

Bergamaschi & Bozzo  
Sociedade de Advogados



# Welcome & Thank You



# History

*In 2012 a project was born: to change the standard work model of law firms that, although capable of selecting, hiring or associating with people that have vocation and interest in intellectual and qualified scientific activity, exposes them to truly industrial work routines. We understand the existence of a deadlock: people work to learn, not always learning how to work though.*

*Based on previous experience of some members of this project – which is the regular experience on the massified legal services market in capital cities – it was clear that many professionals are faced with the challenge to balance the research, technical or scientific development on one side, and the practical work demanded on the other.*

*Our project, in a practical manner, studies the movements and indexes of the use of work hours and their correlation with the associate's capacity to deliver high-added value technical solutions. A more effective and rational work model. Altogether, the working hours of a lawyer should be customized; i.e., the research activity should not be separated from the applied activity. After all, for everyone, the day only lasts 24 hours.*

*So the project of our office is born, which allows each one to give their best on their professional practice, without having to give up their academic dedication. An optimized balance rises. As a result, the client is well served and the constant updating of our associates is preserved.*

# Premises, Concepts and Circumstances

*Bergamaschi and Bozzo Law Firm is indeed a young office. It was founded in 2012. It did not start from scratch, though.*

*By that time we already had skilled lawyers that knew from the beginning what to do and we also had demand. As an example, in our first year we already had as a client one of the biggest reorganization processes in Brazil, a company with a debit in order of a billion reais (which was equal to five hundred million dollars, back in 2012).*

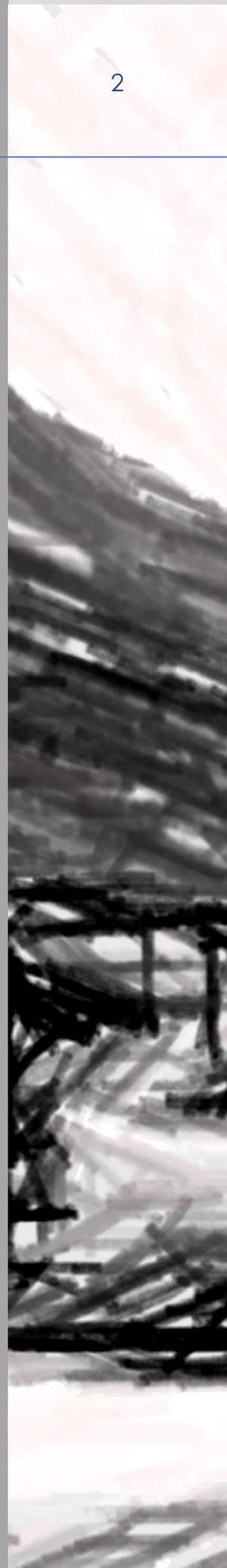
*The Law Firm is based on certain premises, concepts and circumstances, which shape our structure in order to provide our clients with an excellent service. In our opinion, an excellent service is provided through the effective control of legal knowledge and by building a*

*tailor-made plan that is individualized for each client.*

*he building process of this plan includes studying, evaluating and designing the legal service platform that will be used to provide the services in the consulting and/or litigation area that the client needs.*

*The premises of our firm include the integration of professionals, who besides enjoying the (well done) lawyer activity in the daily life, are researchers at the university and also are presently associated with law teaching activities in universities.*

*This premise comes from the idea that only university degrees, such as master's and doctorate, when dissociated from permanent research do not correspond properly to our goal.*



# Premises, Concepts and Circumstances

*Another mandatory premise is that every member must effectively dominate (in an advanced level) a language other than English and her or his own native language, or, at least, we provide means and demand the members to develop this ability.*

*We also plan together and support our members aim on postgraduate studies (general or specific) in foreign universities that have a respectable international recognition.*

*About our concepts of work: It is based on the technical alliances with other law firms and consulting firms focused on a specific knowledge (for which the partners are chosen based on their competence), under the solid joint venture format, in the form of direct or indirect management of the outsourcing.*

*It means that we do not repeat structures that in the market of law firms, in many cases, generate more costs than solutions.*

*When necessary, we also can count on the temporary integration of Professors and Experts to which we have access by our personal network and by*

*the daily contact of each member with the University of Sao Paulo and with their teachers.*

*We also support the production of academic research inside our office. In fact, many of our cases have brought us themes that ended up becoming scientific-research articles.*

*In this context, we have developed research in the area of civil and administrative proceedings (that are particularly important in the Brazilian legal system) as well as in the area of public and private contracts, including regulatory legislation and reorganizations.*

*At last, some circumstances are in favor of the development of our activities.*

*The first of them is the fact that the Law Firm is based in São Paulo, a twenty million people Metropole that centralizes a good share of the industry and some of the big economic agents in our country.*

