

Information and general terms and conditions for companies

This brochure welcomes you as a new client and explains the way of working of Advocatenkantoor Delgado. The representation of your interests is in professional hands and it is important for us to point out that any information provided to us by you is subject to the confidentiality requirement for attorneys. Your attorney will ensure the best possible representation in close consultation with you.

Attorneys at law

Advocatenkantoor Delgado has a civil practice and represents companies as well as private persons. The law firm mainly deals with cases pertaining to private law, such as debt collection, dismissal, contracts, general terms and conditions, liability. This means that most of the legal issues of your company may be taken care of by your attorney. Your attorney will want to properly get to know you and your company in order to represent your interests in the best possible way.

Because preventing legal problems is better than having to solve them, preventive legal advice is available besides legal assistance in procedures.

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Bank account no. 60.28.50.371 Giro account no. 14.83.853
IBAN: NL35ABNA0 IBAN: NL31INGB000

Way of working

All work carried out by Advocatenkantoor Delgado is based on a contract (art. 7:400 DCC) to which these general terms and conditions apply that are handed out in the introductory meeting. Dutch law applies to the legal relationship with Advocatenkantoor Delgado. The District Court of Rotterdam is competent to examine any disputes.

Available, understandable, payable and committed are the characteristics of Advocatenkantoor Delgado and they are of paramount importance to your attorney.

Our law firm can be reached by phone from 9:00 a.m. to 05:00 p.m. on workdays. If your attorney is temporarily unavailable, you can leave a message with his secretary. If necessary, your call will be returned by your attorney as soon as possible. You can also write, fax or email your attorney of course.

Your attorney will clearly inform you about chances, costs and case progress from start to finish. Of course you can also contact us if you have any questions or if things are not clear.

You will receive a copy of every relevant document received or drawn up by your attorney. It is not allowed to multiply, make public or exploit records, advice, contracts

or other products by or on behalf of Advocatenkantoor Delgado (under penalty of a fine of € 1,000 per violation). Because your attorney does not automatically receive every document sent to you by third parties, you are advised to immediately forward copies of documents to your attorney. To enable the best possible representation you are advised to keep your attorney informed of all relevant developments.

Your attorney is personally involved in dealing with your case and will do everything in his power to achieve the best result in consultation with you. Your attorney thinks along with you and has your case at heart so that your interests are expressed in the best possible way.

Although litigation can take undesirably long in the Netherlands, your attorney will do everything to handle your case dynamically. Because your attorney is partly also dependent on third parties however, we ask you to exercise some patience.

Costs

The law firm has attractive hourly rates for companies. Unlimited legal advice is available for a fixed rate per year. An inexpensive rate can also be agreed for debt collection.

Attorney fees range from € 100 to € 180 per hour and exclude 5% administrative costs and VAT. Besides the attorney's fees you need to take costs into account for any third parties engaged (advances) such as court fees, bailiff costs and legal dues.

Your attorney will make an estimation of the costs for you and require an advance based on that. Before your attorney will be able to carry out work for you, you need to pay an advance of at least € 800 for the work to be carried out and for any costs involved.

You will be sent a statement of accounts periodically of which a specification can be sent upon request. Invoices need to be paid no later than 14 days after invoice date on bank account no. 60.28.50.371 or giro account no. 14.83.853 stating the client number and invoice number.

Advocatenkantoor Delgado will suspend all work for the client in the event the advance/invoice is not paid in time and is not liable for any resulting damage. In the event of late payment you are legally in default and Advocatenkantoor Delgado is entitled to charge the legal interest as well as all (extra) judicial collection costs with a minimum of € 50.

Liability

Advocatenkantoor Delgado is not liable for shortcomings of third parties and is entitled to accept any liability limitations from third parties engaged by our law firm.

Any liability of Advocatenkantoor Delgado is limited to the amount covered in the case concerned by the professional liability insurance plus the deductible. The policy terms are available for your perusal at the office if requested. In the event the insurance does not pay, the liability is limited to the amount already paid through invoices.

All claim rights against Advocatenkantoor Delgado regarding any work carried out will expire twelve months after the moment you became aware or could reasonably be aware these rights existed.

Except in cases of intent or gross negligence on the side of Advocatenkantoor Delgado, you will hold Advocatenkantoor Delgado harmless against all third party claims that arise out of or are in any way related to the work carried out for you by Advocatenkantoor Delgado.

You should take into proper account that the losing party runs the risk of being sentenced to pay (part of) the costs of the procedure of the opposing party. This amount depends on the importance of the case and the work conducted. You can ask your attorney to further explain this if you have any questions regarding this point.

Complaints

The Complaints and Disputes Resolution for the legal profession applies to the services of Advocatenkantoor Delgado. Our office will do everything it can to serve you to the best of their ability. Yet it may happen that you are not satisfied about a certain aspect of our services.

If you are not satisfied about the quality of our services or about the statement of accounts, we ask you to present your objections to your attorney. You should present your complaint no later than three months after the moment you became aware or could reasonably have become aware of the action or the omission of the action, which gave rise to your complaint. We will try to find a solution for the problem that has come up as soon as possible in consultation with you. This solution will always be confirmed to you in writing.

Should our consultations with you unexpectedly not lead to a satisfying result, you may request arbitration by an external attorney associated with Vakar (Association of Independent Attorneys in the Rotterdam District) in Rotterdam or file a complaint at the Arbitration Board for the Legal Profession. This is only possible after you have presented your objections to us. You can also take this route if our firm has not responded to your complaint in writing within four weeks after you have submitted your objections.

The complaint may be filed no later than 12 months after the date of the written response by our firm at the Arbitration Board for the Legal Profession (Secretaris Geschillencommissie Advocatuur, Postbus 90600, 2509 LP Den Haag, tel. 070 - 310 53 10). This is no longer an option after this time.

The Arbitration Board for the Legal Profession is competent to judge complaints regarding the quality of the services of the attorney and the amount of the invoice. The law firm can present unpaid invoices for collection to the Arbitration Board for the Legal Profession. The Arbitration Board for the Legal Profession is also competent to judge on claims of up to € 10,000. Higher claims may only be submitted to the Arbitration Board for the Legal Profession if you explicitly limit the claim to max. € 10,000, ceding any excess amount.

The Arbitration Board treats the case according to the Arbitration Board Regulations that apply at the time the complaint is submitted to the Board.

The Arbitration Board passes judgement without interference of the court. The Arbitration Board for the Legal Profession passes judgement in the form of an arbitral judgement for business clients or a binding advice in the event of a dispute submitted by a private client. A judgement of the Arbitration Board cannot be appealed.