GARRIGUES



Fernando García-Montoto García

Principal associate

Oviedo

fernando.garcia.montoto@garrigues.com

Abogado colegiado nº 5231

I. Colegio de Abogados de Oviedo

Plaza de la Escandalera, 3

33003 Oviedo (Spain)

Tel: +34 98 520 86 00

Fax: +34 98 520 12 52

Corporate and M&A
Dispute Resolution: Litigation and Arbitration
Restructuring and Insolvency

Fernando García-Montoto García is principal associate in Garrigues' Litigation and Arbitration Department, firm where he has pursued his professional career since 2008. Fernando is specialized in commercial contracts and corporate law, litigation and arbitration, as well as restructuring and insolvency. He has wide expertise in litigation and arbitration in construction and engineering law, and corporate disputes. He also provides regular legal and strategic advice to shareholders and boards of directors in their day-to-day business activities but also in business restructuring, company acquisitions and company reorganizations. He has degrees in Law and Political Science and Administration, and an Executive Master's Degree in Business Law from Harvard University and Centro de Estudios Garrigues. Fernando is a member of the Registry of Mediators of the Ministry of Justice for civil and mercantile affairs.

Experience

Fernando García-Montoto García is principal associate in the Litigation and Arbitration Department of Garrigues since 2020, where he has pursued his professional career since 2008. He is also a qualified mediator in civil and commercial matters.

In the litigation and arbitration practice, he has represented leading Spanish and foreign engineering and construction companies in disputes concerning the execution of projects in many different countries (Spain, Argentina, Honduras, Bolivia, Kuwait, Egypt, among others). His advice ranges from negotiations to defense in courts of law and arbitration tribunals, precautionary orders (e.g., for the suspension of the execution of guarantees) or support in the expert's work.

He has been involved in domestic and international arbitrations, ad hoc or managed by the most important international and Spanish Arbitration Courts (ICC, Madrid Court of Arbitration, CIMA, and CEA).

As regards commercial litigation, he has extensive expertise in corporate disputes between partners, corporate agreement disputes, corporate and individual liability claims, liquidation disputes, shareholders' agreements, and investment contracts, etc.

He has also handled significant litigation within the insurance industry in claims for fire damage and in unfair business competition between companies in the private insurance mediation sector; in the construction industry (contractual civil liability in works and services contracts, building works, LOE).

Legal advisor in several bankruptcy proceedings, particularly with respect to financial entities and companies within the real estate development/construction industry.

He also provides on a regular schedule legal and strategic advice to shareholders and boards of directors in their daily activities (attendance to shareholders and/or shareholders' meetings on behalf of majority and/or minority shareholders); assistance to the Board of Directors by acting as Secretary of the Board; structural reorganization operations, acquisition of companies and corporate restructuring. Fernando has advised on several debt refinancing and/or restructuring processes, analyzing the debt types concerned and defining the objectives for the process, actively participating in the negotiation of the agreements (stand&still, seeking new financing, sale of assets and debt swap, amongst others), as well as in the execution thereof.

Academic background

- Law degree from Universidad Pontificia Comillas de Madrid (ICADE E-1).
- Degree in Political Science and Administration. Universidad Pontificia Comillas de Madrid (ICADE).
- Diploma in International Relations, Universidad Pontificia Comillas de Madrid (ICADE).
- Executive Master in Business Law. Harvard University and Centro de Estudios Garrigues.
- Specialist Course in Civil, Commercial and Bankruptcy Mediation. Mediation Institute of the Principality of Asturias.
- I Arbitration Course. Oviedo Bar Association and the Oviedo Chamber of Commerce.
- III Course on Insolvency Law. Oviedo Bar Association.

Teaching activity

He is a frequent speaker at technical conferences and seminars in his area of expertise.

Memberships

- Oviedo Bar Association.
- Court of Arbitration of the Oviedo Bar Association.
- Registry of Mediators and Mediation Institutions of the Ministry of Justice.