Where law meets innovation

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The Law Firm

THE LAW FIRM 01

Founded in Rome in 1954 by lawyer Carmelo Tufarelli, the Law Firm evolved in 1996 to become 'Ristuccia & Tufarelli', a solid professional association with lawyers Sergio and Renzo Ristuccia and Luca Tufarelli. In 2003, the team was enriched with Fabrizio Cataldo, Marianna Ristuccia and Angelo Petrone, while in 2010, Mario Di Carlo joined the partnership, further expanding its expertise.

The mission of Ristuccia Tufarelli & Partners is to make law a functional and tailored tool for clients, finding innovative solutions through a deep understanding of their needs. We believe that knowing how to prevent a litigation is as important as knowing how to manage it.

The Law Firm advises in all major areas of business law, such as Banking, Finance and Securities Markets, Tech, AI, Data Protection and Cybersecurity, Administrative Law, Public Contracts and Regulation, Electronic Communications, Corporate and Capital Market, Governance Risk and Compliance, Litigation, Arbitration and ADR.

Our professionals, operating between Rome and Milan, collaborate with a network of trusted lawyers throughout Italy, guaranteeing capillary nationwide coverage and have established relationships with major international firms.

Areas of expertise

02

AREAS OF EXPERTISE 02

Ristuccia Tufarelli & Partners has a distinguished and solid tradition of legal expertise spanning more than fifty years, combining a deep knowledge of the main areas of law with a strong multidisciplinary approach.

Specialising in strategic areas such as Banking, Financial and Securities Markets Law, Tech, AI, Data Protection and Cybersecurity, Administrative Law, Public Contracts and Regulation, Electronic Communication, Corporate and Capital Markets, the Law Firm offers tailor-made legal solutions that meet the specific needs of its clients.

Thanks to its constant focus on knowledge, technological innovation and regulatory change, the Law Firm accompanies its clients on a path of growth and transformation, supporting them in tackling challenges related to digitalisation, sustainability and governance.
The ability to integrate legal expertise with a business-oriented vision allows to anticipate and manage risks, optimising development opportunities and protecting clients' interests in an increasingly complex and global context.

BANKING, FINANCE AND SECURITIES LAW

With regard to relations between intermediaries and investors and to enforcement procedures of the supervisory authorities in the banking and financial sectors, the Law Firm has thirty years of experience in all the stages that may precede possible litigation (e.g. administrative, conciliation and out-of-court negotiations, etc.) as well as in the management of any Civil and Administrative litigation, including assistance and representation before the Constitutional Court and the Court of Justice of the European Union.
Over the years, the same methodology has also been applied in relation to matters concerning corporate reporting, liability actions against corporate officers, takeover bids, asset management, and all types of derivative contracts.
The *know-how* acquired in other areas of law has enabled the Law Firm's professionals to assist banks and authorised intermediaries also in extraordinary administration and compulsory administrative liquidation procedures, debt restructuring operations (including NPLs and UTPs) and bankruptcy procedures involving financed entities, as well as in the preparation of anti-money laundering and *privacy* procedures and the implementation of related risk prevention and management systems.

Moreover we:

- support banks and intermediaries in evaluating IT platforms with implications for online trading, digital and graphobiometric signatures and fintech solutions;
- assist entities authorised to provide electronic payment and e-money services.

TECH, AI, DATA PROTECTION AND CYBERSECURITY

Our Law Firm specialises in Information and Communication Technology (ICT) law consultancy and in being part of multidisciplinary teams in innovative projects aimed at digitising processes and procedures, both in the private and public sector. The Law Firm's professionals are able to dialogue with process analysts and ITC technicians, and are constantly updated on industry quality standards and regulations (ISO/IEC) and national and European regulations on the digital services market, information and systems security, data governance and data protection, cybersecurity and artificial intelligence.
We have constant relations with the EU and national authorities involved in regulating the aforementioned matters and we are able to offer appropriate solutions for compliance with the constraints inherent to the security and resilience of systems and with regulations concerning data protection, artificial intelligence and the correct configuration and organisation of internal control systems.

