

Clifford Chance Badea's Dispute Resolution practice obtains a favorable resolution in a transnational case aimed at protecting bona fide third parties affected by a criminal seizure measure



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Clifford Chance Badea's Dispute Resolution practice obtained a favorable solution for a representative company in the aeronautical leasing industry in a complex matter involving both elements of Romanian criminal and civil law, as well as contractual aspects regulated by English law, aimed at protecting the rights of a bona fide third party affected by a criminal seizure measure.

The matter was managed by a Clifford Chance Badea litigation team, which worked closely with the Clifford Chance London team to integrate the transnational dimension of the case into a robust litigation strategy.

“Our extensive multi-jurisdictional experience and our litigation team’s expertise in highly complex cases have contributed to obtaining this important decision for our client,” says [Daniel Badea](#), *Managing Partner Clifford Chance Badea*.

“At the same time, the ruling brings an important contribution to shaping a coherent and balanced judicial practice related to the protection of bona fide third parties, especially in complex cases with foreign aspects and cross-border implications,” added [Vicu Buzac](#), who led the Bucharest litigation team in this case.

The court admitted Clifford Chance Badea’s request and withheld, as a matter of principle, that the rights of third parties in good faith must be protected, including in the context of precautionary measures ordered during a criminal case.

At the same time, the court emphasized that it has not only the competence, but also the obligation to verify, including ex officio, whether the grounds that formed the basis for the imposition of the seizure measure still exist, in the absence of an express regulation applicable after the closure of the criminal procedure.

The Clifford Chance Badea Litigation practice currently has representation mandates with a cumulative value of approximately EUR 1.5 billion, representing clients from dynamic industries such as Energy, Construction/Infrastructure, Pharmaceuticals, Trading, Banking, and Insurance.

The litigation portfolio has grown significantly over the past years. Currently, the Clifford Chance Badea lawyers are involved in wide and complex local matters, ensuring a balanced ratio of cross-border projects and domestic projects, as well as classical court files versus risk management disputes. The Clifford Chance Badea lawyers' professionalism and expertise has secured multiple favorable solutions for clients.

The portfolio of recent national matters includes litigation and arbitrations regarding:

- Actions to cancel the fine imposed by the Competition Council;
- Other actions in administrative litigation;
- Commercial contractual disputes;
- Disputes between shareholders;
- Public tender procedures;
- Actions for damages related to the impossibility of completing projects under development;
- Labor disputes.

Clifford Chance Badea is the local office of global law firm Clifford Chance LLP, which has been present in Romania since 2006. The Bucharest office is constantly involved in complex transactions of syndicated loans, project finance, restructurings, Eurobonds and shares issues on international capital markets, derivative financial instruments, acquisitions by strategic investors or private equity funds, infrastructure and highway projects, real estate investments, as well as domestic and international litigation and arbitration.