

CRIMINAL

MONTERO | ARAMBURU
ABOGADOS



CRIMINAL LAW
PRACTICE

MADRID | SEVILLA | SANTA CRUZ DE TENERIFE | LAS PALMAS DE GRAN CANARIA | CÓRDOBA | HUELVA



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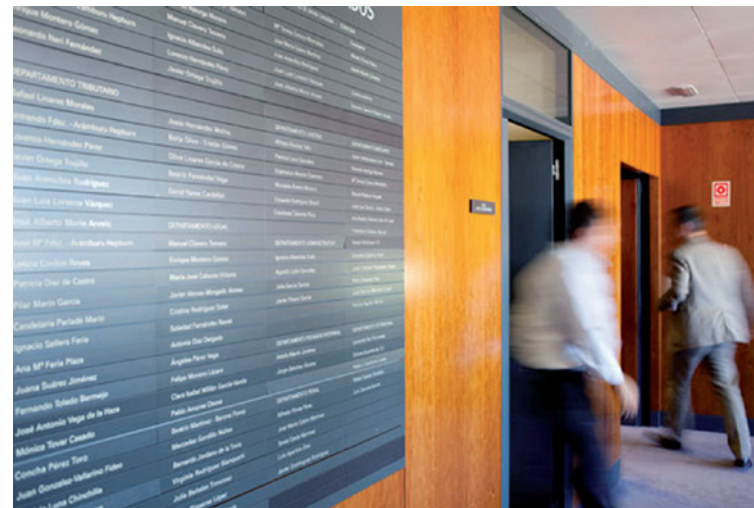
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The Firm

MONTERO|ARAMBURU ABOGADOS was founded in Seville (Spain) in 1971 as a tax boutique and continued as such until 1992. At that time, the firm experienced a diversification process that resulted in the full-fledged legal service provider and multi-disciplinary law firm that it is today.

Since its beginnings, **MONTERO|ARAMBURU ABOGADOS** has achieved high prestige, not only locally but throughout all of Western Andalusia, where it has offices established in Seville, Cordoba and Huelva and, since 2014, in Madrid. Its area of influence also extends to the Canary Islands, where the firm has had an office in Santa Cruz de Tenerife since 1980 and another in Las Palmas de Gran Canaria since 2003.

The firm boasted over 165 lawyers covering all areas of law. The firm's clients come from a broad spectrum both in terms of their operating sector and the size of their operations. As such, they include large industrial corporations, influential wine production companies and top real estate firms, but also traditional family companies and "SMEs" operating in a variety of fields. Of course, clients also include renowned professionals and entrepreneurs in addition to partners in deeply rooted social non-profit companies and institutions.



Philosophy

Some of the main factors governing the firm's professional practice include:

CLIENT ORIENTATED PRACTICE

MONTERO|ARAMBURU is orientated towards dealing with clients rather than simply matters. By offering a customised service and paying constant attention to the individual needs of the client, we have been able to establish long-lasting, stable working relations with our clients. In turn, our clients confidently place their trust in our law firm which enables us to provide them with a smooth and efficient legal service that can either be proactive or in advance

KNOWLEDGE OF THE ECONOMIC SECTORS

The firm's extensive professional experience, as well as its vast array of clientele, mean that we are able to offer expert advice about the nature and specificities of practically all economic sectors. Previous knowledge of the areas in which our clients operate minimises the time and effort required for resolving specific problems.

CONTINUAL TRAINING

Offering our lawyers continual training is a number one priority for our law firm. Our lawyers attend regular internal courses which provide updates on the most recent developments in legal matters concerning all areas of speciality. These courses look at current jurisprudence as well as all new legislation, from when it is being created to mere preliminary draft laws. MONTERO|ARAMBURU also edits a daily bulletin which includes all of the information required by its lawyers regarding fully up-to-date legal knowledge.