ADMINISTRATIVE LAW, PUBLIC CONTRACTS AND REGULATION

Ristuccia Tufarelli & Partners advises in all administrative proceedings, from request stage to participation in the proceedings, and also assists in any litigation and enforcement phase.
The Law Firm has recognised expertise in the field of public procurement and concession contracts, from proposal, tender and subsequent execution, to administrative and civil litigation, from procedural sanctions and guarantees handling to price revision, contract variations and penalties, with a significant ***track record*** in the field of aggregate procurement and framework contracts.
It also advises and provides legal assistance related to public services and in house

companies, administrative liability, constructions, urban planning and environment. The Law Firm's professionals gained significant experience in handling administrative procedures before independent authorities (such as AGCM, AgCom, ANAC, AIFA, Garante per la Protezione dei Dati Personali, Banca d'Italia, Consob, etc.), ministries and supervisory administrations, and in assisting and representing clients in the subbsequent litigation.
The Law Firm provides assistance in the settlement of the relevant disputes both in court - before all national and supranational jurisdictions - and out of court, having gained experience before the administrative justice system at all levels (Regional Administrative Court, Council of State, Court of Auditors, Superior Court of Public Waters) as well as before the Court of Cassation, the Constitutional Court and the Court of Justice of the European Union.

CORPORATE AND CAPITAL MARKET

The Law Firm offers consolidated experience in consultancy activities, also on an ongoing basis, in favour of businesses and companies operating in various market sectors in order to offer *tailor-made* solutions to its clients, from the start-up phase to the eventual winding-up and/or liquidation of assets. Moreover, it accompanies its clients in processes of growth, reorganisation and/or transformation, *business* and/or market evolution, also being able to manage the company secretariat and *legal* function in outsourcing.
The Professionals in this area support the top management, executive and non-executive board members, and the board committees in organising, managing and holding the relevant meetings, in building an adequate *Corporate Governance* model, the system of prevention, management and control of corporate risks, also pursuant to art. 2086 of the Italian Civil Code, which imposes the obligation to adopt

an adequate organisational system to prevent corporate crisis situations and to intervene promptly, with the aim of improving governance and reducing the risks of insolvency, also in order to support clients in building a solid basis for the protection of their top management.
The Professionals have a solid expertise in the drafting and implementation of corporate policies, *board evaluation* processes, preparation of incentive plans and remuneration policies, RPT and MAR procedures, in mapping and redefinition of delegations and powers in line with best practices, the *Corporate Governance* Code, and applicable general and sector regulations.
Lastly, the Law Firm's professionals have consolidated experience in providing training and *induction* courses for top management and the corporate population, also with a view to implementing internal *awareness* programmes.

GOVERNANCE RISK AND COMPLIANCE

We effectively support our clients in the implementation, adaptation, monitoring and improvement of systems aimed at risk prevention as well as compliance with the specific provisions governing regulated economic activities.
In this area, the Law Firm's professionals possess extensive and consolidated experience in "responsible management" of processes and risks that allows for the alignment of the company or entity's management and operational system with the applicable system of standards and regulations, at national and international level, according to *best practices*.
Our professionals are able to assist Clients in structuring an efficient and *tailor-made* integrated *Corporate Governance*, Risk Management and *Compliance* System in order to achieve long-term objectives consisting in the protection of the company, *stakeholders* and governing bodies through the structuring of appropriate corporate structures.

ELECTRONIC COMMUNICATIONS LAW

The Law Firm has 20 years of experience in advising and litigating in favour of operators in the electronic communications sector.
Professionals of our Law Firm cover regulatory and competition aspects as well as administrative and contractual issues, both in private contracts - including consumers ones - and in public contracts. They also assist clients through the relations with the National Regulation Authority, both in participating in public consultations, from market analysis to the evaluation and regulation of public interventions, as well as in dispute resolution procedures between operators and for access to infrastructures, and also challenging in court the Authority's resolutions.
They assist clients on competition profiles, including state aid, and relations with the antitrust authority, both in proceedings and litigation.
They support operators for authorisation profiles at state level - including the exercise of *golden power* - and at local level, in relation to installation authorisations.
In dispute resolution, the Law Firm enjoys a recognised expertise in dealing with economic, technical and technological profiles, gained in litigation and arbitration proceedings with in-depth investigations and technical advice.

