

To the members of the scientific jury,  
Burgas Free University,  
Centre of Legal Studies

## **STATEMENT**

From

Assoc. Prof. Dr. Alexander Angelov Ivanov, Lecturer in Bond Law at Burgas Free  
University

Dear members of the scientific jury,

By Order № UMO - 86 of 14.03.2023 of the Rector of Burgas Free University I am appointed as an internal member of the scientific jury in the procedure for the defense of a PhD student, independent form of study, in the scientific specialty "Civil Procedure" - code 3.6 of the Classification of higher education fields and professional fields Law /Civil Procedure/. In this capacity, I submit to the attention of the jury my opinion on the PhD student's scientific publications.

### **I. Administrative reference for the PhD student**

Dessislava Burianova Kuzmanova is enrolled in an independent form of study at the Centre of Legal Studies at the Burgas Free University. Previously she graduated from the New Bulgarian University, Sofia. She was a manager of a limited liability company in the Legal Consulting and Analysis Department and before that she held managerial positions in various companies, which shows that she has experience in the field of company law. Dessislava Kuzmanova has publications in various legal publications on the topic of her dissertation. This opinion is primarily concerned with the dissertation submitted for defence.

## **II. Notes on the dissertation on "Execution of monetary claims on shares and stocks in commercial companies and on a commercial enterprise"**

The essay consists of: Introduction; three chapters and a conclusion, and is accompanied by a bibliography and a list of suggestions de lege ferenda. The total length of the thesis is 307 pages. The literature used includes the relevant works in Bulgarian as well as a good number of works in other languages. The accumulated Bulgarian case law on the subject is critically analysed, as are references to foreign case law. On the basis of it and by means of the comparative method of research, proposals de lege ferenda are made.

The issues related to the topic of the thesis are of considerable practical and theoretical interest. Their topicality and importance are indisputable. The research presupposes both a good theoretical knowledge of both commercial law and civil procedure, which is a scientific challenge that the author has met.

The essay is written in a clear and precise legal language, with logical thinking and a good knowledge of the subject matter. The citations are correct and the necessary scientific integrity is shown. The study is based on an excellent knowledge of Bulgarian case law on the relevant issues.

The **introduction outlines the** subject of the study and its relevance, as well as the main tasks to be solved.

**Chapter One** provides the necessary historical and comparative overview.

The comparative law method of research is widely used, which shows the good linguistic preparation of the PhD student and can be highlighted as one of the contributions of the research.

**Chapter Two** is devoted to the peculiarities of the objects of pre-execution of cash in detail the issues of shares in the property of general partnerships, limited partnerships and limited liability companies are considered. Attention is also given to the peculiarities of shares and the commercial enterprise.

**Chapter three, which** is devoted to enforcement, constitutes the core of the research and contains the main proposals de lege ferenda, most of which are of a contributory nature.

An in-depth study of enforcement proceedings over limited partnership interests.

The legal issues relating to the enforcement of cash over shares in a limited liability company are examined in detail. In this regard, it is noted that the relationship between the court-appointed liquidator and the executive is not regulated by law and may lead to problems in practice.

The study also took into account the specificities of enforcement proceedings on available shares. The study of the issues of the execution on a separate part of a commercial enterprise is of contributory importance.

Among the proposals for improvement of the legislation that deserve support and are of a contributory nature are those for amendment of Art. 1 and Art. 517, par. 1 CCP, the proposal to amend Art. 517a CCP and Art. 15 para. 1 CC.

Recommendations: with a view to a future edition of the work, consideration could be given to reducing the exposition in Chapter Two in the part not directly related to the topic of the study. In the comparative study, more attention could be focused on one of the model legislations (e.g., German) at the expense of reviewing other legal regimes.

### **III. Conclusion:**

the dissertation meets all the requirements of the applicable legal framework, including the Regulations for the Development of Academic Staff at Burgas Free University; it contains scientific and scientific-applied contributions and proves beyond doubt that the PhD candidate Dessislava Burianova Kuzmanova possesses in-depth theoretical knowledge in the field of civil procedure and commercial law and a pronounced ability for independent scientific research. On the basis of the foregoing, I give my fully positive assessment of the submitted thesis and recommend the scientific jury to award to Dessislava Burianova Kuzmanova the educational and scientific degree of Doctor of Law in Civil and Family Law.

Caption:

/Assoc. Prof. Alexander Ivanov/

