



George S. Kounoupis, Hahalis & Kounoupis P.C

LITIGATION AND ADR

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One of the misconceptions that people may have is that Greece lacks development. George S. Kounoupis, a bilateral lawyer in Greece and the US argues that Greece is highly developed and has a decent infrastructure, well-educated people and good technological advancements. He dismisses the notion that Southern Mediterranean people are lazy, but states they are very hard working, industrious people and believes professionals should travel and embrace cultures to avoid communication barriers that can cause unnecessary halts in their business. We gain more insights with George in this interview about the US and Greece ties, what more could be done to fight away these misconceptions, and how things could improve.

GEORGE S. KOUNOUPIS

As one of only a handful of attorneys licensed in both the U.S. and Greece, Mr. Kounoupis has practiced international and comparative law for over 25 years. After practicing corporate and securities law for one of the largest Philadelphia law firms (Fox, Rothschild), Mr. Kounoupis formed his own law firm, with offices in the U.S., Athens and Thessaloniki Greece, focusing on U.S.-Greek legal matters. He is the former legal advisor to the Greek Embassy and the Greek-American Chamber of Commerce, as well as multiple other organizations, including, at one time or another, almost all major Greek-American organizations.

FIRM PROFILE

At Hahalis & Kounoupis, P.C. - Greek Law Group, we hear stories like these all the time from Greek Americans who did not realize they could choose a law firm licensed to practice in Greece and the United States, that has a presence in both countries: our law firm. We encourage you not to make the same mistake.

How have relations improved and progressed between the US and Greece from when you began practising and whether there were any added pressures during the recession?

I think that the relationship between Greece and the US has remained relatively steady. The Greek American community has been a strong influence because of their strong ties with Greece; they have very powerful business positions in the US, alongside educational and socially economic positions. A key is that they don't cut their ties with Greece; future, newer generations go back to Greece and invest there, maintaining the culture by being involved with the country, which results in these political, social and economic ties.

I also think the EU influence has helped with stabilisation. Of course, the recession put stress on everyone across the board; Greeks have found it harder to visit the US and even Americans invested less money in Greece, thus the repercussions were felt on both sides of the Atlantic.

Do you think one jurisdiction (US or Greece) would benefit from adopting certain laws from the alternative jurisdiction?

I strongly believe that Greece's legal system and Court would benefit from adopting some of the practices exercised in the US. Those changes are as follows: I think we should have a business Court, a Court of Chancery, a Court mediation process that is built into the litigation and I think Greece should

have a pretrial dismissal procedure and motions to dismiss. These things should be done so Greece develops an expedited litigation system otherwise there are devastating backlogs.

What has prevented this to be implemented?

That is a difficult question, but I would say the lawyers have enabled the prevention; they have a particular way of doing things and are stuck in their ways. There is also a substantial distrust in the society of lawyers which sometimes is justified, but it encourages a desire to fight everything to the death and to not settle. There is little compromise as it is litigated to the very end.

Another problem is that there is a bureaucracy that is stifling. Bureaucrats can sometimes block and create obstacles for businesses via regulations, instead of helping things; these sorts of obstacles ought to be removed in the system. The cultural and societal obstacles are a deep problem; the sense of entitlement due to having a job in the bureaucracy causes tension.

What would say are the most common issues that bilateral clients seek help about and why?

If I could summarise I would say lack of predictability, for example, in: taxation; in the Courts – such as delay and how long a case will be in the Courts; in regulation; and in approvals as there is often huge delay here too. There is also an allegation that there is corruption – I don't think there is corruption in the sense of outright bribery, but there is

"clintal-ism" where people put the people they know first.

What would be your first piece of advice for those expanding internationally into Greece or the US?

The best piece of advice I can offer is that selecting proper counsel is vital alongside a good accountant and tax adviser. You need counsel to guide you legally and broadly in all aspects in terms of transactions. Making the right marketing and promoting strategies must not be dismissed, as I have seen clients that have not conducted appropriate marketing analysis and thus fail. You need the right guides to take you through the jungle and a good legal team is critical. Going to the ABA is a good start when doing business in these jurisdictions, as they will have experts. I am also a big believer of incubation centres – I work closely with Lehigh University and their centre; working with them can help you to learn about the markets and get the expertise you need.

Can you share with me your most challenging case and how you overcame the challenge?

I have had several challenging cases, some of them have been cases where we have had to sue companies that have cheated minority shareholders out of their shares; however, some of the most gruelling cases I have handled internationally, have been child kidnapping cases. I had a case where the mother kidnapped her children and took them to Greece; I represented the father in this Hague kidnapping case. The lawsuit was brought under the justice department in the US and Greece to bring the child back under The Hague. It was gruelling, heart wrenching case, and I have had several of them since. I have since written an article called the Greek Tragedy about one case as it took a lot out of me. The problem in Greece is that enforcing The Hague order is very difficult. You can't cease the child as that itself is traumatic, so you place several fines upon the parent who has taken the child, but it is often ignored. Enforcement mechanisms need to be revised, so when you have an order it actually becomes reality. I would like to see legalisation along these lines as it is a common problem. **LM**