

Pellon
& Asociados
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Our trajectory

P&A started its activities within a scenario marked by major transformations. It was the beginning of the 1990s, when, due to the economic modernization and stability in Brazil, large companies had to face material challenges arising from the need of restructuring.

Currently, P&A expanded its competences to other relevant areas and, in addition to Insurance and Reinsurance, it reached a consolidated position as a reference in activities such as: Telecommunications, Banking, Highway concession sectors, Aviation Law, Transports, Industry, Trade and Services..

This achievement results from the commitment to form attorneys with distinguished intellectual abilities and experience far beyond the market standards.



Who we are



Luís Felipe Pellon

FOUNDING PARTNER - CEO

Graduated from the Federal University of Rio de Janeiro (UFRJ) Law School, since the beginning of his professional career in the area of Insurance, Reinsurance and Civil Liability, he has held positions in the legal department of large insurance companies, as well as presidentes of the main public sector entities, such as Superintendência de Seguros Privados (Susep) and Brazilian Reinsurance Institute (IRB). From March 1983 to April 1987, he resided in Germany, where he carried out research on Insurance Law at the University of Hamburg and the Max Planck Institut. He was a professor at the National School of Private Insurance and Cândido Mendes University, at the Institute of Administration and Management of PUC-Rio, as well as President of the Brazilian Section of International Association of Insurance Law (AIDA). In 2003, he received the Commendation of the Order of Merit Judiciary of the Court of Justice of the State of Rio de Janeiro. From 2018, he joined the AIDA World Presidential Board as an effective Adviser.

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Sergio Ruy Barroso de Mello

FOUNDING PARTNER

Post-graduate in Private Law by the Fluminense Federal University (UFF), and in Insurance and Reinsurance Contracts by the University of Santiago de Compostela (USC), in Spain, with experience in Civil Law, Insurance, Reinsurance, Private Pensions and General Civil Liability. He was head of the Legal Department of CIS – Companhia Internacional de Seguros. Invited professor at MBA programs from the Federal University of Rio de Janeiro (Coppe/UFRJ), the Cândido Mendes University, the National School of Insurance, the IBMEC, the Getúlio Vargas Foundation (FGV) and the Pontifical Catholic University of Belo Horizonte (PUC-MG) and Rio de Janeiro (PUC-Rio). World Vice-President of the International Association of Insurance Law (AIDA) and Chairman of the Civil Liability and Insurance National Working Group of AIDA Brazil. Member of the Steering Board of the National Academy of Insurance and Pensions (ANSP) and of the Civil Liability Committee of FenSeg. He chaired AIDA Brazil, as well as the Latin American and Iberian Committee of AIDA (CILA).

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Darcio José da Mota

*Partner of de Litigation Departments of
the São Paulo Office*



Gustavo S. Cantisano

*Partner in charge of the Vitória Office and of the
Litigation Departments I and II of Rio de Janeiro*



Inaldo Bezerra S. Júnior

*Partner of de Litigation Departments of
the São Paulo Office*



Leonardo Cuervo

*Partner responsible for
high volume litigation from Office*



Mariana Ferraz Menescal

*Partner in charge of the Corporate Law
Department*



Felipe Affonso Carneiro

*Partner who integrates the Special
Litigation Department in
Brasília Office*

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Alexandre Flexa

Partner specialized in acting in the Courts. Professor of Civil Procedural Law. Real Estate Law



Fabiana Torres de Almeida Paiva

Partner responsible for the areas Corporate and Capital Markets



Maria Fernanda Barbosa

Partner responsible for Tax area



Fabrício Verdolin de Carvalho

Lawyer active in Insurance and Real Estate Law. Graduated in Law from the State University of Londrina (UEL). Specialization in Insurance Law from the Federal University of Paraná (UFPR) and Post-Graduation in Civil Procedure from the Romeu Felipe Bacellar Filho Institute. Member of the Insurance Law Commission, Civil Liability Commission and Business Law Commission of the OAB/PR and partner at Pellon & Verdolin – Advogados Associados.



