

## QUESTIONNAIRE/APPLICATION

**For the CIS Local Counsel Law Firms  
in preparation for the 9th CIS Local Counsel Forum in Vienna, Austria on 27-29  
June 2014**

29 April 2014

### Section 1: Law Firm

1. Name and country of the law firm: International Legal Center «EUCON», Ukraine
2. Contact Information: tel:+38044 2380944; fax: +38044 2380913 email: office@eucon.ua  
Primary Firm Location: Ukraine

Office address: 01032, Kyiv, 33 T. Shevchenka blvb, office 12

Telephone: tel:+380442380944Fax:  
e-mail: office@eucon.ua  
Web site: www.eucon.ua

Other Offices: Poland  
Office address: 117, Al. Jerozolimskie  
Telephone: +48 50 3392053  
Fax: +48 22 6225380  
e-mail: office@eucon.ua

3. Primary Contacts:  
Name: Vakulik Olena  
Email: office@eucon.ua
4. Other Contacts:  
Name:  
Email:
5. Year of establishment: 2006

### Section II: Lawyers and Support Staff

6. Number of Partners: 3
7. Number of Associates : 1
8. Number of Paralegals (ассистенты) : 5
9. Please indicate number of lawyers with the advanced degrees: LLMS: 11
10. Candidate of Legal Sciences кандидаты юр. наук: 1
11. Languages spoken at the Firm: English, Russian, German, Polish
12. How many lawyers speak  
English: 15 German: 5 Russian: 20 Poland 15 French: Spanish: \_\_\_\_

13. Interpreters on the staff: 3  
(please indicate the languages)

### Section III: Client Details

14. Classify your clients (in percentage):

Corporate Clients (корпоративные) 30 % International Law Firms 60%

Non-Corporate clients 5%

15. Please indicate up to five major corporate clients:

- **Kyivstar** - leading mobile operator in Ukraine
- **MikogenUkraine** - one of the leaders in producing ground to plant mushrooms in European market.
- **PJSC Linik** - oil and gas products distributor, member of Rosneft Group of Companies
- **Amica Wronki, S.A.** - one of the biggest and top recognized Polish companies in large household appliances
- **ROSNEFT**- one of the leading oil and gas companies in Russia

16. Please indicate up to five international law firms you serve as a local counsel to:

- Pepeliaev Group,
- Ožóg & Partners,
- Infintax,
- TPA Global,
- Mgaloblishvili, Kipiani, Dzidziguri (MKD)

17. What percentage of your work is dedicated to international corporate clients:

- 0% (the law firm has no international clients)
- up to 70% (two-thirds of clients are international)
- up 30 % (each third client is international)
- up to 100% (almost all clients are international)
- up to 50% (half of clients are international)

18. What percentage of your work is dedicated to serving as local counsel to international law firms:

- 0% (none)
- up 30 % (each third client is an international law firm)
- up to 70% (two-thirds of clients are international law firms)
- up to 100% (almost all clients are international law firms)
- up to 50% (half of clients are international law firms)

19. Method of payment (choose all options that apply):

- per hourly rates (почасовая)                       contingency (percentage of the value of the contract/claim) (в процентах от стоимости)
- fixed (fixed budget) (фиксированная )                       other .....

