

Jan D. Bayer



Partner, Corporate Litigation

FOCUS

Jan D. Bayer is frequently called upon to act in- and outside of courts in contentious takeovers, corporate and financial restructurings, activist cases as well as in securities and bondholder litigations.

REPRESENTATIVE MATTERS

Recent notable litigations handled by Mr. Bayer include:

- Voidance of Deutsche Bank AGM 2020;
- Post-M&A-Litigation against Blackstone;
- Representation of defendant in Cum-Ex case;
- Postbank Takeover litigation;
- Voidance of Deutsche Bank's Postbank squeeze-out;
- Voidance of Deutsche Bank CEO's and Chairman's annual discharge 2019;
- Preventing fraudulent COMI shift to England in the Galapagos Restructuring.

Mr. Bayer's litigation practice is based on his deep transactional understanding from more than 20 years of rendering counsel to public companies and buy-side investors in connection with highly complex debt and equity special situations.

During this period, he advised many blue chip clients in connection with their inbound M&A investments into Germany and Austria, including: Abbott Laboratories, Harman Kardon, TRW, Hyster and Yale, Suzuki, Toyota, Diebold Industries, IBM, La Poste Francais, Total, Du Pont, Swiss Re, Renault, International Flavors & Fragrances, NYSE, Credit Suisse, and Vodafone.

He also rendered counsel on most contentious takeover situations in Germany, such as P&G/Wella, Blackstone/Celanese, Unicredit/HVB, Adecco/DIS, Sanofi/Aventis/Hoechst, Maquarie/Techem, Deutsche Bank/Postbank, Schaeffler/Conti, and Porsche/VW.

In the restructuring field Mr. Bayer has represented many of the world's leading insurance companies, distressed investors and investment banks' proprietary operations in connection with their restructurings and distressed M&A activities in Germany and Austria.

Matters handled by Mr. Bayer include:

- Par-lender restructurings, predominantly for US noteholders, including Merckle Group, Deutz AG, Draexlmayer, Porsche Holding, Solarworld;
- CMBS and whole-loan restructurings, mainly for par investors, including Highstreet CMBS and restructurings of various subportfolios of Titan and Cornerstone Titan CMBS;

BAYER KRAUSS HUEBER

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- Distressed Private Equity and M&A, predominantly for distressed investors, including Klöckner Pentaplast, Tank&Rast, Solar Millenium, Zapf Creation, Ihr Platz, Nordex, Bäumler, ABIT, AHBR, Garant, Müller Weingarten, Augusta Technologies, SIC.

EDUCATION

Studies of law and business administration

First state exam, 1994 (Bayreuth)

Second state exam, 1996 (Düsseldorf)

Admitted to bar in Frankfurt 1996

Mr. Bayer is a member of the American College of Investment Counsel (ACIC).

PROFESSIONAL EXPERIENCE

BayerLaw, 2013-2020

Bingham McCutchen LLP 2010-2013

Managing Partner, Frankfurt Office

Broich Bayer von Rom, 2002-2010

Founding Partner

Skadden, Arps, Meagher, Slate & Flom, 2000-2002

Jones Day Reavis & Pogue, 1996-2000.

LANGUAGES

German, English