

David LUTRAN

Lawyer at the Paris Bar

Mediator

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

Certified by the French Institute of Certification of Mediators (IFCM)

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

Listed among the mediators of the Paris Court of Appeal

5, rue Georges Berger– 75017 Paris (France)

Tel : +33 (0)1 56 89 92 70 / Cell : + 33 (0)6 70 07 13 59

d.lutran@lutran-avocats-mediation.com / www.lutran-avocats-mediation.com



1. Fields of expertise

1.1. 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, consulting, food supplies import-export and connected objects.

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.

1.2. David Lutran also practices alternative methods of dispute resolution (ADR), and more precisely mediation where he intervenes both as a Lawyer for his clients and as a **Mediator**. He is regularly appointed mediator (conventional and judicial mediation) in commercial and real estate cases, as well as in partnership and family disputes. He also provides mediation services at the Paris and Créteil Courts of Justice.

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

2. Professional experience

Since 2016	Lutran Avocats & Médiation: 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)

1/5

3. Academic training

2021	Certification of mediator granted by the French Institute of Certification of Mediators (IFCM)
2020/2021	Introduction to maritime law, special class given by Professor Philippe Delebecque, President of the Paris Arbitral Maritime Chamber (CAMP)
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
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 ("Ecole Nationale d'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)

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, 2020-2021 edition)

5.2. Litigation rankings:

- Commercial litigation: "High reputation" (Professional Guide in Arbitration & Litigation in France, published by Leaders League/Décideurs, 2020-2021 edition)
- 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. Organization of events and speeches in public

6.1. Mediation and ADR related activities

Intervention 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

Speech 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

Member of the Jury of the "Commercial Mediation Competition" organized by the Paris Mediation and Arbitration Center, March 15-19, 2021 (also member of the Jury for the 2017, 2018 and 2019 editions of the competition) Member of the Jury ("professional") during the 16th edition of the international mediation competition organized by the International chamber of Commerce (ICC) (February 5-11, 2021)

Co-organization and participation to 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

Member on the jury for the Mediator certification exam organized by the Center of Mediation and Arbitration off Paris (CMAP) / ESCP Europe business school, November 2020 session, Paris, November 26, 2020

Coaching of candidates to the Mediator certification exam organized by the CMAP / ESCP Europe business school, November 2020 session, Paris, November 10, 2020

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

"Online mediation – benefits and challenges", webinar organized by the International Association of Lawyers (UIA), with Mohamed Lotfi El Ajeri and Catherine Peulvé, June 29, 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 for Mediation and Arbitration of Paris' Exchange and Reflexion Groupe dedicated to online mediation, May 7, 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", 27th World Forum of Mediation Centers (in association with the International Association of Lawyers (UIA) / Milan (Italy), January 17 and 18, 2020

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

Participation to the 19th 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, speeches given at the roundtables on "Judicial Mediation – successes and challenges" and "Mediation clauses"

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 Paris II Pantheon-Assas, on ADR and their use in Labor relationships, Paris, March 19, 2019

Member of the jury of the "International francophone contest of mediation" organized by the Center for Mediation and Arbitration of Paris (CMAP), March 2017, 2018 and 2019

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

26th World Forum on Mediation Centers organized by the International Association of Lawyers (Union Internationale des Avocats – UIA), speech given in 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 direction 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 participation to 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 the 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

"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

6.2. 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

7. Publications

7.1. Mediation and ADR related publications

"Médiation: 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

"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

"Mediation, the non-litigious fulfillment of rights", interview with Professor Fayez Hage Chahine in Beirut (Lebanon), December 28, 2019, *Le Monde du Droit*, July 22, 2020

"The acceleration of the development of international business mediation after the Singapore convention", with Joséphine Hage Chahine, Ettore Lombardi and Catherine Peulvé (to be published in the *European Business Law Review* (semester 1 of 2021) + early publication by the Social Science Research Network (SSRN))

"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

"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*

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

"Mediation: for a constructive and enlightened approach to conflict" (writing in progress, with the contribution of high ranked mediation professionals)

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

7.2. 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

8. Teaching

8.1. Mediation and ADR related teachings

Lecturer in the DU/LLM International Business Litigation at the University of Paris Est Créteil, 8-hour module on "International mediation", June 9, 2021 + 4-hour practical case of international mediation, June 18, 2021

Academic speaker at the University Aix-Marseille (Advanced degree in "Law and practice in business mediation and negotiation"), 3 hours class on the topic "The Singapore Convention on Mediation: towards the achievement of an international transactional justice", June 4, 2021

Academic speaker at the University Paris 2 Panthéon-Assas (Advanced degree in "International economic law in Africa"), 8 hours class on the topic "Investments related mediation in Africa", January 15, 2021

Academic speaker, in 2020, at the Polytechnical University of Valenciennes (Master on Justice, trials and legal proceedings – specialization in Mediation), 20 hours class on civil mediation

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

8.2. Other teachings

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

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

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) / GEMME-European Group of Magistrates for Mediation (membership in progress)

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 – member of the board) / Foresight Commission of the Paris Bar Association (2004-2006)