20. Illustrative projects in 2013-2014

- **ROSNEFT (one of the leading oil and gas companies in Russia which has been listed among Top 10 oil and gas companies of the world)** - Providing complex legal support to the client in tax disputes with the Tax State Authority of Ukraine on revocation of tax decisions for the total value of USD 30 mln related to additional tax liabilities on corporate profit tax and value added tax.  
The court of the first instance and the court of appeal ruled in favor of our client and dismissed tax notification-decisions of tax authorities.  
The cases were submitted by the tax authority to the court of cassation.
- **PJSC Linik (oil and gas products distributor, member of Rosneft Group of Companies)** - Providing legal support in a number of tax disputes related to invalidation and cancellation of tax notification-decisions concerning VAT refund and additional tax liabilities on corporate profit tax, as well as further dispute related to penalties collection from violation the due date of VAT refund from the state budget.  
The specific nature of the cases derived from the peculiarities of oil refining process and use of impurities in this process.  
The court of cassation ruled in favor of our client and upheld the ruling of the court of appeal (in disputes related to VAT refund).  
The court of cassation upheld the ruling of the court of appeal partially (in disputes related to penalties collection from violation the due date of VAT refund).
- **Kyivstar (leading mobile operator in Ukraine)** - Providing legal support to Kyivstar, in a number of tax disputes related to invalidation and cancellation of tax notification-decisions, inter alia, additional tax liabilities on corporate profit tax, value added tax, VAT refund from the state budget
- **Amica Wronki S.A. (one of the biggest and top recognized Polish companies in large household appliances)** - Rendering full legal support of the investment project related to preparing business for realization of household appliances on the Ukrainian market. Inter alia, the firm provided comprehensive advisory on tax legislation and handled tax planning.
- **Mikogen Ukraine (one of the leaders in producing ground to plant mushrooms in European market)** - Providing legal support in a series of tax disputes with tax authorities on nullification of tax decisions, including (i) exclusion from the register of special taxation subjects; (ii) refusal on special fix tax rate provided for agricultural companies; (iii) USD 2 mln tax notification-decision.
- **Einhell Ukraine (producer of Einhell power tools, which has the major dealer chain on the territory of Ukraine)** - Representing the client in administrative appeal on nullification of USD 1,2 mln tax notification-decisions, inter alia, additional tax liabilities on corporate profit tax, value added tax, VAT refund from the state budget.
- **Louis Dreyfus Commodities Ukraine Ltd (a subsidiary of Louis Dreyfus & Co., a world's leader in agricultural product processing and distribution of various goods)** - Providing comprehensive consultations on tax legislation and transfer pricing issues.  
The scope of service includes development of the customized transfer pricing policies for the customer's company in accordance with the Ukrainian tax legislation. It covered the development of transfer pricing methodology; elaboration of subsequent documentation; diagnosis transfer pricing risks; development of recommendations to improve the transfer pricing policy; consultation regarding tax efficiency.

- **Agrofirm Rubanskiy (a Ukrainian agricultural company)** - Provided legal support to Agrofirm Rubanskiy in a tax dispute on nullification of tax notification-decisions and defense of company's Director in subsequent criminal proceedings on tax evasion.
- **JV Kerscher (company involved into retail petroleum products sale, member of TNK-BP Group of Companies)** - Providing legal support in tax disputes with tax authorities on nullification of illegal tax decisions, including representation of clients' interest in courts of all instances regarding invalidation and cancellation of tax notification-decisions. The total amount of additional tax liabilities on CPT and VAT was around USD 1 mln.
- **Hansa Ukraine LLC (producer of household appliances)** - Comprehensive tax support to Hansa Ukraine LLC, including advising on:
  - taxation of domestic and international transactions with Ukrainian and foreign companies;
  - real estate taxation advisory;
  - developing the tax planning strategy;
  - tax structuring of Ukrainian and cross-border transactions related to client's business activity.

#### Section IV: Law Firm Profile

##### 21. Law Firm Profile (500 words):

Our philosophy of protecting client's rights is simple – to prevent legal risks and litigation.

International Legal Center EUCON nowadays represents interests of residents and non-residents clients doing business on the territory of Ukraine and abroad.

Defining feature of services provided by our company is a comprehensive study of these issues. In particular: the involvement of auditors, financial advisers, tax advisers, deep doctrinal study of assigned tasks. This approach to work determines the structure of our company which includes team of lawyers, auditors, tax advisers and scientific advisers and through the combined efforts of them we find not only effective but also intelligent decisions.

Specialists of the International Legal Center EUCON provide legal advice to clients on outstanding issues in the sphere of corporate and tax law, transfer pricing, business restructuring, assets protections, commercialization of intellectual property rights and tax planning with the use of intangible assets.

By the beginning of 2010 EUCON being recognized as one of the top 50 Leading Law Firms in Ukraine according to the results of the annual rating conducted by the Yuridicheskaya Praktika newspaper and the Kommersant-Ukraine Publishing House.

International Legal Center EUCON has been an award winner for two consecutive years. In 2013 it has been rewarded as a Breakthrough Firm of the Year by the Legal Awards 2013 held by Yuridicheskaya Praktika, a leading Ukrainian legal newspaper. EUCON was also shortlisted as one of the Best Tax Law Firms for 2013, and Yaroslav Romanchuk, Managing Partner of the firm, was named among Top 5 Tax Lawyers and Top 5 Partners of Law Firms and in Ukraine. In 2014 the International Legal Center "EUCON" has been rewarded as a Best Tax Law Firm of the Year. And Managing partner, Yaroslav Romanchuk is among the finalists in two nominations – the Best Tax Lawyer and the Best Partner of the Law Firm.

In 2013 International Legal Center EUCON has declared itself confidently taking part in an independent research firstly, and immediately ranked in second tier in tax among the top law firms according to the most respected international legal market directories The Legal 500: EMEA .

