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Latournerie Wolfrom  
& Associés



## ***BUSINESS LITIGATION TEAM***



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## BUSINESS LITIGATION

The Business Litigation team specializes in preventing, managing and solving private law conflicts that businesses (their executives and shareholders) encounter in their functioning, operating and economic activity.

We provide businesses with legal assistance in strategic disputes related to:

- functioning or management of the business ("[corporate litigation](#)")
- external growth transactions ("[pre- and post-acquisition litigation](#)")
- commercial operation ("[commercial litigation](#)")
- competitive environment of the business ("[competition litigation](#)")

We also provide support in proceedings that prevent or manage bankruptcy situations for all types of economic operators ("[corporate bankruptcy](#)").

Our Team consists of experienced lawyers with knowledge in multiple areas, such as corporate, commercial and distribution law. They are familiar with negotiation methods and court practices. The Firm is organized in a way that allows the Team to request assistance from specialized lawyers in other areas.

In our practice, we encourage:

- A systematic approach towards our clients' business and economic environment, in order to define the strategic and economic interests at stake;
- A pre-litigation approach, aiming to anticipate, control, and deal with conflicts in the best interest of our clients;
- The implementation of customized solutions that suit the strategy and financial imperative of companies and the search for amicable solutions to disputes;
- A strategic, dynamic approach to litigation and the use of court proceedings, including on the defense side, in order to encourage the conclusion of crisis situations with a view to the commercial and financial interests of our clients.

Supporting the Corporate / Mergers & Acquisitions / Private Equity team, we provide our expertise and help in the pre-acquisition auditing phase in order to analyze and assess the risks of actual or potential disputes that can have an influence on the decision to invest.

## Corporate Litigation

*Our Team deals with all types of disputes with respect to enforcement of the rules of corporate law and is highly specialized in managing shareholder conflicts. The Team works with:*

- Disputes related to the functioning of a business:
  - conflicts between shareholders (major/minor shareholders, investment funds vs. founders, etc.);
  - disputes regarding meetings and other corporate bodies (legal compliance of notifications to attend, misuse of majority or minority holdings, etc.);
  - minority shareholders' rights (right to information, management appraisal, etc.).
- Disputes related to the management of a business:
  - executive liability;
  - dismissal of an executive;
  - appointment of ad hoc administrators or experts.

## Pre and post-acquisition Litigation

*Our Team manages all disputes that may occur during acquisition transactions, including:*

- Disputes arising from non-completion of acquisition deals: breach of negotiations, breach of corporate or contribution commitments, etc.;
- Contractual disputes: completion of the sale, fixing of the sales price and price supplement, execution of a shareholders' agreement, execution of liability guarantees, etc.
- Disputes arising from the coexistence of executives and the new acquiring shareholder.

## Commercial Litigation

*Our Team manages all types of commercial disputes on a regular basis, including:*

- Disputes related to non-execution, improper execution, or breach of commercial agreements and their associated liabilities;
  - agreements with suppliers, intermediaries, distributors, customers, etc.;
  - general terms of sale, sales agreements, service delivery agreements, various partnership agreements, etc.;
  - breach of established commercial relations.
- Disputes within a distribution network (franchiser/franchisee, licensor/dealer, etc).
- Disputes in the implementation of private work and construction contracts:
  - implementing and monitoring procedures for court-appointed expert appraisals;
  - disaster compensation actions.

## Competition Litigation

*Familiar with anti-competition practices, our Team has earned a solid reputation in the field of unfair competition, having managed numerous cases of individuals starting businesses competing with their former employer. More generally, our everyday involvement includes disputes regarding:*

- unfair competition: employee poaching, denigration, customer solicitation, customer poaching, economic parasitism, breach of non-competition clauses, etc.;
- practices restricting competition: forced pricing, dumping, refusal to sell, discrimination, delisting, abuse of economic dependence, etc.;
- advertising: comparative advertising, false advertising, etc.

## Corporate Bankruptcy

*Our Team advises and assists businesses with all issues related to bankruptcy and bankruptcy prevention proceedings, regardless of their position in these proceedings or the type of proceedings, including the following situations:*

- Assisting creditors in order to protect their interests in a failing business;
- Defining, initiating and implementing appropriate procedures with corporate executives and shareholders;
- Assisting executives and shareholders in the development of salvage or reorganization plans;
- Assisting executives, shareholders and third parties in disputes regarding their liability in failing businesses.

## PRESENTATION OF THE TEAM'S LEADERS



**Nathalie KARPIK**, Partner

Member of Paris Bar

Graduate of HEC (business school)

DESS (postgraduate degree) in international tax law - University of  
Sceaux - HEC

DEA (postgraduate degree) in business law – University of Paris I  
Panthéon-Sorbonne

Graduate degree in business law – University of Paris I Panthéon-  
Sorbonne



**Chantal CORDIER-VASSEUR**, Of Counsel

Member of Paris Bar

DEA (postgraduate degree) in international private law and international  
business law – University of Paris I Panthéon-Sorbonne

Graduate degree in private law – University of Lille II