TECHNOLOGY

For MONTERO|ARAMBURU, technology is vitally important for the functioning of the firm. Therefore, we have introduced the latest technology for communicating and processing information. We are now storing all documentation (internal and external) in digital format and are no longer keeping hard copies

SEARCH FOR EXCELLENCE

MONTERO|ARAMBURU welcomes vocational lawyers as well as enthusiasts, competitors, optimists and those highly skilled in comradeship. They represent some of the fundamental principles of the firm, marked by a constant search for excellence and leadership skills





CRIMINAL LAW PRACTICE

PRESENTATION

MONTERO|ARAMBURU offers a specialist Criminal Law Practice—an area of law that, while always important in society, has acquired special relevance in recent years.

The practice comprises highly qualified lawyers with expert, up-to-the-minute knowledge of criminal law matters. Each team member offers their own specialist area, to be able to offer clients painstaking advice on the everyday issues that come up. This expertise goes hand in hand with meticulous, continual professional

development by every member of the practice, who regularly update their knowledge to ensure they can offer exhaustive and effective solutions to the issues that clients bring to them.

Our team of criminal law specialists advises individuals, public and private companies, local authorities, municipal associations, universities, sports foundations and organisations, senior executives, the self-employed and trade unions. We respond to all legal needs by advising not just in consideration of their position but by considering

that of the counterparty, too. We equip the client with everything they need to make the right decision at the right time, giving them the best legal defence in any court proceeding or dispute they may face.

SERVICE CHARTER

MONTERO|ARAMBURU is a one-stop shop for the complex issues that come up every day. Often requiring intervention, our lawyers from a whole range of specialties are put to the task to resolve them, by offering the client perfectly coordinated multidisciplinary teams who tackle those issues as one.

Likewise, in order to provide a direct and streamlined service, the Criminal Law Practice at MONTERO|ARAMBURU offers an instant response to any query in ongoing issues and immediately reports back important milestones in a proceeding to allow the client the opportunity to analyse it in detail and make the decisions it needs to at its leisure.

When the issue raised by the client requires certain experience or expertise, criminal law advice is given in coordination with lawyers at different offices to make the most of the synergy and experience of members of the Criminal Law team.

The MONTERO|ARAMBURU Criminal Law Practice offers the following services:

> Defence and prosecution in criminal proceedings against individuals: Defence in criminal proceedings and the exercise of criminal actions against individuals. Tailor-made procedural strategy. Regular follow-up and

reporting to the client on how the criminal proceeding is going. Special monitoring and attendance in the investigation phase, interim phase and oral hearing, and appeals against court decisions. Development in multidisciplinary work teams on administrative and EU offences, as well as economic and tax violations with the direct involvement of the commercial and tax departments. Transnational offences that require the use of legal instruments of international cooperation, such as letters rogatory or European arrest warrants.

> Defence and prosecution in criminal proceedings against legal entities: Defence in criminal proceedings and criminal prosecution for the major crimes that legal entities may face (fraud, criminal insolvency, money laundering, tax and social security offences, concerning intellectual and industrial property rights, the market and consumers, zoning and urban planning offences, bribery, influence peddling, corruption in international business transactions, etc.).

> Advice and training on analysing criminal risk and the preparation of corporate compliance programmes: our work focuses on researching, preparing and deploying the best strategies to maximise business efforts to prevent and detect

criminal or non-compliant activities, neutralising or minimising the impact of any criminal proceeding on the liability of the company and its directors and executives.

This legal advice may include the preparation, approval and implementation of a model to organise and manage criminal compliance that is effective, suitable and appropriate in terms of each organisation's features, and which meets the requirements of section 31a) of the Spanish Criminal Code to fully or partially exonerate the legal entity from liability.

