

# David LUTRAN

**Lawyer at the Paris Bar**

**Accredited Mediator**

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

*Certified by the International Mediation Institute (IMI) and the French Institute of Certification of Mediators (IFCM)*

*Listed among the mediators of (i) the Courts of appeal of Paris, Agen, Bastia, Bordeaux, Colmar, Fort-de-France, Orléans, Poitiers, Reims and Toulouse and (ii) of the mediators of the Paris International Arbitration Chamber (CAIP)*

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



## Professional details:

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## 1. Fields of expertise

### 1.1. As a lawyer

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

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

David Lutran is an expert in ADR, especially mediation, either as Lawyer or as Mediator

### 1.2. As a Mediator

Certified Mediator of the Center of Mediation and Arbitration of Paris (CMAP) since 2016, David Lutran is regularly appointed mediator and comediator in conventional and judicial mediation in commercial, real estate, inheritance and disputes between partners related files.

To date, he has been appointed mediator in no less than 20 cases, either international or domestic.

He frequently publishes mediation related articles and papers, organizes and/or participates to numerous events dealing with mediation, in France and abroad (Algeria, Dubai, Saudi Arabia, Italy, Lebanon, Democratic Republic of Congo, Singapore, Switzerland...). He teaches mediation in various French Universities.

## 2. Professional experience

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

## 3. Academic training

### 3.1. Academic training in mediation and ADR

2021	Consumer law and mediation training, Centre for Mediation and Arbitration of Paris (CMAP) Certification of mediator granted by the French Institute of Certification of Mediators (IFCM) Certification of mediator granted by the International Mediation Institute (IMI)
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

2015 International School for Alternative Methods of Dispute Resolution (EIMA): mediation, collaborative law, arbitration, participative process, interest-based negotiation

### 3.2. Academic training in law and international relations

2022-2023 Politics and Economics of International Energy (Sciences Po – Paris Institute of Political Science)  
Magister degree of the Institute of Research and Studies Mediterranean - Middle East (IREMMO): geopolitics, economy and culture Middle East & Maghreb area

2020-2021 Introduction to maritime law, special class given by Professor Philippe Delebecque, President of the Paris Arbitral Maritime Chamber (CAMP)

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 Panthéon Assas)  
Preparation for the competitive entrance examination of the National School of Administration ("Ecole Nationale d'Administration" – ENA) (University Paris IX Dauphine)

2000 Postgraduate diploma in International Policy Advanced Studies – International Diplomatic Academy

1999 Postgraduate diploma in International Administration (University Paris I Panthéon-Sorbonne)

1998 Master's degree in International and European Law (University Panthéon-Assas)

4. **Working languages:** French, English, Spanish

### 5. **Professional rankings**

5.1. ***Mediation ranking: "Excellent"*** (Professional Guide in Arbitration & Litigation in France, published by Leaders League/Décideurs, 2021-2022, 2020-2021 editions)

#### 5.2. ***Litigation rankings:***

- **Commercial litigation: "High reputation"** (Professional Guide in Arbitration & Litigation in France, published by Leaders League/Décideurs, 2021-2022, 2020-2021 editions)

- **Products liability: "Renowned practice"** (Professional Guide in Risk Management, insurance and litigation in France published by Leaders League/Décideurs, 2016 edition)

- **Financial and M&A litigation: "Renowned practice"** (Professional Guide in Risk Management, insurance and litigation in France published by Leaders League/Décideurs, 2016 edition)

### 6. **Publications**

#### 6.1. **Mediation and ADR related publications**

##### 6.1.1. **Publications in international reviews**

"Mediation in Iran: Current Status and Future Challenges", with Sima Ghaffari and Joséphine Hage Chahine, International Journal of Arab Arbitration, Volume 14, n°1 – Octobre 2022

"Mediation in the OHADA zone: overview and future perspective", with André Eloundou and based on interviews conducted with several mediation professionals from the OHADA Zone, Revue du droit des Affaires en Afrique (RDDA), January 2022

"The acceleration of the development of international business mediation after the Singapore convention", with Joséphine Hage Chahine, Ettore Lombardi and Catherine Peulvé, European Business Law Review, Volume 32, Issue 4, August 2021

"The "Sharia-compliance" requirement to safeguard enforcement of mediated settlements in the MENA region", with Joséphine Hage Chahine, Kluwer mediation blog (Singapore Convention Series), 30 September 2020

"Mediation: a culturally well-established dispute resolution mechanism in the MENA (Middle East and North Africa) region gaining in momentum", with Joséphine Hage Chahine, International Journal of Arab Arbitration, Volume 12, n°1 – September 2020