Practice areas

- ✓ *INSURANCE*
- ✓ *REINSURANCE*
- ✓ *D&O, E&O AND GENERAL PERFORMANCE BONDS*
- ✓ *CORPORATE LAW - CORPORATE AND CAPITAL MARKET*
- ✓ *TELECOMMUNICATIONS*
- ✓ *BANKS*
- ✓ *AVIATION LAW*
- ✓ *HEALTH*
- ✓ *SOCIAL SECURITY*
- ✓ *PUBLIC SERVICES CONCESSIONS*
- ✓ *CAPITALIZATION*
- ✓ *BIDS AND ADMINISTRATIVE AGREEMENTS*
- ✓ *MEDIATIONS AND ARBITRATIONS*
- ✓ *REGULATORY ENVIRONMENT*
- ✓ *SERVICES, TRADE AND INDUSTRY*
- ✓ *LABOR LAW*
- ✓ *TAX LAW*
- ✓ *MASS INSURANCE*



INSURANCE

Legal services relating to general Insurance and every branch thereof; we act as representatives of Insurance carriers, health care providers and private pension and Capitalization entities in court actions, arbitrations and consultancy. Strongly involved with claim adjustments and performance of due diligences, the office draws up and reviews products, and acts to the defense of clients before regulatory bodies. In addition, we deal with subrogation actions and with the collection of overdue premiums.

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REINSURANCE

Consultancy and defense in litigations arising from local or international reinsurance businesses. Thanks to the collaboration with foreign offices, P&A is able to manage the settlement of claims and portfolios of court actions, subrogation actions, mediations and arbitrations, in constant search of a fair and immediate solution for conflicts. Draw up of contracts in their several modalities, such as individual reinsurance and reinsurance treaty, in strict accordance with the needs from clients, either insurance carriers or reinsurers.

Follow-up of claims since their early stages, by providing technical and legal orientation to the insured entities, to insurance carriers and reinsurers, in an attempt to reach efficient adjustments within the shortest deadlines.

Preparation and review of contracts pertaining to insurance and reinsurance, as well the proposal of alterations to existing wordings to allow them to meet to rules applicable to the market, including any requirements to registration processes before Susep.



D&O, E&O AND GENERAL PERFORMANCE BONDS

Analysis of claims and coverage thereof under the relevant policies, adjustment of claims under D&O and E&O policies, performance bonds, Civil Liability and port operator policies, with the issuance of detailed legal opinions on coverage issues, as well as involvement with court measures relating to such insurance modalities. Legal assistance in the adjustment of claims under insurance policies covering property damages and engineering risks.

CORPORATE LAW

General assistance in corporate law, organization of insurance carriers and reinsurers, insurance brokers, entities involved with capitalization, open and closed private pension entities, health care providers and insurance carriers from the health branch, activities performed before Susep, Previc (National Superintendence of Complementary Pensions), ANS (National Health Agency), and other relevant bodies, assistance in regulatory issues.

Preparation of legal opinions relating to complex issues of the market, preparation and review of contracts, of wordings pertaining to insurance and reinsurance, as well as the proposal of alterations to existing wordings to allow them to meet to rules applicable to the market, including any requirements to registration processes before Susep.

Draw up and negotiation of reinsurance contracts; assistance in contracts between insurance carriers and reinsurers, as well as registration and application for renewal of authorization to foreign reinsurers.

Assessment and preparation of the most various kinds of national and international contracts, including instruments relating to mergers, spin-offs and acquisitions. Assessment and preparation of contract drafts and warning to business areas about further existing risks, or assistance during negotiations with the relevant parties to a business.

Capital Markets: *Assistance in the registration (or deregistration) of companies with the Securities Commission, in the listing procedure with BM&FBovespa (and/or over-the-counter markets);*

Issuance and distribution operations of bonds and securities;

Constitution of investment funds – structured or standardized - and preparation of all documentation related to their operations, including the purchase and sale of assets;

Securitization of receivables.



TELECOMMUNICATIONS

In view of the progresses within the field of communications, Pellon & Asociados is prepared to deal with the segment of Telecommunications Law, thanks to studies and to the collaboration from new partners with expertise acquired in companies from this area.

