



## Tomasz Szarek

Attorney-at-law  
Partner

### Contact details

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### Main areas

- Corporate
- Antitrust / Contract Law
- Antitrust and State Aid
- Real estate
- IP / IT
- Corporate Sucession
- Data protection
- Contract Law
- Compliance
- Company restructuring
- Insolvency proceedings
- Distressed M&A
- Legal assistance of restructuring advisors
- Corporate Litigation
- Corporate / M&A

### Background

Tomasz Szarek has been a partner at SDZLEGAL SCHINDHELM since 2010 and has been the head of the firm's corporate law department since 2009.

From 1998 to 2003, he studied law at the University of Wrocław. Between 2004 and 2008, he was a trainee lawyer at the district chamber responsible in Opole. Since 2008, he has been registered on the list of lawyers at the district chamber in Opole.

In 2010, he completed a postgraduate degree at the Warsaw School of Economics (Szkoła Główna Handlowa), Academy of Commercial Companies.

Tomasz Szarek is a Chief Editor of law blog "*Companies and law*" ("Spółka i prawo") ([www.spolkaiprawo.pl](http://www.spolkaiprawo.pl)).

Member of the Supervising Committee at IT CORNER – Lower Silesian cluster of new technologies.

Member of the Board at IAG GLOBAL – international network of law firms, with members in more than 60 countries worldwide.

### Expertise

Tomasz Szarek is registered as an attorney-at-law since 2008. He advises domestic and foreign companies on corporate law and mergers & acquisitions. At SDZLEGAL SCHINDHELM, he is the head of the corporate law department.

As part of his work in the area of corporate law, Tomasz Szarek offers clients comprehensive legal support in matters relating to the establishment, management and financial reorganization and recapitalization of companies. Tomasz Szarek advises companies as well as foundations and non-profit-making organizations at home and abroad.

He also advises on mergers, spin-offs and conversions of companies and provides assistance in the conducting of restructuring and insolvency proceedings and in the winding-up of companies.

Tomasz Szarek has published numerous publications and monographs from the area of corporate law, in particular relating to trading companies.

## References

- Advising on the mergers of joint stock companies, in particular in the construction industry;
- Conducting due diligences for leading joint stock companies from the financial sector as part of M&A transactions;
- Advising leading companies from the financial and banking sector, including advising with regard to cooperation law;
- Legal advisory during the process of the acquisition of the group of Polish companies from the wind farm industry by the investment fund from Austria;
- Implementing the merger process involving group of companies from the engineering design and construction industry (French capital);
- Legal advisory during the merger process involving leading companies in the steel wholesale industry (Swedish capital);
- Legal advising during the takeover process of the company from the financial advising sector (Polish capital) by the Spanish company from the banking sector;
- Implementing the M&A process concerning the introduction of the foreign investor (Ukrainian capital) to the company managing the hotel chain in Poland (Polish capital);
- Implementing the tax optimization of the transaction consisting in the family succession of the enterprise (German capital) from the hotel industry;
- Implementing the takeover processes (*share deal / asset deal*), transformations, and mergers of the share capital companies (Polish, French, Swedish and Dutch capital);
- Implementing the processes of transformation of single commercial activities into share capital companies;
- Preparing, negotiating and implementing of the complete M&A transactions, starting from preparing the NDA agreements, carrying out due diligence process and preparing, as well as negotiating SPA agreements;
- Representing shareholders at the ordinary and extraordinary meetings in share capital companies (Polish, German, Austrian, Korean, French, Spanish, American, British, Ukrainian and Dutch capital);
- Asserting liability on behalf of company and shareholders against members of the bodies of share capital companies on account of the actions that caused damages for the company (Polish capital);
- Preparing the structure and legal concept of the managing of the real estate investment under the form of the first sustainable city in Poland (Polish capital);
- Implementing a series of trainings concerning the liability of managers, attorneys, and proxies in share capital companies (Polish, German, American capital);
- Tax optimization of the process of financing the share capital company in Poland by the mother company (German, French, Spanish, American, Swedish capital) Preparing and negotiating of investment agreements and shareholders agreements (Dutch, Polish, German capital);
- Advising concerning the settlement of disputes between shareholders, as well as between shareholders and management board;
- Implementing the process of divestiture and transfer of the organized part of enterprise (transaction optimization);
- Participating in the supervisory authorities of the legal persons – legal support in a scope covering the activities of the supervisory authorities (Polish capital);
- Legal advisory in the process concerning the exit by the strategic investor from the share capital company – tax optimization of the transaction (Polish, Dutch capital);
- Legal advisory in the course of the antimonopoly proceeding concerning the obtaining of the permit of the President of the Polish Antimonopoly Office (UOKiK) for the implementation of the transaction under which the entity from the industrial sector would take over a group of companies providing specialized solutions for the purposes of variety of branches (Belgium capital);
- Legal advisory in the course of the antimonopoly proceeding concerning the obtaining of the permit of the President of the Polish Antimonopoly Office (UOKiK) for the implementation of the joint venture transaction between the companies from electronic and electro-technical industries (Polish, Chinese capital);

- Legal advisory during the takeover process of the organized part of the enterprise from the heavy industry sector (Finnish capital) by the Swedish company from the steel forming sector. Estimated value of the transaction PLN 60,000,000.00.;
- Legal advisory in the process of selling a group of companies from the waste management sector (German capital). Estimated value of the transaction PLN 120,000,000.00;
- Legal advisory in the process of selling an organized part of enterprise of the capital group from the automotive industry (German capital). Estimated value of the transaction PLN 130,000,000.00;
- Legal support to customers from IT sector within the field of negotiations and finalization of implementation agreements, license agreements and within the field of copyrights; e-commerce B2B / B2C;
- Legal support in the project of obtaining financing for IT start-up from a private equity fund (estimated value 2 million EUR);

#### Languages

English, Polish