAMA is to manage a multi-billion Euro-loan book which will be transferred to NAMA from a handful of the main Irish banks. At the conclusion of these asset transfers NAMA is expected to have a loan portfolio of just over €70 billion, representing 10,000 loans and 850 borrowers. NAMA is expected to have a life span of approximately 10 years and it is hoped it will be a crucial part of the solution to Ireland's current banking difficulties.

The values attributable to the assets acquired by NAMA from the participating Irish Banks are based on the long term economic value as determined by NAMA. As many of the loans are secured on development land and property which have significantly devalued in the last four years, NAMA will buy these loans at a discount. Effectively, the discount that NAMA will apply is the difference between the nominal value of the loan according to the Bank, and the price NAMA is prepared to pay for it.

The expected overall NAMA discount will be approximately 58%. By removing these risky categories of loans it is hoped that the Irish Banks, which rely heavily on the international financial markets for capital market funding, can focus on the business of lending and supporting the Irish economy. NAMA's core commercial objective will be to recover for the Irish taxpayer whatever it has paid for the loans and, additionally, whatever has been invested to enhance the property assets underlying those loans. To that end NAMA will pursue all debts of borrowers, including personal guarantees, to the greatest extent possible, but will work alongside borrowers where that is the most beneficial commercial strategy in the circumstances.

The decision on whether NAMA agrees to work with a borrower will be based on detailed business plans which

the borrower is required to submit to NAMA. However, as soon as a borrower (or its management) is not adding value or not being fully co-operative with NAMA it may, where appropriate, seek to take full control of secured assets.

NAMA is run for and on behalf of the Irish tax payer. If NAMA is successful in making a profit when its work is completed, the Irish tax payer will keep the profit. If, in the more likely event that NAMA makes a loss, a levy will be applied to the Banks to make up the shortfall.

Many of the assets (approximately 21%) which have been earmarked for NAMA are UK based. In contrast with the Irish property market, the UK property market has seen some signs of recovery in recent months. Although it is unlikely that Irish based property will come on stream for some time, it is understood that the strong overseas appetite for UK property, particularly in central London, may result in both NAMA and the participating Irish Banks selling UK-based property assets as soon as possible.

Commercial property in the UK is therefore likely to be a focus for NAMA which is under pressure to ensure best value for money for the Irish taxpayer and, in realising UK loan assets now, NAMA could yield a massive cash boost. Investors should therefore be aware of potential opportunities in distressed property sales in the coming months.

For more information contact David Webb, Associate, WhitneyMoore, Dublin.

e-mail: david.webb@whitneymoore.ie

TOP 10 TIPS FOR BIDDING FOR PUBLIC CONTRACTS IN THE UK

Bidding for public contracts in the UK can be quite a different experience from bidding for private contracts. Here are our Top 10 Tips for bidding for these contract opportunities -

Learn to recognise a "contracting authority" when you see it

The Procurement Rules apply only to certain public bodies such as Government bodies, local authorities and other bodies financed from public funds.

Don't worry if you're not a local supplier

The whole purpose of the Procurement Rules is to open up competition across the whole of the EU (and EU based subsidiaries will benefit from the rules).

Know the "Thresholds"

Generally, the Procurement Rules only fully apply to contracts for the supply of goods or services contracts above £156,442 value (although sometimes it can be less).

Learn the lingo

Procurement has its own lingo -

Contracts are advertised in the Official Journal of the Europe Union ("OJEU");

Bidders are often asked to fill out a Pre Qualification Questionnaire ("PQQ") before being sent an Invitation to Tender ("ITT").

Know where to look for contract opportunities

There are a number of public and private websites that collate and provide information on public contract opportunities. eg www.tendermatch.co.uk

Check your credit rating

More and more contracting authorities are using credit reference agencies to check financial stability. Check your credit rating regularly.

Read the tender documents thoroughly

Tenders are rarely awarded based on Price only. Read the PQQ and the ITT documents carefully to fully understand the scoring system.

Don't be afraid to ask questions

If there's anything unclear about the process - ask.

Win or lose, ask for a Debrief

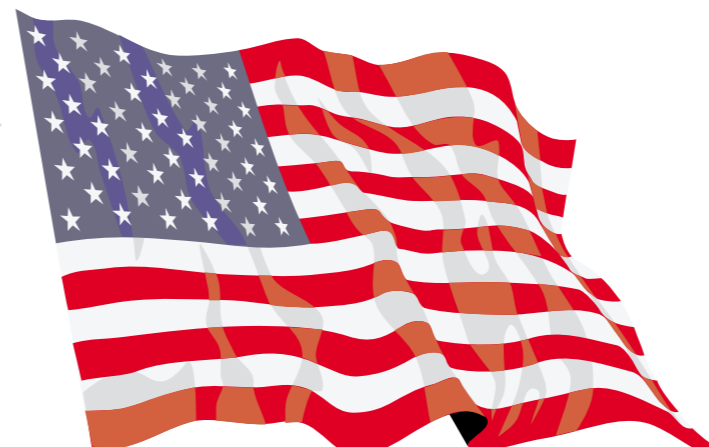
Contracting authorities are required to give you debrief information.

Don't be afraid to complain...or challenge (but be quick!)

If you think something is not right, don't be afraid to challenge. There's a very short (10 day) window of opportunity to prevent the contract being signed, and very tight time bar rules apply after that.

For more information contact Douglas McLachlan of Biggart Baillie LLP, Glasgow.

E-mail: info@biggartbaillie.co.uk



Euro-American Lawyers Group 1986 – 2011