"The impact of the Singapore Convention on the international business mediation", with Joséphine Hage Chahine, Ettore Lombardi and Catherine Peulvé, Wolters Kluwer France / Actualités du droit, April 10, 2020. Also published in Italian into Giustizia Civile

### 6.1.2. Publications in French reviews

"Mediation to support economic recovery", Professional Guide in Arbitration & Litigation in France, published by Leaders League/Décideurs, 2021-2022 edition

"Mediation: a dispute resolution method adapted to the needs of the maritime world", interview with Professor Philippe Delebecque, Journal of the Maritime Arbitration Chamber of Paris, n°56, Autumn 2021

"Mediation: a quick and efficient alternative to courts", Entreprendre, n°345, March 2021

"Mediation: a powerful tool allowing a quick and suitable resolution of companies' disputes in this time of sanitary and economic crisis", Professional Guide in Arbitration & Litigation in France, published by Leaders League/Décideurs, 2020-2021 edition

"Coming out of litigation on top with mediation », Challenges, January 18, 2021

"A good justice is a win-win justice", interview with Ghislène Ly et Dimitri Toko, Le Petit Juriste, November-December 2020

"A good justice solves the conflict in a both efficient and equitable way, without being limited to the sole legal dispute", interview with Céline Guichenduc and Gabriel Ibrahim Hage Chahine, Le Monde du Droit, November 17, 2020

"Mediation, the non-litigious fulfillment of rights", interview with Professor Fayez Hage Chahine in Beirut (Lebanon), Le Monde du Droit, July 22, 2020

"A useful mediation clause in international business contracts", mediation practical case study in an international M&A dispute, AGEFI Actifs n°773, May 29 to June 11, 2020

"Mediation in response to the judicial crisis", AGEFI Actifs n°772, May 15 to 28, 2020

"Lawyers: use mediation in these times of crisis", interview with Marie Anne Gallot Le Lorier, LEXBASE Avocats n°303, May 7, 2020

"Mediation: the intelligence of conflict", Le Figaro (first French national newspaper of general information), December 10, 2019

"Mediation to support startups", newsletter of the Center for Mediation and Arbitration of Paris, June 2018

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### 6.2. Publications related to other topics

"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, 2014.

"Those French judges shaking the Swiss bankers", David Lutran was quoted in Alexis Faure's article published in Le Temps (Zurich), February 5, 2014.

"Caught in the middle of Swiss and French criminal laws", with Alexandre de Senarclens, Le Temps (Zurich), January 29, 2014.

"Legal environment of the Paris financial marketplace: the main reforms in 2008-2009", Paris EUROPLACE report, June 25, 2009 (contribution).

"Going back to the roots of business law; how to temper its over-penalization", with Kiril Bougartchev, AGEFI Hebdo, November 29 – December 5, 2007.

"The international jurisdiction of the French criminal judge", with Kiril Bougartchev, Petites Affiches, n°54, March 15, 2007.

"The European arrest warrant", with Emmanuel Moyne, Letter n°6 of the criminal and commercial litigation department, Gide Loyrette Nouel, January-February 2007.

"Is the opportunity of class actions carried out by shareholders opened? ", with Kiril Bougartchev, Letter n°4 of the criminal and commercial litigation department, Gide Loyrette Nouel, September-October 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, September 2005.

"China and WTO: opportunity or threat?", with Patrick Vovan, Cahier de droit de l'entreprise, n° 4 – extra of the Semaine Juridique, September 1, 2005

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

## **7. Teaching and training**

### **7.1. Mediation and ADR related teaching and training**

University Paris Est Créteil: Academic speaker/conception and running of a 3-day module on the theme "International mediation", LLM International Business Litigation (since 2021)

University Panthéon-Assas: Academic speaker/conception and running of a 8-hour module on the theme "Investments related mediation in Africa", Advanced degree in "International economic law in Africa" (since 2021)

University Aix-Marseille: Academic speaker/conception and running of a 3-hour module on the theme "The Singapore Convention on Mediation: towards the achievement of an international transactional justice", Advanced degree in "Law and practice in business mediation and negotiation (since 2021)

University Paris Ouest Nanterre La Défense: Academic speaker/conception and running of 6-hour module on the theme « International mediation », Advanced degree in International and European litigation (since 2022)

Polytechnical University of Valenciennes: Academic speaker/conception and running of a 3-day module dedicated to "civil mediation", Master Justice, Trial and Proceedings (option: mediation)" (since 2020)

University of Caen-Normandy: Academic speaker on the theme "interest-based negotiation", Master in ADR practice (2018)

EDGE Institute (Senegal):

- Academic speaker/conception, organization, and co-running, along with mediation professionals from the OHADA zone, of a 30-hour mediation certifying course on Mediation in Africa (since 2021)
- Organization and supervision of a mediation workshop focused on Africa, Advanced degree in "Arbitration and dispute resolution" (since 2021)