NOTEWORTHY CASES IN RECENT YEARS



Some of the matters that the Criminal Law Practice has been involved in include:

- Preliminary Proceeding 4599/2006, Neg 2, Seville Examining Court no. 20, defending in the case of an alleged crime against public heritage.
- Preliminary Proceeding 4546/2007, Torremolinos Examining Court no. 2, defending against a charge of involuntary homicide following an outbreak of Legionella.
- Preliminary Proceeding 1335/2008, Sanlúcar La Mayor Examining Court no. 3, defending in a case of alleged planning violations.
- Preliminary Proceeding 516/2009, Osuna Examining Court no. 1, defending in a case of environmental violations.
- Preliminary Proceeding 966/2009, Osuna Examining Court no. 2, defending in a case of alleged planning violations.
- Preliminary Proceeding 723/2010, Estepa Examining Court no. 1, defending in a case of alleged misappropriation.
- Abridged Proceeding no. 143/2010, Seville Examining Court no. 6, defending in a case of alleged administrative misappropriation ("Caso Agustín de Foxá").
- Preliminary Proceeding 1430/2010, Estepona Examining Court no. 5, defending in a case of alleged land planning violations.
- Preliminary Proceeding 3131/2010, Seville Examining Court no. 8, defending in a case of alleged misappropriation and extortion.
- Ordinary Inquiry Proceeding no. 1/11, Seville Examining Court no. 4, pursuing a private prosecution in the matter known as "Caso Marta del Castillo".
- Proceeding no. 477/2012 before Cordoba Criminal Court no. 3, for alleged tax fraud.
- Preliminary Proceeding No. 1165/2012, Seville Examining Court no. 7, defending local police officers in the case of alleged misappropriation of public funds and falsehood.
- Preliminary Proceeding 6230/2012, Seville Examining Court no. 16, defending against allegedly fraudulently receiving subsidies, falsehood and misappropriation, known as "Caso Fundación de Sevilla".
- Abridged Proceeding no. 14/2012, Section Three of the Cadiz Court of Appeal, defending against allegedly fraudulently receiving subsidies, falsehood, misappropriation, embezzlement and more, known as "Caso Zona Franca".
- Preliminary Proceeding 7872/2012, Seville Examining Court no. 13, defending against an alleged environmental violation due to the spillage of urban wastewater in the town of Guillena.
- Preliminary Proceeding no. 507/2013, Examining Court no. 9, defending against allegedly fraudulently receiving subsidies in relation to training courses.
- Inquiry Proceeding no. 4269/2014, Section 3, Seville Court of Appeal, defending against alleged misappropriation and corporate mismanagement, known as "Caso Betis".
- Case 5001/2014, Section 3, Malaga Court of Appeal, defending against alleged abuse of power, bribery, negotiations forbidden of public servants, fraud, racketeering, crimes against land rules and other, known as "Caso El Pinillo", a separate part of "Caso Malaya".
- Preliminary Proceeding 2854/2014, Algeciras Examining Court no. 2, defending against a charge of involuntary homicide and violation of workers' rights.
- Preliminary Proceeding 2405/2014, Algeciras Examining Court no. 3, prosecuting for involuntary homicide and violation of workers' rights.

