

Kubas Kos Gałkowski | Poland

## **PAWEŁ SIKORA**

*“A good cross border lawyer should be open minded and always try to see the bigger picture.”*

**Mr Paweł Sikora specialises in company law and civil procedural law. He handles the provision of comprehensive legal services and prepares effective procedural strategies. He focuses on IT and start-up projects as well as mergers, acquisitions, and other forms of restructuring and bankruptcy. He is experienced in providing consultancy services to domestic and foreign investors during negotiations on the signing of land lease, building and premises lease agreements at further stages of the investment process.**

Mr Sikora carries out projects for banks and developers in the scope of securing financial instruments at various stages of the investment. Mr Sikora is a coordinator of the Kubas Kos Gałkowski Summer Academy of Arbitration and Mediation at the Ivan Franko National University of Lviv. Kubas Kos Gałkowski representative at the European Federation for Investment Law and Arbitration (EFILA) and a member of the Dispute Resolution Section of the Allerhand Institute.

We are honored to have the opportunity to interview Mr Sikora in Poland.

**LTA:** How did you start your career in law?

**S:** I started my career in law yet before graduating from Faculty of Law of the Jagiellonian University with internship at my current law firm (KKG). I recall that the assignments I was entrusted with during my internship were very challenging even for a student. I



have proven myself capable of dealing with these matters and was offered a position in the firm. I stayed with KKG until I became partner in 2016.

**LTA:** You have an impressive profile and a remarkable legal career. Could you share one or two most challenging or interesting cases or transactions you handled which either signifies an important milestone, breakthrough or carries significant impact in your legal career?

**S:** First of two which are worth of mentioning is my first assignment as a leading counsel after being admitted to the Bar and which was an M&A transaction for a Polish listed company which had acquired Lithuanian company owning a candy factory. The transaction also involved preparation of the procedure of issuance of convertible bonds by Polish company to finance the share purchase price payment. It was very complicated and complex but successful process. Second case I would like to mention is the one I am currently working on. This is a corporate dispute between the company and its former managers. This is a precedent case as it the first case where we have travelled with the Polish court to Washington, DC where series of court sessions were held at the Polish Embassy during which US domiciled witnesses provided their testimony. This case also involves cooperation with leading US law firms.

**LTA:** In your view, what are the attributes and qualities of a good cross border lawyer?

**S:** First of all, a good cross border lawyer should be open minded and always try to see the bigger picture of the transaction in order to provide best advice to the clients. From my own experience I can also tell that good cross border should have an ability to work in a team and always remember to maintain proper communication between all involved persons instead of dealing with the specific issues alone.

### **Cross-border cases**

**LTA:** Tell us more about your practice dealing with cross border matters. What sort of matters or cases involving cross border elements you handle?

**S:** I have been dealing with numerous M&A cross border transaction that involved acquisition of Polish assets. We assisted our international clients in due diligences and negotiations of share purchase agreements. I represent our clients in international arbitration cases and in domestic litigation.

**LTA:** What are the major areas of legal risks that businesses should be aware of in handling cross border transactions? Any suggestions to minimise the risks?

**S:** A cross border lawyer should have ability to assess whether there is a need to retain advice of lawyer from different jurisdiction and in order to identify and eliminate the possible risk that specific legal system may involve for the transaction. Different legislations introduce different legal

requirements or limitations that I, as Polish lawyer may not be aware of, therefore I always urge my partners in the project to make the proper risk assessment that certain type of transaction may involve. On the other side, when the transaction takes place in Poland and my advice is sought, it is very important to fully understand foreign clients' intentions so that I may identify all potential risk that might not have been initially considered.

### **Belt and Road**

**LTA:** In your experience, with China's Belt and Road Initiative, what changes have been brought about in the legal market in your region? What are the trends you would expect to see in the near future (including but not limited to trends in legal markets, business practices and regional cooperations)?

**S:** As far as I can tell I have noticed increased activity of Chinese law firms on Polish market as they open branches in Poland or seek for business partners to provide their clients with legal services in both



jurisdictions. Presence of Chinese business in Poland is quite strong already and I think that the Belt and Road Initiative will open new possibilities not only for investors but also Polish entrepreneurs. I expect to see more events organized to support the commercial cooperation between Chinese and Polish entrepreneurs on various fields. This will surely bring many opportunities, also for lawyers.

**LTA:** How should lawyers get themselves prepared for the challenges brought about by the Belt and Road initiative? Any advice for young lawyers who aspire to capture the opportunities presented by the Belt and Road Initiative?

**S:** My advice for young lawyers, despite the Belt and Road initiative, would be to apply for internship in Chinese law firm. There are not many lawyers in Poland who have good contacts and relations with Chinese lawyers.

#### **Work Satisfaction**

**LTA:** What gives you the greatest satisfaction in your practice?

**S:** The thing I enjoy most is the chance to meet and work together with lawyers from different jurisdiction. This is extremely helpful for development of both legal and interpersonal skills.

It is also great to see, at the end of the project, that the work done resulted with visible effect that meet client's expectations.



**LTA:** How do you juggle between work and life to achieve sustainable balance? Do you have any special interests or hobbies to relieve pressure?

**S:** I don't think I have found a proper way to balance between my work and private life properly. The fact is that this is a very hard thing to do. Our work very often involves cooperation with lawyers from different time zones so it became quite natural to me that working day does not end when I leave my offices. I had to get used to it and so had my family. But I try to spend some time only with my family without checking my e-mail constantly. When I am not working I enjoy the family time or jog. I also play guitar since I was a teenager. I own three electric guitars and could spend hours talking about the guitar gear. ♦

