

# David LUTRAN

*Lawyer at the Paris Bar*

## **Mediator**

*Accredited by the Centre for Mediation and Arbitration of Paris (CMAP)*

*Referenced by the National Centre of Mediation for Lawyers (CNMA)*

*Listed among the mediators of the International Chamber of Commerce (ICC)*

*Listed on the Mediators list of the Paris Court of Appeal*



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## **Fields of expertise**

Admitted to the Paris Bar in 2004, David Lutran is specialised in business litigation (breach of commercial contracts, distribution, hidden defects, dismissal of managers, disputes between partners ...), real estate law and criminal law, in the main following lines of business: energy, car manufacturing, luxury, pharmacy and biotech, housing and social housing, consulting, banking, food supplies import-export, sports, art and connected objects.

David Lutran also practices alternative methods of dispute resolution, and more precisely mediation where he acts as a lawyer for his clients or as a mediator.

Accustomed to international environments, David Lutran works for French and foreign clients, which he also assists for the negotiation and drafting of their contracts, in French, English and Spanish.

## **Professional experiences**

- Since July 2016: **Lutran & Associés**: founding partner
- 2009-2016: **Rivedroit Avocats**: co-founding partner
- 2007-2009: **Linklaters**: Litigation and Arbitration department
- 2006-2007: **Gide Loyrette Nouel**: Criminal and Commercial litigation department
- 2004-2006: **Vovan & Associés**: Business law and litigation department
- 2000-2001: **Permanent Mission for France at the United-Nations (New York)**: embassy attaché (economic affairs, health)

## **Academic training**

- 2017: Centre for Mediation and Arbitration of Paris (CMAP): inter-enterprise mediation/ Mediator accreditation by the CMAP
- 2016: Centre for Mediation and Arbitration of Paris (CMAP): inter-enterprise mediation / Mediator certification by the CMAP / ESCP Europe Business School
- 2015: International School for Alternative Methods of Dispute Resolution (EIMA): mediation, collaborative law, arbitration, participative process, interest-based negotiation
- 04/01/2004: Sworn-in as a member of the Paris Bar
- 2003: Paris Bar School – Paris
- 2002/2003: Preparation for the Regional Bar Schools Examination (Institute of Judicial Studies of Paris II Panthéon Assas)
- Preparation for the competitive entrance examination of the National School of Administration (ENA) (University Paris IX-Dauphine)
- 2000: Graduate in International Policy Advanced Studies – Académie Diplomatique Internationale
- 1999: Post-graduate diploma in International Administration (University Paris I-Sorbonne)
- 1998: Master's degree in International and European Law (University Paris II-Assas)

## **Working languages**

French, English, Spanish

### **Future activities**

26th World Forum of Mediation Centres organized by the Union Internationale des Avocats (UIA), Zurich, March 8 & 9, 2019 (roundtable on “economical and marketing concepts applied to mediation”)

Hearing before the Working Group on Mediation created by the French Ministry of European and Foreign Affairs, March 12, 2019

Member of the jury of the “International francophone contest of mediation” organized by the Center for Mediation and Arbitration of Paris (CMAP), March 18, 2019

Presentation given to the students of the Master on Law and Practice of Labor Relations (University Paris II-Assas) on Alternative Dispute Resolution (ADRs) and their practice in Labor law, March 19, 2019

Animation of mediation workshops, Institute of Political Sciences of Paris (Sciences Po), March 25, 2019

Seminar presented by the Union Internationale des Avocats (UIA) on “Mediation as Instrument of Modern Justice”, Beyrouth (Lebanon), April 24 & 25, 2019, roundtables on “Judicial Mediation – Successes and Challenges” and “Mediation Clauses”

### **Main interventions and recent activities**

Animation of a course on interest-based negotiation within the framework of the Degree “Practice of ADRs”, Caen-Normandy University, February 8, 2019

Organization, with the Open Commission Latin America of the Paris Bar Association, of a symposium on “Market, Legislation and Trends with regard to mediation and ADRs in France and Latin America”, Maison du Barreau (Paris), and animation of the 2<sup>nd</sup> roundtable on the feedbacks of various companies’ representatives, mediators and lawyers working in the area, December 6, 2018

Co-organization of a symposium on “the future of mediation in the OHADA zone” in Kinshasa (Democratic Republic of Congo), October 26, 2018, and participation at the first roundtable on “mediation, a model of win-win justice” (conflict, different types of ADRs, fields where mediation is used, mediator, conduct of the mediation process, its advantages, specificities of international commercial mediation)

Animation of a course on “the compensation of personal injury” within the framework of the degree (Master 2) “Justice, Trial and Proceedings, Private Litigation Career”, Caen-Normandy University, October 19, 2018

