

DEBT RECOVERY IN SPAIN

1.- Recovery actions requested from a foreign company against a Spanish national company.

We were contacted by an insurance company based in Latvia, with subsidiaries all over Europe, and whose corporate purpose is the commercialization of non-life and niche insurance products.

This company signed in 2010, a surety insurance policy with a Spanish company dedicated to the field of HHRR and temporary employment. By means of this contract, our client undertook to ensure the debtor with respect to any debt related to salary and social security indemnities that might arise from the debtor's activity, in exchange for the payment of a premium.

The client requested our advice to analyze the feasibility of claiming in Spain the last three insurance premiums that the debtor company had failed to pay during the last three years, ignoring all the out-of-court warnings that our client had sent to him before hiring our services.

2.- Debt recovery both out/in Court to the last consequences.

After analyzing the background and documentation provided by our client, our team noticed that the debtor company, together with other individuals who once were members of the board of directors, had signed a commitment in a public deed by which they jointly and severally guaranteed any obligation assumed with our client, including the amount of any outstanding insurance premiums.

Our team tried to resolve the situation amicably. However, all attempts proved to be impossible due to the absolute passivity of the debtor company, who disregarded all our out-of-court warnings.

Despite the above, and following the roadmap previously established with the client, our team filed an enforcement action before the Spanish courts, taking advantage of the express submission agreement contained in the executed public deed.

BARCELONA

Balmes, 209, planta 2

08006 - Barcelona

+34 93 218 40 00

MADRID

A. Bosch 5, bajo D

28014 - Madrid

+34 91 037 84 81

www.gimenez-salinas.es

info@gimenez-salinas.es



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The filing of an enforcement action, the non-existence of causes of opposition to which the debtor company could avail itself and the imminent request for seizure of the debtor's bank accounts allowed our team to unlock the recovery of a debt that had been paralyzed for years, forcing the debtor to deposit all the amount claimed directly in court.

Thus, the excellent preparation of the file by our team and our perspective focused on the success of the claim allowed us to guarantee the recovery of a debt which for our client seemed uncollectible beforehand, meeting all his expectations and who continues hiring our services to deal with similar files.

If, like our client, you decide to outsource the recovery of your unpaid debts, both domestic and foreign, GS offers you comprehensive advice with the highest level of professional rigor and maximum guarantees of success, taking your recovery to the ultimate consequences.

Contact us for more information about our services at: info@gimenez-salinas.es

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