

**Philippe THIEBAUD**

Partner Avocat à la Cour, Member of the Luxembourg Bar, 2008 and the Paris Bar, 2007 PhD in Private Law

Banking & Finance, Corporate & M&A, Italian Desk, Litigation & Dispute Resolution

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**Contact:** philippe.thiebaud@molitorlegal.lu

**Bar Admission(s):** Avocat à la Cour, Member of the Luxembourg Bar, 2008 and the Paris Bar, 2007 PhD in Private Law

**Speaks:** Speaks French, English, Luxembourgish, Italian

**Associations:** Philippe is a member of the International Bar Association (IBA) and the International Association of Restructuring, Insolvency & Bankruptcy Professionals (INSOL). He is also a member of the legal committee of the Luxembourg Private Equity & Venture Capital Association (LPEA).

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**EXPERTISE**

Philippe has a long-standing record of advising local and international clients and he specialises in a wide range of corporate transactional and private equity related matters, including in particular the drafting and negotiation of investment and shareholders' agreements, financing agreements and share purchase agreements. He also assists clients in the set-up of stock option schemes.

Before joining MOLITOR, Philippe worked for more than 10 years with an International law firm in Luxembourg.

**EDUCATION**

**2005** Université Panthéon-Assas Paris II (PhD in Private Law)

**2000** Université Panthéon-Assas Paris II (DEA de droit privé général)

**1999** Université Panthéon-Assas Paris II (Maître en droit privé)

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**TRANSACTIONS**

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## CHAPTER 11 LITIGATION

MOLITOR were retained in a matter referred to them by a leading US law firm. MOLITOR advised the client, who was in the oil refinery business, in the context of US litigation following its being put under Chapter 11. Some creditors, through a litigation trust, sued the company following the take-over by a wealthy Russian of a much larger company worth 20 billion dollars (so huge leverage) on the basis that previous valuations were far less per share. The companies were merged and, due to the size of the debt, collapsed. Some creditors received compensation but unsecured creditors sued everyone they could find, including the Luxembourg entity. The client approached MOLITOR after receiving unsatisfactory advice from another quarter.

## INVESTMENT IN RESIDENTIAL PROPERTY

MOLITOR advised part of a German real estate funds group investing in residential property. They had several companies in Luxembourg and requested warehouse facilities from a UK Co who were assisted by the Luxembourg Desk of a major London law firm. The Luxembourg companies wished to acquire several properties in Germany. MOLITOR assisted in the corporate and banking law aspects of the deal.

## PRIVATE EQUITY FIRM INVESTING IN MID-MARKET COMPANIES

MOLITOR assisted a London-based private equity firm investing in mid-market companies, in all Luxembourg law aspects of the sale of an Italian subsidiary specialised in regeneration of used motor oil by a Luxembourg holding entity (as seller) and the related finance documents in relation to the sale, and the organisation of the repatriation of the sales proceeds to the limited partners.

## SYNDICATED LOAN

MOLITOR assisted a Swiss Bank, as lender and agent of a banking consortium, to advise and provide a legal opinion on the Luxembourg law aspects of a CHF 500 million five-year syndicated loan.