

Dr. Olaf Gärtner, Dipl.-Kfm.

Partner

Munich

Biography

Olaf Gärtner is your confident partner when it comes to solving disputes between your company and another or even within your company. As Co-Head of our worldwide Corporate Litigation Group, Olaf knows what disputes mean to you and personally engages with his team in finding practical solutions.

Olaf's focus lies on advising national and international companies and their board members with regard to corporate litigation and all aspects of board members' liability and D&O liability. He commands vast experience regarding disputes between shareholders, lawsuits of shareholders against the company, litigation in joint venture structures and pre or post M&A litigation – often combined with complex issues of business valuation.

Furthermore, Olaf advises and represents companies and/or their board members in the enforcement of respectively the defense against board members' liability claims and D&O questions. His extensive experience in corporate litigation is reflected in the leading legal directories. For example, Olaf Gärtner is listed in *Who's Who Legal Germany* as "one of the world's leading lawyers for litigation" at the age of 45 and younger. He is highlighted in the *JUVE Handbook* as a "frequently recommended lawyer" for corporate



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Languages

English
French
German

Practices

Corporate and Shareholder
Litigation
Litigation Services

Industries

Aerospace and Defense
Automotive
Consumer

litigation and ranked by *Legal 500 Germany* in 2019 for his expertise in disputes. Furthermore, he is also included in the 2019 *Edition of Best Lawyers™ in Germany* for litigation.

Olaf regularly publishes on current topics of corporate and procedural law as well as board members liability. He is the initiator and co-publisher of the Beck handbook *Reasons for rescission and annulment of shareholder decisions under the German Stock Corporation Act (Anfechtungs- und Nichtigkeitsgründe im Aktienrecht)* and the co-author of several other publications.

Representative experience

Advising a leading global manufacturer of high performance metals and materials in an intense dispute with a former Italian joint venture partner under national and international law after the failure of the joint venture with damage claims amounting to high two-digit million Euro amount.

Representing Media-Saturn-Holding GmbH in a shareholder dispute between the former Metro AG (now Ceconomy AG) and the founding shareholders of the MediaMarkt stores.

Representing an Asian High Tech Conglomerate in an ICC arbitration in connection with a post-M&A dispute on purchase price adjustment, representations and indemnifications following the acquisition of a business unit from a DAX 30 company. The case was the biggest case in value which the ICC entertained in 2007/2008.

Representing a leading producer of specialty metal products in appraisal proceedings initiated by about 80 former shareholders against our client after a squeeze-out of minority shareholders pursuant to the provisions of German Reorganization of Companies Act.

Energy and Natural Resources
Life Sciences and Health Care
TMT

Areas of focus

Corporate and Shareholder
Litigation in Europe

Education and admissions

Education

Dr. iur., Max Planck Institute for
Innovation and Competition, 2006

Second State Exam in Law, Higher
Regional Court of Munich, 2003

First State Exam in Law, LMU
Munich (Ludwig-Maximilians-
Universität München), 2001

Trier University, 1999

University of Aix en Provence, 1999

Dipl.-Kfm.

Advising a leading IT services company in a 50/50 joint venture and a related shareholder dispute. The dispute centered around the liability of board members of the joint venture company having led to the review of potential breaches duty and the dismissal for cause of one of the managers.

Representing and advising one of the largest Irish investment and real estate companies in corporate law matters and disputes in connection with a European joint venture in the area of waste recycling and energy production.

Advising a leading online retailer in various cases all over Europe regarding management liability for breach of board members' duties in connection with potential antitrust violations, tax issues, etc.

Awards and rankings

- Included for Litigation law, *Edition Best Lawyers™ in Germany, 2019*, 2019
- Dispute Resolution: Commercial Litigation, *Legal 500 EMEA*, 2019
- JUVE Law Firm of the Year for Dispute Resolution 2018 (team Award), 2018
- One of the world's leading practitioners for litigation, *Who's Who Legal Germany*, 2018
- Recommended lawyer for Corporate Litigation, *JUVE handbook*, 2013–2018

Latest thinking and events

- Webinar
 - Manager Liability risks in case of COVID-19 infections at work
- Webinar
 - The impact of Brexit on corporate litigation and Investor-State disputes
- Webinar

Memberships

Deutsche Institution für Schiedsgerichtsbarkeit (DIS)
(German Institution of Arbitration)

Deutscher Anwaltsverein (DAV)
(German Bar Association)

Förderverein der juristischen Fakultät der LMU München (Friends of the law faculty of the University of Munich)

Munich Judicial Association

Accolades

Olaf Gärtner at Hogan Lovells specialises in advising companies on corporate litigation matters, ranging from shareholder disputes to joint venture disputes.

Who's Who Legal Germany, 2019

- Shareholder Activism
- Webinar
 - D&O Liability risks in connection with U.S. sanctions
- Events
 - 50/50 Shareholder Disputes and how to resolve them
- Webinar
 - D&O liability risks arising from antitrust law violations