*The second circumstance is that we can count with good technical alliances to assist in cases going on the federal court of law and the federal constitutional court, both based in Brasilia.*

# Civil Litigation

*We operate in judicial cases through all instances, focusing on an effective solution by a lawsuit. To achieve this objective, we maintain a daily monitoring of the process and an effective contact with the customer, so we know the best procedural strategy to take.*

*Our practice in civil litigation has two main streams: the fine civil procedure practice, with an effective solution to disputes by a lawsuit, and its combination with negotiation techniques to achieve the desired result.*

*We maintain a careful oversight and a close contact with the customer to deliver the best performance. We also monitor and advise our clients in negotiations, planning carefully how to resolve the dispute.*

*The Civil Law litigation model goes through a change on its approach in recent times. The configuration of the demands brought before the Courts today needs to consider the practical effectiveness of judicial decisions, and their usefulness for the one participating in a dispute. We also resort to consensual mechanisms that can help on achieving the client's interests at a lower cost and in less time.*



# Bank Law

*We provide information about banking law alongside with the consulting and litigation procedures, advising the client about the appropriate conducts to the specific case.*

*Our practices in Banking Law involve both legal advice and dispute resolution.*

*In the advisory area, we provide legal advice to the client on contractual and guarantee models, information about its benefits and risks, as well as orientation in negotiating debts or restructuring contracts.*

*In the dispute resolution area, we discuss issues related to banking contracts (clauses, values and guarantees), both bringing lawsuits in court and defending clients in the unexpected occasion of an unlawful charge or execution.*



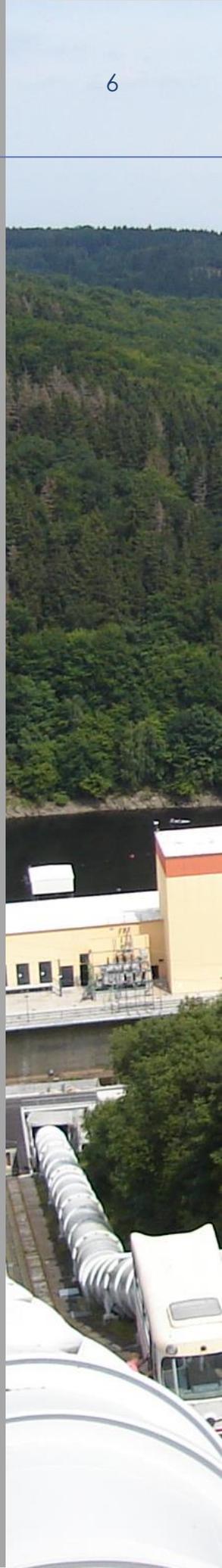
# Energy, Oil and Gas

*Direct management of the initial investment procedures in the sector and expertise in litigation (public and private sectors).*

*The energy, oil and gas sectors are of major importance in the national context and its changes are imposing growing challenges to legal issues.*

*Our work in the area includes advisory action on contractual area, aid on structuring the business in the sector and litigation activities covering public and private law.*

*The energy development sectors particularities in negotiating and legal procedures that require an accurate view of the business and its details.*



# Mining Sector

*Identification of appropriate procedures for commercial operations in the area and representation in cases involving the mining sector.*

*The mining sector in Brazil has very specific rules and their efficient operation requires careful consideration: both the owner of the land where the mine is in and the one who researches or explores the mine are subjected to a series of regulations which govern the relations between them and their relation with the Government.*

*Many are the problems that can appear in these relations, from the research or exploration authorization by the Government, with all the permits needed, to the phase of research or exploration in other people's land. Thus, dispute prevention provided by a well done consultative activity is very important.*

*Another important aspect is the environmental regulation of the sector, which involves environmental licensing, the environmental compensation phase and environmental/social problems that can arise from the relations with the Government and with the adjacent communities. In this specific area, dispute prevention is also essential.*

*When the mining activity is on, another sort of issues emerge from the contracts with different service providers with very specific functions and special equipment suppliers.*

*Our activities are focused on assisting the entrepreneur in the industry in its various legal developments: investments, environmental issues, regulatory issues, contracts and litigation.*



# Renewable Sources

*The growing expansion of alternative energy sources places the sector at the center of the investment market interest.*

*With this new scenario, proper advice is of most importance when concluding contracts, partnerships and agreements.*

*To operate the new forms of sustainable energy demands acting according to the legal procedures required in each sector - wind, photovoltaic, etc. We provide support for activities in each sectors and for dispute resolution on administrative and judicial instances.*



