
This Newsletter offers a valuable insight on the arbitration news for the months of June to September 2017

LEGAL NEWS

Conflict of interest risks for Counsel in international Arbitration

Decision of the Solicitors Disciplinary Tribunal of 18 July 2017, case No. 11592-2016 In its decision of 18 July 2017, the English Solicitors Disciplinary Tribunal, the equivalent in France of the *conseil de discipline des avocats*, ordered a prestigious law firm and one of its partners to pay a substantial fine for not having identified [...]

[*The article is available here*](#)

Third Party Funding: new recognitions in domestic legislations and status

In the last few years, Third Party Funding (« TPF ») has become a recognized financing tool in the arbitration practice, which has been the subject of many debates, raising both positive and negative reviews. If it is a recognized tool in practice, what about its adoption and recognition by the domestic legislations? To recall, third party [...]

[*The article is available here*](#)

English Court ruling on the extent and limits of the role of the Secretary of the Arbitral Tribunal

Decision of 9 February 2017 of the Commercial Court of the High Court of Justice (Queen's Bench Division), made by Mr. Justice Popplewell (Case No. CL-2016-61). On 9 February 2017, the English High Court had

an opportunity to rule on the question of the role of the Secretary of the Arbitral Tribunal. Recently, the question Secrétaire [...]

[*The article is available here*](#)

International Arbitration and public procurement: confirmation of the administrative Judge's jurisdiction over exequatur

Following the trend adopted with the Inserm case in 2010, the French Tribunal des conflits confirms the end of the Galakis case law On 24 April 2017, the French Tribunal des conflits consolidated the evolution that had started with the Inserm decision in 2010, stating that the administrative judge has jurisdiction to rule on a [...]

[*The article is available here*](#)

Paris Court of Appeal : application of the principle of « adverse inference » or « unfavourable presumption » derived from the defect of document production

On 28 February 2017, the Paris Court of Appeal rendered a judgment which, for the first time, to our knowledge, confirmed the application by an Arbitral Tribunal of the principle of “adverse inference” or “unfavorable presumption” drawn from the failure to produce evidence by one of the parties. While the position of the Court of [...]

[*The article is available here*](#)

EVENTS

In-depth training - « Le cas pratique de l'AFA », Paris, 13 and 14 November 2017

Caroline Duclercq will intervene on 14 November for the in-depth training “Le cas pratique de l'AFA” that will be held on 13 and 14 November 2017. This training is composed of 2 days during which a mock international arbitration is organised to discover all the essential tools during a procedure, focusing on an assets and liabilities [...]

[*The article is available here*](#)

« Wake Up (with) Arbitration! » - 20 October 2017 : “The accelerated Arbitration procedure : “The Fast and the Furious” ? ”

Caroline Duclercq will host on 20 October 2017, along with Valence Borgia and Maria Beatriz Burghetto, a new “Wake up (with) Arbitration!” roundtable on the topic “The accelerated arbitration procedure: “The Fast and the Furious”?”, with Melanie Van Leeuwen and Juan Pablo Agentato. On this occasion, two speakers will debate the issue, answering either by the [...]

[*The article is available here*](#)

PUBLICATIONS

Report of the roundtable « Wake up (with) Arbitration! » of 28 June 2017 : “ Arbitrator and defaulting party: all alone like in “ The Martian ” ? ”



As we had announced, Caroline Duclercq has hosted, along with Valence Borgia and Maria Beatriz Burghetto, a breakfast round-table “Wake up (with) Arbitration!” on 28 June 2017, on the topic “Arbitrator and Defaulting Party: All Alone Like in “The Martian”?”, with Gaëlle le Quilic and Fernando Mantilla-Serrano. In arbitration, the party in default may have various [...]

[*The article is available here*](#)

Report of the roundtable « Wake up (with) Arbitration! » of 28 April 2017 : “ Arbitration and Legaltech : “ Once upon a time... the Revolution ” ? ”

As we had announced, Caroline Duclercq has hosted, along with Valence Borgia and Maria Beatriz Burghetto, a roundtable “Wake up (with) Arbitration!” on 28 April 2017, on the topic “Arbitration and LegalTech: “Once Upon a Time... The Revolution”?”. The report is now available here. The next roundtable will be held on 28 June 2017, on the [...]



[*The article is available here*](#)