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Dear Client

We would appreciate to assist your company in collection of debts in Germany.

 To start collection we firstly need the invoices and all contact details of the debtor, especially all email accounts, phone No., postal address etc.

Please inform about the facts and the amount of the debt.

Please inform also if you dispose of bank details of the debtor (company).

 **Our Law Firm** is specialized in collecting debts all over the world (network of 125 countries). We offer services in all areas of civil and commercial law and have been working with numerous international companies and Law Firms for more than 25 years.

We offer full service to our clients. Therefore the advantage to make use of our services is that all proceedings, out of court proceedings, court proceedings and execution (enforcement) proceedings are in one single hand and are processed by long lasting experience of our Lawyers. As a Law Firm we represent your interests during all stages of proceedings from the first request for payment up to the enforcement of a judgment.

As Lawyers we are legally bound by confidentiality and professional rules and the attorney-client-privilege.

If you are interested in our debt collection services (out of court: no win, no fee) please consider the information below. In court proceedings we can offer favorable, competitive terms and reasonable fees.

### **1. Out-of-court proceedings:**

Out-of-court proceedings are free of charge (no upfront fee, no hidden charges - no cure, no pay in out-of-court proceedings). In case of success in collection we only charge for a contingent fee from the collected amount in fact.

Our regular fees are\*:

- debt up to 5,000 EUR: 7% / Debt more than 90 days old: 10%
- debt up to 10,000 EUR: 5% / Debt more than 90 days old: 7%
- debt more than 10,000 EUR: 4% / Debt more than 90 days old: 5%
- debt more than 50,000 EUR: 2% / Debt more than 90 days old: 3%

We would appreciate to offer different quotes upon request.

In case the debt is already contested we reserve to charge a fee of 10% in any case.

Please note that these conditions are not applicable if the debtor is in insolvency proceedings.


#### **Our free service always includes:**

- check of the court's register of debtors
- check if service of (court) documents is possible
- check of pending insolvency proceedings
- peculiarities in the Internet and Social Networks-low level
- check of active business of the debtor (e.g. phone calls, fax), etc.

We are able to provide you with information about the debtor like **credit reports** of the most famous **credit rating agencies** in Germany.

In debt collection cases we generally do not claim any retainer fee for our services.

Therefore our clients have no risk in fees and costs in prelegal proceedings (out of court).

 We always send a request for payment (main claim, interest, costs) and set a deadline of around 1 week. We will contact the debtor by phone at the same time (contact by phone, email, fax and mail). In around 1 week we will know if the debtor pays the debt voluntarily. Our workflow allows basically 4 steps from a first request for payment (dunning letter) up to the sending of a fully prepared plaint (written statement of claim) to threaten the debtor with court ultimately.\*


#### **2. Court proceedings:**

If the debtor does not react or refuses to pay, court proceedings are recommended due to the lack of further legal possibilities. Before starting any court proceedings we request for your consent and try to get information about the solvency of the debtor.

Please note that the debtor has to take over and to refund all fees (including court fees) in case of a judgment to the favor of the client.

In court proceedings we can offer favorable, competitive terms and reasonable fees. For example we even offer conducting court proceedings for free or by paying only court fees in case of certain conditions (e.g. we dispose of full documentation, correct contact details, signed PoA/proxy and under condition the legal position and documentation is strong and the debtor is solvent\*\*).


In court proceedings court and lawyer fees relate to a legal table binding by law. The amount depends on the amount in controversy (amount of claim). We will inform you about the total of fees at an early stage or on request. The fee Structure is incidentally explained on <https://www.debtcollectionagency.de/our-fees/>

 We kindly request to sign and send back a **Letter of Authorization** (proxy, PoA) by email to avoid discussions with the debtor about our mandate. We will send it after your reply. The LoA is a proof for the debtor that we are entitled to act on behalf of the client. Otherwise the debtor can refuse any communication.

A LoA/PoA does not affect or rule any conditions in relation to us in any way. It is only a proof for third parties that we are entitled to act on behalf of our clients.

Please note that it is a legal requirement in Germany to present a signed proxy to the debtor. The debtor can refuse to communicate with us. Please consider that also that bailiffs, courts and other authorities are requested by law to demand a signed LoA with original signature send by post.


Attached you will find the form of a Letter of Authorization (PoA). Please fill in and complete the form, sign it and send it back by e-mail/fax-letter plus mail (original form, no registered mail please!).

 Clients from the EU: Because of strict tax regulations in Germany we need the VAT-Id-No. (Value added tax registration number, TVA or UID-Nr.) of the client's company.

Please note that success of collection is depending on all information about the debtor like full postal address, full name, Birthday, legal form (corporate company or individual), email accounts, web sites, telNo. and fax.No., bank details of the debtor and the documentation the client provides us with.

We would like to send your more detailed information about our workflow and course of proceedings on your request.

You expressly agree in communication by e-mail. You be informed that communication by e-mail is not secure and that it is basically possible to read data communication unauthorized.

 We are able to provide our services via direct and certified high-security access to the files and communication for free (WebAkte-WebFile) to avoid unsecure email-communication (server with 128-bit encryption, server location Germany), anywhere – anytime – by PC, lap-top or smartphone! Certainly we are able to communicate via encrypted e-mail as well.

We will be glad to answer your questions and provide further information to you at any time.

Kind regards,

Michael Feinen  
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 LAW FIRM FEINEN GERMANY - [www.debtcollectionagency.de](http://www.debtcollectionagency.de)

international and global debt collection Services  
litigations - commercial law - contract law - purchase law

Attached you will find our forms related to dataprotection and e-mail correspondence. Please sign and send back.

**Our special services:** Our clients are free of charge in out-of-court proceedings

\* The client agrees to inform our Law Firm about all facts related to the case and to provide all documents and information requested. In case of direct contact the client will also direct the debtor to us in any case and will abstain from any settlement without our consent. In case of any direct communication and settlement between the client and the debtor we charge a fee of 12%, not less than 120 EUR. The same applies if the debtor pays only the main claim directly to the client and the client does not wish us to pursue any further fees and costs. In those cases we are entitled to pursue the claim in relation to legal fees against the debtor if applicable on our risk. We are entitled to deduct the agreed fees and possible legal fees the debtor has to bear from any remittance to our clients.

\*\* There is no right to claim for.

## Our offer in debt collection:

What do you know about your business partners?

Your customer did not react anymore?

Are they still solvent or already registered as debtors?

The following services are always included in case of a mandate for free:

- **check of all contact details and registration as a debtor**
- **check and collection of information in SocialMedia**
- **check of pending bankruptcy proceedings**
- **check of a valid postal address (important in case of court proceedings)**

Not included in a running mandate:

- **credit report individuals: 100,00 EUR**
- **credit report companies: 180,00 EUR**

We offer further packages to check and monitor your business partners.

Feel free to contact us anytime!

Check your partners before they become your debtors!

## Offer 2020:

We actually **offer not to charge any fee** in out-of-court proceedings if

- the debt is more than 1.000 EUR and is not contested
- the debt is not older than 3 years (2 years in transportation industry)
- we dispose of a valid postal address and all contact details of the debtor
- we dispose of all documents like invoices, contract or order, delivery notes (POD's), CMR in transport business, correspondence
- we dispose of a signed Letter of Authorization (PoA), form will be send, see >>
- the debtor still is solvent due to our prior investigations.

We kindly ask for your understanding that we have to reserve to check all these details before confirmation of these conditions.