Thus, the Office quickly assimilated the knowledge to provide the fullest assistance as required. Currently, the wide range of services provided by P&A to companies from this market encompasses the filing of court actions, the provision of consultancy in regulatory issues, the analysis of national and international contracts and assessment of new products. This set of activities enables the Office to contribute to the development of this relevant sector of the economy.



BANKS

Legal support to financial institutions, particularly in litigations involving banking contracts, recovery suits and complaints from consumers within the judicial sphere, as well as collection of clients' overdue credits under contracts, credit instruments, funding operations, property financing, among others, both within the judicial and administrative spheres.



AVIATION LAW

Adjustment of claims from the aviation field, including the “RETA” Insurance (Civil Liability of air carriers), with the issuance of legal opinions, analysis of coverage under insurance agreements and of rules applicable to aviation, provision of the Request for Damages Form to the surviving victims and/or their beneficiaries, assessment of recoverable sums, and mediation and execution of agreements to the payment of losses as due. Participation in lawsuits aiming at the validation of agreements, and in court proceedings involving various issues pertaining to the Aviation Law.

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HEALTH

In the fields of insurance and health plans, P&A represents insurance carriers, health plan operators and similar entities, and assists clients both in court actions and in consultancy on matters regarding coverage under individual and group policies, and under policies for health care providers – disputes with brokers or agents, and other kinds of commercial litigations before state and federal authorities, including before the surveillance body.



SOCIAL SECURITY

Due to the insecurity arising from the instability and inefficiency shown by the traditional social security scheme, the Complementary pension plans become attractive in a long-term scenario; nevertheless, they are likely to raise ambiguities as to the applicable rights and beneficiaries. The Offices provides consultancy in this segment, being also involved with claim adjustments and court litigations pertaining to this branch.



PUBLIC SERVICES CONCESSIONS

The Highway Concession System and the Public-Private Partnerships improved the quality, safety and efficiency of the local infrastructure, thus contributing to the national development. P&A prepared itself to meet the needs and expectations from this segment. It acts to the defense and promotion of any kind of conflicting legal interest, being one of the few Brazilian law firms with specialization in this area, both in the fields of litigation and consultancy.



CAPITALIZATION

P&A deals with any issues referring to Capitalization, that was consolidated in Brazilian market due to a combination of two factors: accumulation of capital and periodic lottery, thus encouraging medium- and long-term popular savings and contributing to the economic growth.

BIDS AND ADMINISTRATIVE AGREEMENTS

Legal support to the participation at bids, with activities ranging from the analysis of the call for tenders to the preparation of requests of clarifications, objections and other administrative appeals, in addition to further filing of writ of mandamus. We also provide full consultancy during the contractual performance, and advise clients on the various issues relating to contracts with the Public Administration.

MEDIATIONS AND ARBITRATIONS

We participate at mediations and arbitrations, and draw up compromissory clauses and preparatory terms thereof. The Office prevents litigations by means of mediation or negotiation of extrajudicial agreements between private parties, or by taking part at the preparation of Conduct Adjustment Agreements with the Public Prosecutor's Office.

REGULATORY ENVIRONMENT

Settlement of issues involving surveillance in the fields of insurance, reinsurance, capitalization, health plans, social security, telecommunication and highway concession. The Office deals with the settlement of conflicts between regulated entities and regulatory bodies, as well as between regulated entities and consumers.

SERVICES, TRADE AND INDUSTRY

P&A acts to the defense of interests from industrial and commercial companies, as well as from service providers, particularly in the fields of contracts, civil liability, and tax, labor and consumer law.

LABOR LAW

Legal services in the field of labor law, including preventive consultancy and preparation of legal opinions, assessment of labor liabilities, business audit, procedural audit, preparation and analysis of contracts (with employees, entities that appear as service providers, and independent contractors), participation in court (all steps of labor suits) and administrative litigations (notice assessments and collective suits), participation and analysis of conventions and collective bargaining agreements, and activities relating to the negotiation with trade unions.

