

Representative Legal Matters

Frank Kroes

- Acts for ENECO Holding N.V. in litigation against the State of the Netherlands in order to overturn legislation that requires vertically integrated energy companies to separate their grid managers from the production and sales companies on the basis that it contravenes European and international law. Eneco won the case on appeal. Continues to act for Eneco in litigation before the Supreme Court and, after the Supreme Court's referral to it, before the Court of Justice for the European Union.
- Acted for the Central Works Council of ABN AMRO Bank N.V. in relation to the proceedings before the Enterprise Chamber of the Court of Appeal in Amsterdam to order an investigation into the sale of LaSalle and other issues regarding the takeover fight between Barclays and the Consortium, consisting of Fortis, Royal Bank of Scotland and Santander (amount at stake EUR72 billion); continues to act for the Central Works Council in various follow-on cases from the takeover of ABN AMRO by the Consortium and the subsequent takeover of the Dutch banks of ABN AMRO by the State of the Netherlands.
- Represented Johan Crujff in litigation against AFC Ajax N.V. concerning his role as a supervisory director. Case was won both in the first instance and on appeal.
- Represented Fairstar N.V. in several court actions against Dockwise relating to Dockwise's hostile takeover of Fairstar.
- Acts for a leading expert on environmental consultancy and financial brokerage services in the international emissions trading market under the Kyoto Protocol in arbitration cases with its former customers.
- Acts for one of the actuaries of Vie d'Or in relation to the class action brought by former customers of Vie d'Or. The class action was settled. The indemnification claims were recently settled at no cost for the client. The case involved De Nederlandsche Bank (the Dutch Central Bank).
- Represented a currency broker and its directors on a motion for summary judgment in litigation against De Nederlandsche Bank. The currency broker and its directors prevailed on most of the points raised by the motion.
- Acted for an energy production company in arbitration under the UNCITRAL rules and administered by the LCIA. The case was won. The amount at stake was EUR750 million.
- Acted in ICC arbitration for a large international electricity company against the contractor in relation to the construction of a power plant, with EUR150 million at stake. Case was won.

- Acts for an international energy broker on its defense against a professional negligence claim brought by the Dutch State, with EUR5 million at stake. Case was won.
- Acted for an international chemical company against Akzo Nobel N.V. who claimed termination of a contract due to unforeseen circumstances. The amount at stake was EUR10 million. Case was settled on terms favorable to the client.
- Acted for a European chemical company in a dispute with one of its suppliers who claimed amendment or termination of a contract due to unforeseen circumstances. The amount at stake was EUR5 million. Case was settled on terms favorable to the client.
- Acts for an Asian manufacturer of capital goods in several follow-on class actions in relation to infringement of European competition law. The amount at stake was EUR200 million.
- Advised a global energy company on follow-on litigation in relation to several cartels.
- Acts for an international institutional investment manager in an ICC arbitration, with approximately EUR500 million at stake.
- Acts for various other investment managers in securities litigation both before the lower courts and the Supreme Court.
- Defended a global IT company in an action against its pension fund claiming specific performance under the financing agreement. The amount at stake was approximately EUR40 million. Case was won.
- Acts for a European IT company in a dispute with its pension fund under a financing agreement, with several hundreds of millions of euros at stake.
- Acted for an international oil company in multijurisdiction litigation and arbitration. Total amount at stake was approximately USD1 billion. Case was settled on terms favorable to the client.
- Defends an international oil company in action where damages are sought for infringement of European competition law.
- Acts for a US company in cross-border enforcement actions against an African sovereign state.