22. Describe your cooperation or affiliation with law firms in other countries (International Law Firms), indicating the level, including exclusive or non-exclusive:

We develop suitable partners' network and regularly receive referrals from such law firms as Pepeliaev Group, Ozóg & Partners, Infintax, TPA Global, Mgaloblishvili, Kipiani, Dzidziguri (MKD) law firm

Please provide references (name of the firm, contact person and his/her contact information) of one or more International Law Firms, which we may contact for a recommendation of your firm.

1. Pepeliaev Group – Sergey Pepeliaev - Managing Partner e-mail: [s.pepeliaev@pgplaw.ru](mailto:s.pepeliaev@pgplaw.ru), 7 985 997 99 35 <http://www.pgplaw.ru/>
2. Ozog&Partners – Pawel Tomczykowski – Partner tel.: (+48 22) 480 81 00; fax: (+48 22) 480 81 18; e-mail: [pawel.tomczykowski@ozog.pl](mailto:pawel.tomczykowski@ozog.pl) ; [www.ozog.pl](http://www.ozog.pl)
3. Infintax - Guus Poelen – Partner tel. 31 06 5154 0865; e-mail: [guus.poelen@infintax.com](mailto:guus.poelen@infintax.com); <http://www.infintax.com/>
4. TPA Global – Steef Huibregtse - Chief Executive Officer tel. 31 20 462 3530; e-mail: [s.huibregtse@tpa-global.com](mailto:s.huibregtse@tpa-global.com) ; <http://ru.tpa-global.com/>
5. Mgaloblishvili, Kipiani, Dzidziguri (MKD) law firm - David Koghuashvili Counsel tel. 995 599 1211 20; fax (+995 32) 2973884; e-mail: [dkoghuashvili@mkd.ge](mailto:dkoghuashvili@mkd.ge) ; <http://www.mkd.ge/>

23. Details of membership in local and international law firm networks, databases, alliances, or associations:

ILC EUCON is a member of the

1. **All-Ukrainian Non-Governmental Organization Ukrainian «Ukrainian Bar Association»**

2. **ICC Ukraine**

Managing Partner of ILC «EUCON» Yaroslav Romanchuk

- Vice President in legal, tax and customs issues of the Ukrainian National Committee of the International Chamber of Commerce (ICC Ukraine)

- Member of the International Commission on Taxation ICC (Paris).

3. **TPA Global.**

4. **MSPPU- Ukraine.**

5. **Polish-Ukrainian Chamber of Commerce.**

Managing Partner of ILC «EUCON» Yaroslav Romanchuk

- Head of the Committee on Taxation and Customs Policy of the Polish Ukrainian Chamber of Commerce (Warsaw).

24. Practice Areas:

Please highlight in bold the practice areas of your firm from the list below. Also please indicate other practice areas and areas of special expertise of your firm that are not included in the list.

**Administrative Law**  
**Admiralty and Maritime Law**  
**Advertising and Marketing**  
 Agency and Distribution  
**Agricultural Law**  
**Alternative Dispute Resolution**  
 Arbitration, Mediation  
**Antitrust and Competition**  
 Aviation and Aerospace  
**Bankruptcy**  
**Banks, Banking and Financial Services**  
 Business Law  
**Commercial Litigation/ Commercial Real Estate, Zoning, Planning and Land Use\**  
**Communications and Media**  
**Construction Law and Litigation**  
 Consumer Law  
**Contract Law**  
**Corporate Finance**  
**Corporate Law**  
**Criminal Law**  
**Energy**  
 Entertainment and the Arts  
**Environmental Law**  
**Finance**  
**Foreign Investment**  
 Franchise and Franchising/  
 Government Procurement and Contracts  
 Immigration and Naturalization  
**Information Technology**  
 Initial Public Offerings (IPOs)  
**Insurance Law**  
**Intellectual Property:**  
     **Copyright**  
     **Trademarks**  
     **Patents**  
     Other  
 International Public Law  
 International Litigation and Arbitration  
**International Trade**  
**Labor/Employment**  
**Media Law**

**Mergers & Acquisitions**  
**Mortgages Property Funding and Security**  
**Natural Resources**  
**Oil and Gas**  
 Privatization Law  
 Product Liability  
**Regulatory Law**  
**Securities and Stock Exchange**  
**Taxation**  
 Technology and Science  
**Torts**  
**Transportation**  
 Other practice areas:

Areas of Special Expertise:

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