TAX LAW

Tax consultancy and assistance to national and foreign companies from all the economic segments, comprising the performance of studies, assessment, analysis, preparation of answers to inquiries and legal opinions referring to the applicability of the best and recommendable strategy to the assessment and payment of federal, state and local taxes. In addition, the Office shows a large experience in the field of tax litigations, within the administrative and court spheres, before all the relevant Brazilian bodies and courts.

REAL ESTATE LAW

The roots of Real Estate Law are in property law, a branch of law that deals with and regulates various aspects of private life, such as:

Location; Buy and selling of properties; Usucaption and Financing.

The legal assistance provided in lease contracts containing the Tenancy Surety Insurance or Capitalization Bond as a type of lease guarantees provided for in Law 8.245/1991 encouraged the Firm to specialize in the real estate sector, opening up new areas of service such as adequate legal advice to the Protection Law Data, Tax Law Labor Law, Inheritance Law and Family Holding.



MASS INSURANCE

Expertise in mass insurance and affinity programs. Insurance with differentiated and low-cost coverage, with the main feature being large-scale sales through partner companies in the most varied segments of the market.

The products offered in this type of insurance are, in general, insurance and assistance of various types. Among the most contracted mass services are those of extended warranty, credit life, home assistance and travel assistance.

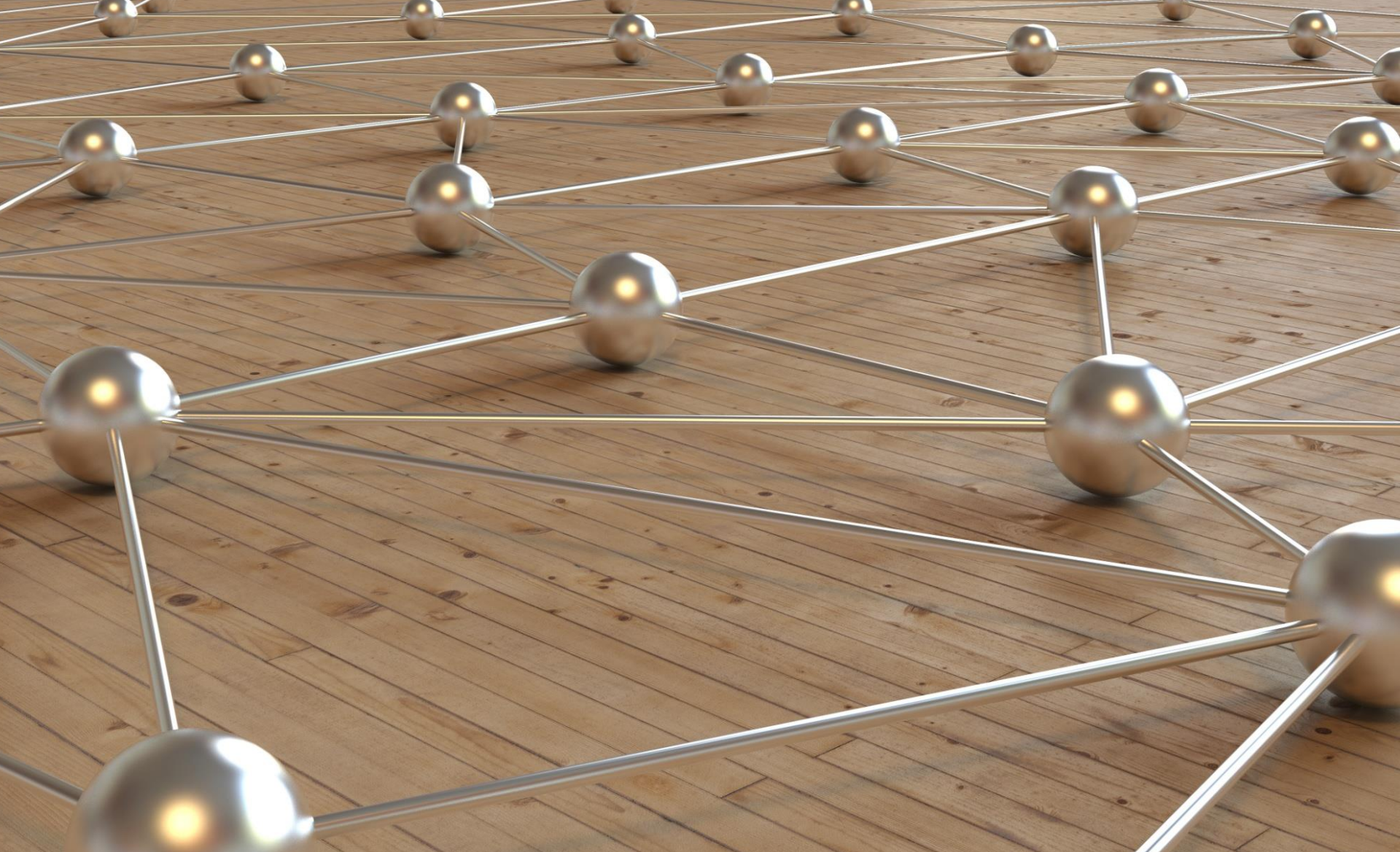




Information Technology

As Pellon & Asociados carefully follows-up the latest progresses and changes within the fields of Information Technology, Infrastructure and Safety, it keeps an updated technology park. In view of the significant demand for services, the development of several projects for servers and storage allowed us to benefit from stable, safe and modern conditions, under the constant supervision of an efficient IT structure.

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Back-office structure

Supervision policy

The Office keeps a staff composed by Legal managers and Supervisors for each area of activity. The policy intends to assess and improve the quality of works performed by the staffs, ranging from mere administrative procedures to the preparation of pleadings.