### **7.2. Teachings and training in other fields**

EM Lyon Business School: Legal aspects of international business: from the conclusion of contracts to the resolution of disputes, within the framework of the Global BBA program (since 2022)

University of Caen-Normandy: Academic speaker on the theme "compensation of corporal damage", Master in ADR and Master on Justice, trials and legal proceedings (since 2018)

University Paris I Panthéon-Sorbonne: Contract law lecturer (2005-2006)

### **7.3. Supervision of academical works/jury**

2022 "The diversion of international investments related disputes in the OHADA space: reflections about Investor-State mediation", Advanced degree in Law and practice in business mediation and negotiation, University Aix-Marseille

"The necessity to include mediation in modern justice and the means for its promotion", Master Justice, Trial and Proceedings (option: mediation), Polytechnical University of Valenciennes

Mediation: a mean to bridge the difficulties of the judicial institution?", Master Justice, Trial and Proceedings (option: mediation), Polytechnical University of Valenciennes

2021 "Mediation in international trade", Advanced degree in Law and practice in business mediation and negotiation, University Aix-Marseille

2010 "Day-ahead market of electricity: operation of the system and liability of the manager", Master International and European Law, University of Paris West Nanterre La Défense

## **8. Speeches in public**

### **8.1. Mediation and ADR related speeches**

#### **8.1.1. Abroad**

Webinar on « Relationships between mediators and parties », with Veerash Srikison, JurisMediation, February 25, 2022

Member of the Jury ("mediator" and "professional") during the 16<sup>th</sup> and 17<sup>th</sup> editions of the international mediation competition organized by the International Chamber of Commerce (ICC) (February 2022 and 2021)

Participation to the World Litigation Forum, Dubai, January 19-20, 2022

Co-organization, with the Embassy of Singapore in France, of a conference on the theme « International mediation: a practical look at the merits of the Singapore convention » and speech given at the conference, in the presence of French and Singaporean mediation professionals, Embassy of Singapore, Paris, November 25, 2021

Speaker at the Webinar organized by Altana Avocats (France) and El Ajeri Lawyers (Tunisia) on the theme "Junction between expectations and experiences for an effective and efficient Tunisian mediation", with Mohamed Lotfi El Ajeri, Raouda Sammoudi, Chiraz Abid, Jan Kayser, Christophe Lapp, Alessia Sialino, Georges Feghalli and Marie-Anne Bastin, April 15, 2021

Speaker at the inaugural conference for the launch of the training course for mediation in Africa organized in partnership with the Edge Institute (Dakar, Senegal), April 6, 2021

Co-organizer and speaker at three webinars dedicated to mediation in Africa: (1) "general introduction to mediation in Africa" (November 30, 2020), (2) "the mediation process and its ethical dimensions" (December 7, 2020), (3) "understanding of the mediation practice and its advantages by way of feedbacks" (December 14, 2020), with Alain Fénéon, Romain Carayol and Mamary Diarra

"Online mediation – benefits and challenges", webinar organized by the International Association of Lawyers (UIA), speaker – with Mohamed Lotfi El Ajeri and Catherine Peulvé, June 29, 2020

Speaker at the Conference organized by the International Association of Lawyers (Union Internationale des Avocats – UIA) dealing with "the legal and judicial protection of foreign investments" on the topic "the existence of a ADRs friendly legal framework: a way to attract foreign investments", Algiers (Algeria), February 7 and 8, 2020.

Organization and moderation of a roundtable entitled "the acceleration of the development of international business mediation after the Singapore Convention", 27<sup>th</sup> World Forum of Mediation Centers (in association with the International Association of Lawyers (UIA) / Milan (Italy), January 17 and 18, 2020

Participation to the 19<sup>th</sup> International Conference organized by the Saudi Center for Commercial Arbitration (SCCA) on the topic "the evolution of arbitration in the Middle East and North Africa", Riyadh (Saudi Arabia), October 14 and 15, 2019

Participation to the signing ceremony of the United Nations Convention on International Settlement Agreements Resulting from Mediation (the "Singapore Convention on Mediation"), Singapore, August 7, 2019

Conference organized by the International Association of Lawyers (Union Internationale des Avocats – UIA) on the topic "Mediation as an Instrument of Modern Justice", Beirut (Lebanon), April 24 and 25, 2019, speaker at the roundtables on "Judicial Mediation – successes and challenges" and "Mediation clauses"

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26<sup>th</sup> World Form on Mediation Centers organized by the International Association of Lawyers (Union Internationale des Avocats – UIA), speaker at the roundtable dedicated to "economical and marketing concepts applied to mediation", Zurich (Switzerland), March 8 and 9, 2019

