

## STONEWATER OFFICE COMPLAINTS POLICY

### 1. DEFINITIONS

1.1 In this office complaints policy the following definitions apply:

1.1.1 Complaint: any written complaint, submitted in accordance with article 5 paragraph 3 of this complaints procedure or any other notice by the complainant stating that he wishes to have its complaint treated in accordance with this complaints policy, by or on behalf of the client against the attorney or any person working under his responsibility containing a statement of dissatisfaction regarding the engagement and the execution thereof, the quality of services rendered or the amount of the invoice, including a disciplinary complaint as referred to in paragraph 4 of the Law on Attorneys (*Advocatenwet*) if such disciplinary complaint has not yet been submitted to the dean of attorneys;

1.1.2 Complainant: the client or its representative filing a complaint;

1.1.3 Complaints officer: the attorney in charge of handling the complaint;

1.1.4 Terms of service: the Stonewater terms of service as applicable between Stonewater and the client.

### 2. APPLICABILITY

2.1 This office complaints policy applies to every engagement between Stonewater and the client and to the persons operating under Stonewater's responsibility.

2.2 Each Stonewater attorney takes care of the handling of complaints in accordance with this office complaints policy.

### 3. GOALS

3.1 This office complaints policy aims to:

3.1.1 record a procedure for handling of complaints made by complainant within a reasonable period and in a constructive manner;

3.1.2 record a procedure in order to determine the causes of the complaints;

3.1.3 continue and improve the existing relationships by means of a sound complaints handling procedure;

3.1.4 train partners and employees to respond to complaints in a client oriented manner; and

3.1.5 improve the quality of services rendered by means of the handling and analysis of complaints.

## 4. INFORMATIE AT COMMENCEMENT OF SERVICES

- 4.1 This office complaints policy has been made public on [www.stonewater.nl](http://www.stonewater.nl). Stonewater informs the client prior to commencement of its services about this office complaints policy and the applicability thereof to the services that are to be rendered.
- 4.2 Stonewater has included in its terms of service by means and on its website [www.stonewater.nl](http://www.stonewater.nl) at which independent party or agency a complaint, which despite handling has not been resolved, can be filed in order to obtain a binding ruling. Stonewater has notified the client hereof together with its engagement letter.
- 4.3 Litigating against Stonewater (and / or the person being complained about) is not possible if the complaint is not submitted timely (as referred to in Article 5.2 of this complaints procedure) and complete (as referred to in Article 5.3 of this complaints procedure).

## 5. INTERNAL COMPLAINTS PROCEDURE

- 5.1 If a client approaches Stonewater with a complaint, this complaint will be directed to the complaints officer mentioned in the engagement letter under the heading "Quality". If no complaints officer is designated in the engagement letter or if this complaints officer is no longer working at Stonewater, the most experienced lawyer of Stonewater, who is not involved in the case or dispute, shall act as the complaints officer.
- 5.2 The client must submit the complaint within the term as stated in Article 7.6 of the Stonewater terms of service. If a complaint is submitted after the aforementioned period, the complaints officer may decide not to process the complaint. The complaints officer will inform the client about this as soon as possible.
- 5.3 The complaint will only be processed if the client thereby provides at least the following information:
  - 5.3.1 the name and address details of the client;
  - 5.3.2 the name of the lawyer against whom the complaint is directed;
  - 5.3.3 a description of the act or omission of the lawyer or of the statement that gave rise to the complaint;
  - 5.3.4 the case number to which the complaint relates;
  - 5.3.5 the statement that the complaint must be handled via the office complaints procedure; and
  - 5.3.6 the date of submission of the complaint and signature.
- 5.4 If the complaint does not meet the requirements as stated in Article 5.3 of this complaints procedure and the complaints officer expects or reasonably should expect that the client intended his complaint to be in accordance with Article 5.3, the complaints officer will inform the client

about this after receiving the complaint. In that case the client will have the opportunity to provide the missing information within the aforementioned period of three months, failing which the complaints officer will not process the complaint. The complaints officer will inform the client in writing if the latter takes place.

- 5.5 The complaints officer shall notify the person about whom a complaint has been filed of the filing of such complaint and offers the complainant and the person about whom a complaint has been filed the opportunity to further explain or respond to this complaint.
- 5.6 The person about whom a complaint has been filed shall try to find a solution together with the complainant, with or without intervention by the complaints officer.
- 5.7 The complaints officer shall within four weeks after receipt of the complaint notify the complainant and the lawyer against whom the complaint is directed in writing of his decision on the complaint and state the reasons thereto or shall otherwise within this term handle the complaint. If this does not take place within this term, he will inform the complainant and the lawyer against whom the complaint is directed of a different estimated handling period, stating the reasons for such delay.
- 5.8 The complaints officer informs the complainant and the person about whom a complaint has been filed in writing of his judgment on the merits of the complaint and may provide recommendations.
- 5.9 If the complaint has been dealt with satisfactorily, the complainant, the person about whom a complaint has been filed as well as the complaints officer shall sign this judgment on the merits of the complaint.
- 5.10 No fee shall be due by the complainant for the handling of its complaint.
- 5.11 The complainant can submit any complaint that has not been settled satisfactorily to the Netherlands Arbitration Institute in accordance with article 9.5 of the Stonewater terms of service. In case the client is a consumer, the client is entitled to choose for the competent court according to Dutch law within a month after Stonewater has invoked this article against the client in writing. A disciplinary complaint as referred to in paragraph 4 of the Law on Attorneys (*Advocatenwet*) can be submitted by the complainant to the dean of attorneys further to paragraph 4 of the Law on Attorneys (*Advocatenwet*).

## **6. CONFIDENTIALITY AND COMPLAINTS HANDLING FREE OF CHARGE**

- 6.1 The complaints officer and the person about whom a complaint has been filed shall treat all information received during the handling of the complaint as confidential.
- 6.2 No fee will be applicable for the internal complaints procedure.

## **7. RESPONSIBILITIES**

- 7.1 The complaints officer is responsible for the timely handling of the complaint.

- 7.2 The person about whom a complaint has been filed informs the complaints officer on any contact with the complainant and a possible solution.
- 7.3 The complaints officer informs the complainant on the handling of the complaint.
- 7.4 The complaints officer keeps record of the complaint.

## **8. REGISTRATION OF THE COMPLAINT**

- 8.1 The complaint officers registers the complaint and the subject of the complaint.
- 8.2 A complaint can be divided into several subjects.
- 8.3 The complaints officer regularly reports on the handling of complaints and makes recommendations for preventing new complaints and for improvement of the complaint handling procedures.
- 8.4 At least once per year the reports and recommendations shall be discussed at the Stonewater offices and be submitted for decision-making.
- 8.5 This office complaints policy is drawn up in Dutch and English language and has been published on [www.stonewater.nl](http://www.stonewater.nl). The Dutch text shall prevail over the English text.

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