- Abridged Proceeding no. 505/2015, Seville Criminal Court no. 13, defending in the case of alleged abuse of power, fraud and corporate crimes, known as “Caso Mercasevilla”).
- National High Court, Central Court no. 5, abridged proceeding no. 74/2015, defending against alleged bribery abuse of power and other crimes, known as “Caso Madeja”.
- Proceeding no. 512/2015, before Cadiz Criminal Court no. 1, for alleged tax fraud.
- Preliminary Proceeding 862/2015, Osuna Examining Court no. 1, defending in a case of alleged involuntary homicide.
- National High Court, Central Court no. 6, preliminary proceeding no. 31/2016, defending against alleged bribery money laundering and criminal organisation, known as “Caso Vitaldent”.
- National High Court, Criminal Chamber, Section 1, Abridged Proceeding no. 15/2016, defending in a case of alleged illicit association, abuse of power, embezzlement, fraud of public authorities, falsification of documents, bribery, tax fraud and money laundering, known as “Caso Gürtel”.
- Preliminary Proceeding no. 216/2016, Seville Examining Court no. 6, defending against allegedly fraudulently receiving subsidies, in a separate piece relating to training courses.
- Abridged Proceeding no. 1965/2017, Section 1 of Seville Court of Appeal, defending in a case of alleged abuse of power and embezzlement, known as the “pieza política de los ERES”.
- Separate parts of the ERES heard by Seville Examining Court no.6, defending in the case of an alleged crime of embezzlement, known as the “Sierra Norte”, and “Sobrecomisiones” parts, among others.
- Abridged proceeding no. 44/2017, Section 3, Cadiz Court of Appeal, defending in the case of alleged racketeering, falsehood, misappropriation, embezzlement, and more, known as the “Zona Franca de Cádiz” case.
- Preliminary Proceeding 124/2018, Valverde del Camino Examining Court no. 1, in the prosecution of an alleged crime of catastrophic risk/possession of explosives.
- Preliminary Proceeding 99/2018, Osuna Examining Court no. 1, defending in a case of alleged abuse of power.
- Preliminary Proceeding 142/2018, Morón de la Frontera Examining Court no. 1, defending in a case of alleged environmental violations.
- Case no. 5720/2007, Section 7 of the Seville Court of Appeal, jury case, defending in a case of alleged bribery, known as “Caso Camas”.
- Case no. 3611, Section 3 of Seville Court of Appeal, jury case pursuing a private prosecution for murder, known as “crimen de Guillena”.
- Case no. 5598/2016, Section 4 of Seville Court of Appeal, jury case defending in a case of murder, known as “crimen del Vicario”.



MEMBERS OF THE CRIMINAL LAW PRACTICE TEAM

Practice Lead Partner



ENCARNACIÓN **MOLINO** BARRERO

Lawyer, Lead Partner of the Firm's Criminal law Practice, practising for more than 25 years.

PROFESSIONAL BACKGROUND

Graduate of Law from the University of Seville (1975-1982), specialising in private law.

Postgraduate courses at the Criminal Law Department at the University of Seville (1994- 1995).

Practising lawyer since June 1988 and a member of the Seville Bar Association.

PROFESSIONAL EXPERIENCE

Lawyer with Bufete Baena Bocanegra (1987-1993).

Founding and managing partner of the law firm Bufete Molino Revuelta (1993-2014).

Legal advisor to the University of Huelva since November 1993.

Partner at MONTERO|ARAMBURU ABOGADOS, leading the Criminal Law Practice since January 2014. Member of the Spanish Union of Criminal Lawyers.

Joint Head of the Higher Compliance Course organised by Instituto de Estudios Cajasol in collaboration with Montero|Aramburu.

She has managed the defence and prosecution cases for:

I. Public entities, local authorities, local bodies, agencies, universities, state-owned companies and their employees, authorities, public officials or other types of state employees.

II. All kinds of private companies and their officers, directors, managers, administrators and employees, etc.

III. She has led the legal management of private individuals and professionals in all sectors.

She has principally focused on being lead counsel in criminal proceedings brought in relation to the following:

- Crimes against the public authorities, such as breach of trust by public officials, embezzlement, bribery, influence peddling, the engaging by public officials in prohibited negotiations and activities, fraud and extortion, etc.
- Company fraud and white collar crime, such as theft, fraud, misappropriation, criminal insolvency, damages, crimes in relation to industrial and intellectual property, corporate crimes, fraudulent administration, receiving of stolen goods and money laundering and market and consumer-related crimes.
- Tax and social security fraud, crimes against employee rights, crimes against security, crimes relating to land planning and development.

Languages: French

Counsel



ALFREDO FLORES PÉREZ

Adviser to the Firm's Criminal Law Practice, practising for more than 16 years.

PROFESSIONAL BACKGROUND

Degree in Law from the University of Salamanca. Member of the Seville Bar Association.

