



This Newsletter offers a valuable insight on the arbitration news for the month of March 2014.

Legal News

UK Court of Appeal: Mediation, a pre-requisite to litigation?

In *PGF II SA v OMES Company 1 Ltd* [2013] EWCA Civ 1288, the England and Wales Court of Appeal (Civil Division) confirmed on 23 October 2013, the finding in *Halsey v Milton Keynes General NHS Trust* [2004] 1 WLR 3002 that an unreasonable refusal to participate in ADR is a form of unreasonable conduct [...]

[The article is available here](#)

Qatar: Invalidity of awards subject to Qatari law not rendered in the name of his Highness the Emir of Qatar

On 7 December 2013, the Qatar Court of First Instance refused to enforce and annulled an ICC award rendered in Paris, France, under Qatari Law for violation of public order because it had not been issued in the name of his Highness the Emir of Qatar, according to *Global Arbitration Review*. This ruling must be [...]

[The article is available here](#)

An Arbitral Tribunal may refer questions to the Court of Justice of the European Union for a preliminary ruling

CJEU, 13 February 2014, case C-555/13 On 13 February 2014, the CJEU clarified the circumstances in which arbitral tribunals could make a request for a preliminary ruling, which implies that they may be considered as courts or tribunals of a Member State. In November 2012, the pharmaceutical company *Merck Canada* brought an action before an [...]

[The article is available here](#)

Events

A new associate joins the arbitration team

ALTANA's arbitration team is pleased to welcome a new associate, Caroline Frison-Roche.

Caroline holds a Master 2 in Business law (University of Paris-Dauphine). She also was a lecturer at the University of Paris II – Panthéon-Assas, where she taught Contract law. She speaks French and English. We wish her all the best at ALTANA.

[The article is available here](#)

Publications

Publication of an article: Is the language of the arbitration a too often underestimated choice?

Caroline Duclercq and Stéphanie Smatt published an article on whether the language of the arbitration is a too often underestimated choice in Le Cercle des Echos in the context of our series of articles on the efficiency of the arbitration procedure.

[The article is available here](#)

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