# Corporate Law

*Corporate restructuring, advisory activities to companies and partners, administrative procedures in the Brazilian Securities Commission (CVM), dispute resolution in cases of dissolution and other lawsuits.*

*We work in consulting and litigation areas: Our corporate advisory services cover the preparation of contracts – as well as the necessary steps to its registration –, planning and corporate restructuring, as well as support for the procedures of the Securities Commission (CVM) to companies, their partners and managers.*

*In the field of corporate disputes, we act in conflicts between companies in the same group as well as between members of the same company. We also act in administrative proceedings of dispute resolution of the CVM and the Trade Boards.*

# Contracts and Compliance

*Advisory and preventive consulting activity to companies focusing on models of compliance with best corporate governance practices and attention to the new Brazilian legislation in the area.*

*The new business reality, focused on the improvement of administrative mechanisms to fight corruption, requires knowledge in the drafting of practicable models of best corporate practices. The issue gained national recognition with the solidification of governance elements in the market and the legislative evolution in the area, brought by the Law n. 12.846 / 13 – The new Law against corruption in companies.*

*In this scenario, we offer advisory and dispute resolution services (administrative or judicial areas) in compliance practices issues, and provide bases for corporate structuring, as well as preparation and adaptation of corporate structures to such models.*



# Reorganization

*Our work comprises both principal and incidental demands of the reorganization processes.*

*Our Law firm operates in the reorganization of companies, both in the sponsorship of the debtor's interests or in the interests of creditors. To be up to the task we count on the participation of our members, whose studies, research and experience allow an efficient performance throughout the procedure, resulting in the adoption of the appropriate strategy to the case.*

*From the point of view of the debtor's interests and any interested partner or investor, the work undertaken in this area of activity can be summarized as:*

- a) assistance to reorganization proceedings and incident demands, planning and executing all necessary acts, including appeals and defense in judicial recovery of debts;*
- b) legal advice on debt negotiation and preparation of the reorganization plan;*
- c) legal assistance in the implementation of strategies to restructure the company;*
- d) legal assistance in negotiating with new partners and investors.*

*From the point of view of the creditor's interests, we do a careful analysis of judicial recovery processes underway, and a careful monitoring procedure. We also carry out negotiations in order to get the best satisfaction of their credit.*

# Social Causes

*Presence in social interest and human development areas.*

*Under social causes, we understand all situations involving inherent aspects to human dignity and causes of public interest. Lawyers should consider the demands in which the goal is to achieve social justice beyond property-related causes (even if many causes in which the goal is to achieve social justice have some financial reflex though).*

*That's why our law firm maintains links with social promotion entities, and counts on the experience of its members, in order to act in causes of social concern that are not adequately met by the mass market.*



# Academic Research

The Bergamaschi & Bozzo Law Firm is proud to invest in Research and Development in the legal area. This working policy addresses three main aspects. The first one of these aspects is the professional excellence; the second one is investing in its members academic realization; and the third one is the creation of solutions and advances in the legal area, that may collaborate to the discussions of relevant themes in our area. To achieve a state of the art performance, as well to ally creativity with the conscientious knowledge and control of the subject, it is necessary to combine academic research and praxis. In fact, many other professional areas, such as the precision industry and medicine, combine in their working structure both elements, having their selves a

R&D department or people that carry on their carriers side by side with academic research in a University. The legal business cannot afford the lack of efficiency or professionalism of missing such an important structure. That is exactly why many of our cases have brought us themes that ended up – after a long period of academic research – becoming Papers. In this process, the identity and business of the client are protected, since the research is focused on an abstract theme, but many of the ideas developed during the research are implemented in the legal solutions we offer our clients.

It is also a politic of our Firm to care on our people. When this policy is allied with one of our most precious premises, that is, to hire people that wish to research in law and Society by

# Academic Research

by carrying on their studies and academic lives, we create an academic propitious ambient inside our very structure. That is why The Bergamaschi & Bozzo Law Firm invests in their members dreams, because it involves Professional and Academic self-development, which is transplanted to the technologies and quality of work in disposal of our Firm. We also plan together and support our member's aim on postgraduate studies (general or specific) in foreign or national universities that have a respectable international recognition.

At least, we care on the social impact of our work. Not only by being close to the Pro Bono institution of the São Paulo University, where our firm collaborates; the research material we

create, even the published articles and, monographs goes on-line, in our website, and might be downloaded free. It is a donation of our time, effort and work in the hope of helping the Society (inside the limits of our capabilities) to apply the law in the most fare and coherent way.

Currently, our main research subjects consist in: Civil Procedure Law; Alternative Dispute Resolution; Contractual Law; Methodology of Law Interpretation; Insolvency Law; Law & Internet; Administrative Process and Regulation.



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