Court Clerk: admitted by competitive examination in 1959, serving at the First Instance Courts and Examining Courts of Aliaga (Teruel) and Alcañices (Zamora).

Public Prosecutor: admitted by competitive examination in 1960, assigned to Seville on 28 March 1962.

PROFESSIONAL EXPERIENCE

Founding member of the Association of Public Prosecutors.

Member of the Council of Public Prosecutors (1982-1985).

San Raimundo de Peñafort Medal of Honour (7 January 1988).

Order of Police Merit Award (29 June 2002). Member of the Real Academia de Ciencias, Bellas artes y Buenas Letras Luis Vélez de Guevara, giving his admittance speech on 19 November 1986 on "Justice and Society in Spain: Trial by Jury from 1988 to 1996".

Member of the Real Academia Sevillana de Legislación y Jurisprudencia, giving his admittance speech on 21 November 1999 on "The Rule of Law and Criminal Justice: the fundamental right to a fair trial".

Professor of the Escuela de Práctica Forense of the Seville Bar Association, on postgraduate courses of the Pablo de Olavide University of Seville and on training courses of the Instituto Universitario Duque de Ahumada de Estudios de Seguridad of Carlos III University.

Lawyer

IRENE AMOSA VARGAS-MACHUCA

Lawyer of the Firm's Criminal Law Practice, practising for more than 22 years.

PROFESSIONAL BACKGROUND

Graduate of Law from the University of Cadiz.

Candidate for the competitive examination for Property Registrars.

Post-graduate courses at the University of Seville.

Seville Bar Association member no. A-8431.

PROFESSIONAL EXPERIENCE

Lawyer belonging to the Legal Department of the University of Huelva since 1998.

Lawyer with Bufete Molino-Revuelta (1998-2013).

Joined MONTERO|ARAMBURU ABOGADOS in January 2014.

Within the Criminal Practice, she has experience in advising and leading in large-scale cases before the courts, provincial courts of appeal, central examining courts of the National High Court and the Supreme Court.

Specialist in corporate crimes, racketeering and misappropriation, tax fraud, fraudulent receipt of subsidies, extortion, breach of trust by public officers, misappropriation of public duties, misappropriation of public funds, money laundering and crimes committed by legal entities.

Languages: English



Lawyer



SONIA OJEDA MARTÍNEZ

Lawyer of the Firm's Criminal Law Practice, practising for more than 15 years.

PROFESSIONAL BACKGROUND

Graduate of Law from the University of Seville.

Candidate for the competitive examinations to the judicial and public prosecution professions for five years, having passed the first two examinations.

Seville Bar Association member no. A-11931.

Since joining the firm she has defended and prosecuted in all kinds of criminal proceedings, particularly for crimes against the public treasury, corporate crimes, crimes against the environment and against the public administration. She has extensive experience defending public officers against charges of abuse of power, bribery, embezzlement of public funds, influence peddling, etc.

She also has experience in advising and leading in large-scale cases before the courts, provincial courts of appeal, central examining courts of the National High Court and the Supreme Court.

She has given classes in criminal law in the Master's in legal practice and advice for companies at Loyola Andalucía University, and the Master's in legal practice at Pablo de Olavide University as collaborator and panel member in final examinations.

She also speaks at events on current affairs in the legal profession, organised by public sector associations.

Specialty in compliance programmes. Lecturer of the Higher Compliance Course organised by Instituto de Estudios Cajasol in collaboration with Montero Aramburu.

Languages: English

Lawyer



LUÍS APARICIO DÍAZ

Lawyer of the Firm's Criminal Law Practice, practising for more than 9 years.

PROFESSIONAL BACKGROUND

Graduate of law, University of Granada (1998-2003).

Doctor of criminal law, awarded Doctor Europeus (unanimous distinction cum laude) by the University of Granada (2008).

Expert in Legal Practice of the Valencia Bar Association (2005).

