



Jan Šamánek

Of Counsel

Jan Šamánek specialises in litigation and arbitration for HAVEL & PARTNERS' clients, with a special focus on litigation strategy and cross-border disputes. Having 20 years of experience in various legal professions, he has developed extensive expertise in dispute resolution, corporate law, corporate acquisitions, real estate transactions, and the law of information technology.

Recently, Jan has focused on dispute resolution in the banking sector, often with a regulatory overlap, and litigation with a European law overlap, where parties propose preliminary references to the EU Court of Justice. He also deals with post-transaction litigation with an international element, international carriage of goods disputes, and cross-border white collar crime.

During the COVID-19 pandemic, Jan was involved in the preparation of legislation temporarily protecting debtors from the economic impact of the pandemic, which resulted in Act No. 177/2020 Sb. on Certain Measures in the Field of Loan Repayment in Connection with the COVID-19 Pandemic.

Jan gained his legal expertise through LL.M. studies at the prestigious University of Michigan at Ann Arbor as a Fulbright Scholar, studies at the University of Illinois Chicago School of Law, and studies at the Ecole Nationale d'Administration in Strasbourg, France. He completed further studies at the Central European University in Budapest, Hungary, and the University of Exeter, United Kingdom.

Jan started his legal career in the Prague office of Clifford Chance and continued at Hogan Lovells and Central European Advisory Group. He has also worked in the judiciary as an assistant to the Vice President of the Constitutional Court of the Czech Republic, and at the Court of Justice of the EU in Luxembourg in the office of the current President Koen Lenaerts and Advocate General Jan Mazák as a trainee. In the state administration, he headed the international legal subsection of the Ministry of Justice and as its general director represented the Czech Republic in negotiating European legislation within the EU Council.

He teaches Legal Environment of Business, International Business Law, and Reason and Argument at the University of New York in Prague.

Projects

- Representing former shareholders of one of the largest online travel retailers in Central Europe in an international post-transaction dispute worth over EUR 11.7 million.
- Representing a leading Czech bank in a lawsuit over liability allegedly arising out of anti-money laundering and banking law violations, worth over CZK 35 million.
- Representing a leading Czech bank in litigation concerning the interpretation of Council Directive 86/653/EEC relating to commercial agents, including a preliminary reference to the CJEU and including an analysis of future exclusion of risk in the area of remuneration of former commercial agents.
- Representing a global company specialising in optics and imaging in a litigation against a former local distributor, worth over CZK 15 million.
- Representing a client in post-transaction litigation arising out of the sale of a historic real estate complex by a leading Moravian company focused on the engineering production of special safety equipment for the aerospace industry, worth over CZK 7 million.
- Representing a leading Czech holding company engaging in the sale of automobiles in litigation with a former member of its management for *ultra vires* liability, worth over EUR 220 thousand.
- Representing a leading Czech sports association in a lawsuit over liability for the organisation of an international championship, in which the Czech court interpreted Swiss law, aggregate worth over CZK 37 million.
- Representing a client in litigation against a Seychelles-based company, including ensuring representation before the Supreme Court of the Republic of Seychelles, worth over CZK 25 million.
- Advising on the professional liability of an attorney for damage allegedly arising from the invalidity and unenforceability of an agreement on future contract in a complex real estate transaction, worth over CZK 80 million.
- Advising a global internet search company in a lawsuit worth over CZK 394 million.
- Representing one of Europe's largest private financial advisory companies in a litigation against a former employee and franchisee following the termination of their engagement, worth over CZK 9 million.
- Comprehensive long-term advice to Mautilus s.r.o., a software start-up, from its incorporation up to its sale to 24i Unit Media, a multinational company based in the Netherlands, a transaction worth over CZK 100 million.

- Comprehensive long-term corporate and commercial advice to a leading Czech producer of control systems for motor generators, including representation in the construction of a turnkey office building worth over CZK 450 million.
- Representing a client in the purchase of a unique historical complex on Hradčanské Square in Prague, including the management of unique risks associated with the bank funding of an acquisition entailing church assets, worth over CZK 140 million.
- Representing a client in the sale of an industrial property site in Prague with a specific requirement to exclude liability for defects in real property, worth over CZK 75 million.
- Representing a client in litigation with the Ministry of Education regarding the surrender of historical properties in Malá Strana in Prague.

Membership in professional associations

Czech Bar Association
Fulbright Alumni Association
Registered arbitrator with the Shanghai International Arbitration Center

Languages

Czech, English, French, German

Education

Masaryk University, Faculty of Law, Prague (2002), Mgr. (Master of Laws)
University of Michigan School of Law, Ann Arbor (2004), LL.M.
Charles University, Faculty of Law, Prague (2012), Ph.D.
Masaryk University, Faculty of Law, Brno (2013), JUDr. (Doctor of Laws)

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