Organization, with the Brazilian Chamber of Commerce in France, of a symposium on “Mediation and other ADRs in business relations between France and Brazil”, and animation of the 1<sup>st</sup> roundtable, May 29, 2018

“The collaborative process”, presentation to the Group DJ-Lawyers (composed of legal directors of big companies and major business law firms’ partners), Gide Loyrette Nouel, March 30, 2018

“The benefits of mediation for startup companies”, HEC Challenge+ Program, HEC Business Scholl, March 14, 2018

“Mediation: an example of a win-win justice? Process sequencing, mediation techniques, cultural and international aspects”, April 26 and September 22, 2017, February 1<sup>st</sup>, 2018 (presentations given to various audiences: lawyers, legal and business executives, students from the Sciences Po Paris law school)

Member of the jury of the “International francophone contest of mediation” organized by the Center for Mediation and Arbitration of Paris (CMAP), March 2017 and 2018

“Mediation, collaborative law, participatory procedure and conciliation – general overview of ADR modes and focus on their implementation in labor law”, January 9<sup>th</sup>, 2017

“Latin America: regional (Mercosur, Andean Community) and local (public prosecutor of the autonomous city of Buenos Aires) judicial institution”, Paris Bar Association / Latin America Commission, September 24<sup>th</sup>, 2015.

“International contracts practice: legal risks and cultural aspects inherent to the implementation of a project abroad”, Rivedroit, March 25<sup>th</sup>, 2015

“How to secure an international commercial contract”, EFE, December 15<sup>th</sup> and 16<sup>th</sup>, 2014

“International commercial contracts: current events and practice in 2012”, EFE, December 12<sup>th</sup>, 2012

“Recognition and enforcement of foreign arbitral awards and decisions: France–Latin America cross-looks”, Paris Bar Association / Latin America Commission, February 28<sup>th</sup>, 2012

“The sudden termination of established commercial relationships”, Rivedroit, September 28<sup>th</sup>, 2011

## **Publications**

Commercial mediation: the step-by-step achievement of an international transactional justice” (in progress)

“The benefits of mediation for startup companies”, newsletter of the Centre for Mediation and Arbitration of Paris (CMAP), June 2018

"The robot: a legal chameleon?" (Contribution to the report carried out by the French Parliamentary office for the assessment of scientific and technological choices on the topic: “Robots and the law”, 2016)

"Hidden defects: the means for the defense of professional sellers", April 2015

"What new traffic regulations for the autonomous car?", David Lutran was quoted in Erick Haehnsen's article published in La Tribune, September 26<sup>th</sup>, 2014

"Those French judges who shake the Swiss bankers", David Lutran was quoted in Alexis Faure’s article published in Le Temps (Zurich), February 5<sup>th</sup>, 2014

"Caught in the middle of Swiss and French criminal laws", Le Temps (Zurich), January 29<sup>th</sup>, 2014

"The legal environment of the Paris financial marketplace: the main reforms in 2008-2009", Paris EUROPLACE report, June 25<sup>th</sup>, 2009 (contribution)

"To go back to the roots of business law; how to temper its over-penalization", Agefi Hebdo, November 29<sup>th</sup> – December 5<sup>th</sup>, 2007

"The international jurisdiction of the French criminal judge", Petites Affiches, n°54, March 15<sup>th</sup>, 2007

"The European arrest warrant", Letter n°6 of the criminal and commercial litigation department, Gide Loyrette Nouel, Jan.-Feb. 2007

"Is the opportunity of Class actions carried out by shareholders open? ", Letter n°4 of the criminal and commercial litigation department, Gide Loyrette Nouel, Sept.-Oct. 2006

"Lawyer: the future of a profession", Co-author of the White Paper published by the Foresight Commission of the Paris Bar Association, Ed. Descartes & Cie, Sept. 2005

"China and WTO: opportunity or threat?", Cahier de droit de l’entreprise, n° 4 – extra of the Semaine Juridique, Sept. 1<sup>st</sup>, 2005

"Decentralization and legal certainty", Revue de l'Avocat Conseil d'Entreprise, n° 90, Sept. 2004

## **Associations and others**

Association for practising lawyers in Alternative Methods of Dispute Resolution (AVOMARC – co-founder and President)

Union Internationale des Avocats (UIA)

Centre for Mediation and Arbitration of Paris (CMAP)

Law and Democracy (member of the board)

Former Students from the École Alsacienne Association (AAEEA – member of the board)

Institute of High Studies on Justice

Association for Company Legal Advisors (ACE)

Latin America Commission of the Paris Bar Association

Prospective Commission of the Paris Bar Association (2004-2006)

Contract law lecturer, Université Paris I Panthéon Sorbonne (2005-2006)