Professor of Criminal Law, University of Granada (2005-2009).

Professor of the Master's in legal practice at Loyola University since 2016.

Research residencies: Università degli Studi di Firenze (Italy) and Rheinische Friedrich- Wilhelms- Universität Bonn (Germany).

Runner-up to the Francisco Tomás y Valiente Prize at the XV Congress of Criminal Law Students (category: graduates).

VI ISDE International Legal Award for ethics of legal practice, professional category (2014).

Seville Bar Association member no. 12,270.

He has authored articles in the Revista Andaluza de Derecho del Deporte; Revista Electrónica de Derecho Penal (Instituto Andaluz Interuniversitario de Criminología) and Athena Intelligence Journal. He has also spoken in specialist seminars given by Miguel Hernández de Elche University, University of Granada and Florence University.

Specialist in corporate crimes, racketeering and misappropriation, tax fraud, fraudulent receipt of subsidies, extortion, breach of trust by public officers, misappropriation of public duties, bribery, money laundering and crimes committed by legal entities.

Languages: English.

Lawyer



CRISTINA LLEDÓ BURDIEL

Lawyer of the Firm's Criminal Law Practice, practising for more than six years.

PROFESSIONAL BACKGROUND

Graduate of law by the University of Seville (2004-2009).

Candidate for the competitive examinations for access to the judiciary (September 2009 - October 2012) guided by public prosecutor José Escudero.

Erasmus student in Bologna (Italy), completion of law degree in the la Facolta di Giurisprudenza dell'Universita di Bologna (September 2008 - July 2009).

Seville Bar Association member no. 13,530.

Practising since 2013, specialising in criminal matters and the jurisdiction of minors.

Effective participation in large-scale cases. Private prosecution and defence in proceeding for economic crimes, crimes committed by public officers, abuse of power, embezzlement, subsidy fraud and more.

Languages: English and Italian.

Lawyer



TOMÁS GIMÉNEZ CORPAS

Lawyer of the Firm's Criminal Law Practice, practising for more than 5 years

PROFESSIONAL BACKGROUND

Degree in law, Diploma in business studies and Diploma and communication skills and foreign languages (E-1N), Universidad Pontificia de Comillas (ICADE). (2009 - 2013)

Double Master's in business law (MUDE) and Master's for admission to legal practice (MUAA), Universidad Pontificia de Comillas (ICADE - DEUSTO). (September 2013 - February 2015)

Master's in criminal law, Universidad Autónoma de Madrid. (2017)

Experience in professional firms since July 2013. Effective participation in large-scale cases. Private prosecution and defence in proceeding for corporate crimes, economic crimes, crimes committed by public officers, abuse of power, embezzlement of public funds, subsidy fraud and more.

Specialty in compliance programmes.

Languages: English and Portuguese.



MONTERO-ARAMBURU IN FIGURES

Figures

45 YEARS OF HISTORY

MONTERO-ARAMBURU is the only multidisciplinary law firm with capital one hundred percent from Andalusia and the Canary Islands. Founded in Seville in 1971, it stands out as being one of the oldest law firms in Andalusia and the Canary Islands with over 45 years' experience as a multidisciplinary firm.

Its head office is in the capital of Andalusia.

6 OFFICES

It currently has six offices: Madrid, Seville, Santa Cruz de Tenerife, Las Palmas de Gran Canaria, Córdoba and Huelva.

13 AREAS OF PRACTICE

We cover practically all of the areas of company law:

- Civil Law
- Sport and Entertainment Practice
- Tax Law
- International Tax Law
- Labour & Employment
- Local Law Practice
- Commercial & Corporate Law
- Criminal Law
- Litigation and Arbitration
- Public Law
- Corporate Restructuring and Insolvency
- Regulated Sectors
- Urban Planning and Environmental Law

COMPOSITION

Over 165 professionals, between lawyers and economists, provide their legal advice services.

There are a total of 225 people working for the firm.



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