

# Elżbieta Żemojtel

## Of Counsel

### Warsaw

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### Languages spoken

Polish | English



## About Elżbieta

Elżbieta Żemojtel heads our Warsaw office's International Dispute Resolution Practice. She has nearly 20 years' experience in dispute resolution, litigation, arbitration and criminal defence. She represents Polish and foreign companies from various sectors, including energy, infrastructure, pharmaceutical, retail, food and automotive.

Her legal practice also spans white-collar crimes and investigations. Elżbieta also has experience acting as counsel before the SIDIR arbitration court. She is a well-seasoned commercial and corporate litigation lawyer, often representing clients in multijurisdictional cases. Her broad experience includes contractual and financial disputes.

Recommended in *Legal 500 EMEA 2024* in the Dispute Resolution category. Client feedback confirms she is "distinguished by her precision in capturing details and creating an image that perfectly encapsulates the essence of the matter." She is also praised for her ability to easily "remove any barriers and build trust at a high level".

Her reputation within the local litigation and arbitration community, as well as her experience in high-profile investment and commercial arbitrations make her stand out among the new generation of dispute resolution lawyers.

## Experience

### • Litigation

- Representing large Polish and foreign renewable energy investors and developers in a series of disputes with the State Treasury over the financing of wind projects, as well as in disputes with Polish utilities over unlawful termination of agreements on the sale of electricity and property rights from certificates of origin.
- Representing a German manufacturer of Radio Frequency Identification (RFID) transponders for animal tracking in an unfair competition dispute against a Polish entrepreneur.
- Representing one of the largest clothing companies in a court dispute in relation to the lease rent during the COVID-19 pandemic restrictions.

- Representing one of the Polish energy companies in a dispute with a Polish state-controlled energy off-taker in relation to the unlawful attempt to terminate the long-term energy offtake agreement.
- Representing a recognised global manufacturer and distributor of automotive products in several civil and competition suits in Poland regarding payment of alleged damages and involving unfair competition issues to the detriment of the client.
- Representing a Scandinavian manufacturer of agricultural production systems in product liability proceedings in Poland.
- Representing the leading US-based distributor of chemicals, plastics, speciality and performance chemical products in court proceedings before the Polish district and regional courts in cases concerning alleged discrimination, severance pay issues and noncompete compensation.
- Representing the State Treasury in one of the largest construction disputes in the country, with the value in controversy in excess of PLN 1 billion, pertaining to a FIDIC-based contract performance (contract termination, additional remuneration claims, extension of time for completion and liability for design faults).
- Representing the State Treasury in a dispute with a southern Poland highway section contractor in relation to a FIDIC-based contract performance.
- Representing the State Treasury in a dispute with a northeastern Poland national road contractor in relation to a FIDIC-based contract performance.
- Representing contractors in a dispute before the SIDIR arbitration court against a contracting party – a dispute regarding stipulated penalties based on construction delays.
- Representing a leading telecommunication operator in regulatory disputes.

#### **White Collar Crimes**

- Representing members of the management boards of commercial companies in matters related to acting to the detriment of capital fraud companies, actions to the detriment of creditors, and keeping unreliable documentation.
- Representing hospital employees and representatives of pharmaceutical companies in cases of fraud, abuse of trust in economic transactions, and crimes.
- Representing members of management boards of commercial companies and accountants in matters related to criminal-fiscal offenses.
- Representing members of management boards of commercial companies and public officials in cases of corruption, including cases involving tenders.
- Representing members of management boards of commercial companies and persons performing managerial duties in cases involving accidents at work.
- Representing commercial companies in cases involving fraud and the misappropriation of entrusted property of great value by their employees to the detriment of the companies.
- Conducting internal audits on anticorruption regulations.
- Conducting training on FCPA, UK Bribery Act and Polish anticorruption regulations.

## **Credentials**

## **Education**

- Jagiellonian University, LL.M., 2001

## Admissions

- Warsaw Bar Association, 2007

## Memberships & Affiliations

- Member of the Polish Arbitration Association, 2020
- Warsaw Bar Association, 2007

## Expertise

## Services

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- Litigation
- International Dispute Resolution

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.