LITIGATION, ARBITRATION AND ADR

The Law Firm has consolidated experience in the management of litigation before ordinary and special courts, the Constitutional Court and the Court of Justice of the European Union, in the areas of civil, commercial and administrative law and in almost all fields of business activity (industrial, financial, distribution, digital, real estate, agri-food, insurance, medical, pharmaceutical, energy, telecommunications, etc.).
In Italy, the activity is carried out by covering the entire national territory, being able

to leverage, where necessary, an established network of correspondents.
The Law Firm also offers assistance in arbitration and before conciliatory or alternative dispute resolution bodies (also in the form of assisted negotiation), especially in the areas of banking, financial markets and telecommunications law, including in relation to consumers issues.
Our information technology systems and our process organisation enable our Law Firm to manage litigation efficiently, providing each client with timely reports tailored to internal operational processes, for the purposes of risk analysis (of losing or recovering claims) and the management of settlements in the case of serial judgments.
We support clients in debt restructuring operations and/or in bankruptcy proceedings, both in active and passive positions and in credit recovery, starting from the extrajudicial phase, which is always aimed at a preliminary attempt to settle the dispute amicably also thanks to the transversal experience and multidisciplinary nature of our people.

Team

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TEAM 03

FOUNDING PARTNER

Renzo Ristuccia, Luca Tufarelli

PARTNERS

Fabrizio Cataldo, Mario Di Carlo, Angelo Petrone, Marianna Ristuccia

ASSOCIATES

Roberto Gabriele Merlino, Mario Di Bernardo, Giuseppe Lo Monaco, Giulia Fabrizi, Maria Lilia La Porta, Liliana Brindisi, Rita Pescatore, Angela Federica Celeste

OF COUNSEL

Mario Antonini, Alberto De Rosa, Francesca Rosetti, Prof. Antonio Saitta

LUCA TUFARELLI

Role: Partner & Founder
Expertise: tech, civil, commercial, administrative, antitrust, TLC law
Qualifications: Higher Courts
Languages: Italian, English

SUPPORT FOR INNOVATION AND NEW INITIATIVES IN BOTH THE PUBLIC AND PRIVATE SECTOR

Luca Tufarelli, founding partner of the Law Firm, works in the fields of civil, commercial and administrative law as well as information technology and new technologies law where he assists both public and private entities.
Luca has contributed to and participated in the implementation of innovative projects aimed at the use of new technologies for the digitalisation of processes and activities aimed at running a business and providing services to citizens. In particular, in projects concerning the start-up of TLC operators, centralisation and automation of PA procurement procedures, IT systems managed by in house companies for the benefit of the PA, automation of procedures for the granting of subsidised loans, the start-up of new players in e-commerce, automation of banking systems, and the start-up of new IT initiatives.
In these projects, he has also dealt with consumer law and compliance with the regulations and provisions of national and EU authorities regarding digitalisation and competition, and with the specific ones pertaining to so-called 'regulated economic activities' (banking, insurance, TLC, energy, etc. etc.). In the judicial field, he has mainly dealt with proceedings concerning administrative, antitrust, commercial and IT law. He has participated in important arbitration proceedings in the TLC sector.
He has also handled various M&A transactions aimed at the acquisition, sale and financing of companies in technological and other business fields. He has been a director and member of the Risk Control Committee of listed and unlisted companies.

RENZO RISTUCCIA

Role: Partner & Founder
Expertise: financial markets, commercial, administrative, antitrust, TLC law
Qualifications: Higher Courts
Languages: Italian, English, French

BANKING LAW, FINANCIAL MARKETS AND TELECOMMUNICATIONS

Founding partner of the law firm, he has been practising as a specialist in corporate, banking and securities law since 1994. He mainly advises banks, investment firms, HNWI, financial advisors, trade associations and auditing firms.
He also deals with IT and telecommunications issues where he has handled and coordinated the management of important litigation, arbitration and procedures before the Independent Authorities (AGCM and AGCom). He has also gained particular experience in litigation before the Court of Justice of the European Union and the Constitutional Court.

