



HERBERT
SMITH
FREEHILLS




JAVIER DE CARVAJAL

PARTNER


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Javier is a commercial disputes (litigation and arbitration) lawyer and an insolvency practitioner.

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BACKGROUND

He has a law degree from the Universidad Pontificia de Comillas (ICADE E-1).

Before joining Herbert Smith Freehills, he worked in another international law firm, and previous to that in one of the major Spanish law firms.

Javier speaks and works in Spanish, English and French.

KEY SERVICES

Dispute Resolution
Restructuring, Turnaround and Insolvency

KEY SECTORS

Financial Buyers
Real Estate

EXPERIENCE

Javier is a commercial disputes (litigation and arbitration) lawyer and an insolvency practitioner.

With nearly 20 years of experience, Javier has worked extensively with clients in pre-contentious and contentious issues mainly in Civil and Company Law matters, having acted before Spanish Tribunals of all instances and jurisdictions. He has broad experience in national and international arbitration proceedings, both ad-hoc and institutional, and arbitration-related judicial proceedings, namely exequatur, injunctions and enforcement proceedings.

Javier also specializes in pre/insolvency law and has acted in insolvency proceedings as counsel for the debtor and for the creditors, as well as for directors, shareholders and any other party related to the pre/insolvent company.

He also has experience in white-collar crime, compliance and re/insurance matters and his professional career is complemented by non-contentious work, including pre-litigation and pre-insolvency advice, negotiation of out-of-court settlements and rendering of opinions on a number of issues of Civil, Commercial, Pre/Insolvency, Criminal and Procedural Law.

Javier's experience includes advising:

- an international investment fund in its work-out strategy in relation to the enforcement of securities and collection of debt. Also, defence against several lawsuits brought by its debtors. Aggregate value of over €70 million. Successfully settled
- the most important Spanish toy manufacturer on its defence in several civil proceedings against former shareholder, acting both as plaintiff and as defendant. Aggregate value of over €25 million
- a family investment vehicle: advising one of the biggest creditors in the Nueva Rumasa group insolvency proceedings -- one of the largest and most well-known insolvencies in Spain. Furthermore, acting as defendant's counsel against a claw-back claim filed by the insolvency administrators (the value of the claim was €4.5 million)
- an important real estate developer, acting both as plaintiff's and defendants' counsel in several litigation cases related to sale and constructions agreements. Aggregate value of over €17 million
- a Mexican construction company as plaintiff as well as defendant in an ICC international arbitration case related to a construction of an highway in Bolivia. Aggregate value of over €20 million
- we have acted as claimant's counsel for an international real estate fund on a dispute related to sale and purchase agreement. The proceedings included the granting of

injunctions prohibiting the counterparty from enforcing first demand bank guarantees. The value of the dispute was over €24 million

- we have acted as claimant's counsel for a major Spanish land developer against a State owned company related to a real estate put option over €15 million. After our client claim has been upheld in full, the proceedings have been successfully settled
- a multinational banking and financial services corporation as defendant in a dispute brought by an agent in relation to the distribution and commercialization of credit cards

ACCOLADES

His expertise in dispute resolution is highlighted by listings in *Legal 500*, *IFLR* and *Best Lawyers* in Litigation, Arbitration and Restructuring & Insolvency.

His clients comment that "Javier has been consistently helpful in his manner and clear in his advice."