

## **Merger & Acquisitions and Shareholder Litigation**

As the Swiss presence of the largest global law firm solely devoted to dispute resolution, we are uniquely placed to achieve favorable results for our clients in complex domestic and international business disputes. In doing so, we work closely with the QE offices around the world, to offer coordinated, multi-jurisdictional dispute avoidance and resolution strategies for our clients.

In the corporate transactions context, we represent a diverse array of clients of all sizes and industries including large public companies, investment funds, large corporate stockholders, individual officers and directors, lenders and startups.

We provide litigation counsel to our clients to facilitate their business objectives in corporate deals, whether by enjoining transactions, ensuring they are consummated, or vindicating our clients' rights when transactions fall apart or issues arise after a deal closes. In addition to our varied courtroom and arbitration experience, we just as often advise clients on strategies to avoid litigation or otherwise negotiate successful results short of a lawsuit. Although we are a litigation only firm, clients routinely consult us before or at the outset of a deal, either in anticipation of litigation or simply because they value our perspective, expertise, and experience.

### **NOTABLE REPRESENTATIONS**

- a) We represented the family of the founder and majority shareholder in specialty chemicals maker Sika AG in what was described by the press as one of the fiercest and complex takeover dispute ever. The family had sold its controlling stake in Sika to French conglomerate Saint-Gobain for a purchase price of USD 2.75 billion. The transaction was heavily opposed by a majority of Sika's (majority independent) board of directors and by significant minority shareholders, in particular the Bill & Melinda Gates Foundation Trust. After a three-year battle in and out of courts, the parties signed a three-way deal, under which our client received an additional USD 550 million on top of the previously agreed purchase price.
- b) We represent a large public company in the satellite communications area in a dispute with another large public company about the control of a Swiss-based joint venture company and the distribution of dividends from the joint venture's operational services. In the same context, we advise the client regarding both state court and arbitration proceedings.
- c) We represented a shareholder in a large Switzerland and Germany based media and sports rights group against a rival group of shareholders in a high-profile dispute, which included civil and criminal proceedings in Germany and Switzerland. Our client prevailed and obtained full control of the group.
- d) We represented the majority shareholder in an international sports rights company against the minority shareholder in a deadlock dispute that involved allegations of civil fraud and required complex restructuring measures. Our client prevailed and managed to both fend off the attacks of the minority shareholder and to increase its own stake in the company to take full control of it.

- e) In addition to the shareholder disputes area, we are also at the forefront in the field of appraisal litigation in contested merger situations, where we are representing domestic and international clients in Merger Act proceedings. In this context, we are advising a client in a highly confidential proceeding.

## **RANKINGS AND AWARDS**

The QE Swiss office has been mentioned in the key business and news media in Switzerland as among the premier firms in Switzerland, and has been described as one of the most innovative and most aggressive firms in its field.

Among others, the QE Swiss office is named as a top law firm in Switzerland and ranked in Tier 1 with “5 Stars” in Litigation & Arbitration, International Law, White-Collar Crime and Sports Law by Bilanz (2019).

Also, QE Swiss office is ranked in Tier 2 in Sports Law, Tier 3 in Dispute Resolution: Arbitration and Tier 4 in Dispute Resolution: Litigation by Legal 500.