Thus, all the procedural strategy and any petitions from our attorneys are submitted to review and execution from a colleague, who comments them. In addition, supervision is intended to avoid bureaucratization of the Firm's technical standards, to encourage the use of more agile and efficient routines, and to detect any need of training to the improvement of the work carried out by our attorneys, as supervisors are expected to constantly assess their performance.

- **Management of the Litigation department**
- **Management report on results monitoring**
- **“CDC” – Digitalization and accountability center – Digital procedural collection**
- **“CPJ” – Court deadlines’ monitoring**
- **Agreements sector**
- **Outside attorneys, representatives and attorneys for court appearances**
- **Ombudsman**
- **Internal auditing**
- **Library**
- **Web News Library**
- **Communication Advisor**

*Among the
Office's most recent
achievements is
certification
ISO 9001:2015,
through Bureau
Veritas Certification.*

ISO 9001

**BUREAU VERITAS
Certification**



ISO 9001:2015



Awards and recognitions



CHAMBERS AND PARTNERS 2021

Cited in one of the most highly regarded international guides, Chambers and Partners 2022, an independent research organization based in the United Kingdom. The Office's CEO, Luís Felipe Pellon, is recognized for his extensive experience in representing insurers and reinsurers in litigation, while Sergio Ruy Barroso de Mello is described as a full-service insurance lawyer who works in both the litigation and consulting spheres, including arbitrations arising from reinsurance issues.



Best Lawyers



LEADERS LEAGUE- BRASIL 2022

Recommended in the Insurance and Reinsurance area.

ANÁLISE ADVOCACIA 500

Recommended in the Yearbook produced by Editorial Analysis, one of the main rankings carried out in the Brazilian legal market.

BEST LAWYERS BRAZIL 2020

Luís Felipe Pellon, Founder and Chairman of the Board, Sergio Ruy Barroso de Mello, Founder and Vice-Chairman of the Board, and Inaldo Bezerra S. Junior, member of the São Paulo Special Litigation, were individually recommended as reference lawyers in the Insurance area by Best Lawyers Guide – Brazil, 2022 edition. The Guide annually highlights the best lawyers and firms in each area of practice and in different jurisdictions, based on the opinion and vote of colleagues and peers.

THE OFFICIAL GLOBAL 100 – 2021

Recognized as the main law firm in Brazil in the categories “Insurance and Reinsurance” (Insurance and Reinsurance) and “Banking & Finance” (Banks & Finance).

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