Organization, in cooperation with the Latin America Open Commission of the Paris Bar Association ("Ordre des Avocats de Paris") of a symposium on the topic: "Market, legislation and trends in mediation and alternative dispute resolution methods in France and Latin America" and animation of the second roundtable dedicated to the feedbacks from companies executives, mediators and lawyers in the area, December 6, 2018, Paris

Co-organization of a symposium on the theme: "the future of mediation in the OHADA space" and speaker at the first roundtable entitled "mediation: a win-win model of justice" (conflict, ADR, areas where mediation is used, mediator, progress of the mediation process, advantages, specificities of international mediation), Kinshasa (Democratic Republic of Congo), October 26, 2018

Various mediation related speeches given to Congolese students in Kinshasa (Unikin, BellCampus...) + interviews on mediation given to local radios (Top Congo, Radio Okapi), Kinshasa, Democratic Republic of Congo, October 22-27, 2018

Participation to the International Campus organized by the Paris Bar Association and the Ivory Coast Bar Association on the topic "Cross looks on Mediation and Arbitration Practice", Abidjan (Ivory Coast), September 20 and 21, 2018

Organization, with the Brazilian Chamber of Commerce in France, of a symposium on the theme: "Mediation and other alternative methods of dispute resolution in the business relationships between France and Brazil" and moderator of the first roundtable, May 29, 2018, Paris

### **8.1.2. In France**

"International mediation", Webinar given to the members of the Institute of Expertise, Arbitration and Mediation (IEAM), June 14, 2022

Member of the Jury of the "Commercial Mediation Competition" organized by the Paris Center for Mediation and Arbitration (CMAP), March 2022 (also member of the Jury for the 2017, 2018, 2019 and 2021 editions of the competition)

Coaching of candidates to the Mediator certification exam organized by the CMAP / ESCP Europe business school, November 2020 and 2021 sessions, Paris

Member on the jury for the Mediator certification exam organized by the Paris Center for Mediation and Arbitration (CMAP) / ESCP Europe business school, September 2021 and November 2020 session, Paris

Interview on mediation in the broadcast *Itinéraire Entreprise* (with *Le Figaro*), July 8, 2021

"International mediation", webinar given in the framework of an in-depth mediation training proposed by HOAPI Mediation Marseille, September 11, 2020

Speech on mediation given in the French Radio Program "*Par ici la sortie*" dedicated to the judicial crisis in France, RMC, June 10, 2020

Speaker (along with Marguerite Zauberman, Eric Basso and André Magnon-Pujo) at the Centre of Mediation and Arbitration of Paris' Exchange and Reflexion Groupe dedicated to online mediation, May 7, 2020

General overview of mediation and its process, French Superior Council of Notaries ("*Conseil Supérieur du Notariat*"), Paris, November 27, 2019

Mediation workshop, Paris Institute of Political Sciences ("*Sciences Po*"), Paris, March 25, 2019

Conference given to the students of the Professional master's degree on Law and Labor relationships (DPRT), University Pantheon-Assas, on ADR and their use in labor relationships, Paris, March 19, 2019

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

"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" (presentations given to various audiences: lawyers, legal and business executives, students from the Sciences Po Paris law school), April 26 and September 22, 2017, February 1 and October 3, 2018, February 4, 2020

"Mediation, collaborative law, participatory procedure and conciliation – general overview of ADR modes and focus on their implementation in labor law", January 9, 2017

## **8.2. Other activities**

"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, 2015.

"Practice of international contracts: legal risks and cultural aspects inherent to the implementation of a project abroad", Rivedroit, March 25, 2015

"How to secure an international commercial contract", EFE, December 15 and 16, 2014

"International commercial contracts: current events and practice in 2012", EFE, December 12, 2012

"Recognition and enforcement of foreign arbitral awards and decisions: France–Latin America cross-looks", Paris Bar Association / Latin America Commission, February 28, 2012

"The sudden termination of established commercial relationships", Rivedroit, September 28, 2011

## **9. Community life**

### **9.1. Mediation and ADR related associations**

Association for practicing lawyers in Alternative Methods of Dispute Resolution (AVOMARC – President and co-founder) / International Association of Lawyers (Union Internationale des Avocats – UIA) – Member of the UIA's Mediation and Conflict Prevention Commission / Centre for Mediation and Arbitration of Paris (CMAP) / Institute of Expertise, Arbitration and Mediation (IEAM)

### **9.2. Other associations**

International Law Association (ILA) / Société de Législation Comparée (Comparative Law Society) / French Association for the History of Justice / Institute of High Studies on Justice / Latin America Open Commission of the Paris Bar Association / Law and Democracy / Association of École Alsacienne's Alumni (AAEEA – former member of the board) / Foresight Commission of the Paris Bar Association (2004-2006)