FABRIZIO CATALDO

Role: Partner
Expertise: civil, commercial, administrative law
Qualifications: Higher Courts
Languages: Italian, English

COMMERCIAL, BUSINESS AND EXTRAJUDICIAL MATTERS

Fabrizio Cataldo is partner of Ristuccia Tufarelli & Partners since 1989. He has been dealing with judicial and extrajudicial issues in civil, commercial and administrative matters, as well as, in some criminal matters. He has participated in working groups in the transformation processes of public bodies into corporations as well as in the implementation processes of new facilitating laws in favour of the development of new entrepreneurship.
In judicial matters, he mainly deals with proceedings concerning civil law (public contracts and financial intermediation litigation) and commercial law (contracts, bonds, corporate, unfair competition, advertising, precautionary proceedings, leases, debt collection) and administrative law (public procurement).
He also assists clients in criminal proceedings for offences related to financial, corporate and urban planning violations.

MARIANNA RISTUCCIA

Role: Partner
Expertise: civil, corporate, banking law
Qualifications: Higher Courts
Languages: Italian, English, French

LITIGATION AND EXTRAJUDICIAL PROCEEDINGS FOR COMPANIES

Marianna Ristuccia has been a partner in the law firm Ristuccia Tufarelli & Partners since 2003. She mainly provides legal advice and assistance in corporate matters (negotiation and drafting of contracts, M&As, incorporation, management and transformation of companies, corporate crisis situations).
She handles litigation concerning civil, banking and commercial law (contracts, bonds, companies, public financing, debt collection, insolvency proceedings). She has been contributing for years to the drafting of the chapters, dedicated to Italy, of the Doing Business Report, published annually by the World Bank Group. Within the Law Firm, she also manages personnel and is also responsible for recruitment, communication and marketing, as well as the organisation of conferences, round tables and events dedicated to matters of interest to clients.

ANGELO PETRONE

Role: Partner
Expertise: corporate, banking, financial, commercial law
Qualifications: Higher Courts
Languages: Italian, English

CORPORATE, BANKING AND FINANCIAL INTERMEDIATION LAW

Angelo Petrone has been a partner of Ristuccia Tufarelli & Partners since 2003. Graduated cum laude with a thesis on the "professional entrepreneur", since 2001 he has been a practicing lawyer in the sectors of corporate, banking and financial law both in litigation and consultancy (financial intermediation in its proper meaning; judgments for liability - including criminal liability - of officers and financial advisors; disputes concerning derivative financial instruments, structured bonds, on-line trading, 'linked' insurance contracts, sureties). He also advises the legal departments of leading banking institutions and companies on both the prevention and management of litigation risks, including in debt collection, and debt restructuring issues.

MARIO DI CARLO

Role: Partner
Expertise: administrative and public procurement law, sector regulation, commercial, TLC, IT, digital and marketing law, artificial intelligence regulation, negotiation, human rights, sustainability, diversity, equity and inclusion
Qualifications: Higher Courts
Languages: Italian, English

ADMINISTRATIVE LAW, PROCUREMENT, TMT AND HUMAN RIGHTS

Mario Di Carlo has been a partner of the Law Firm since 2010. He focuses on business law and human rights law, as a litigator and a counsel. He assists leading market players in the telecommunications, banking and financial services, healthcare and pharmaceutical, IT and new technologies sectors in matters relating to regulation, business development, public contracts, competition, commercial contracts and their negotiation, corporate governance and civil liability.
He has gained significant experience in assisting clients in litigations before administrative and civil justice bodies, has participated in cross-border litigation and in proceedings before the Constitutional Court, the Court of Justice of the European Union and the European Court of Human Rights.
He provides assistance, also pro bono, in anti-discrimination and human rights protection cases.

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