



Association des Juristes Franco-Britanniques
Franco-British Lawyers Society

in association with



SEMINAR PROGRAMME

Mediation in France and the United Kingdom

at Thomas Eggar 14 New Street, London EC2M 4HE

Wednesday 15 April 2015

8.30am – 10.30am

8.00am Coffee, breakfast and registration

8.30am Mediation in France and the United Kingdom facilitated by

Robert Marcus, Partner *Jurit LLP*

- Introduction, Advantages and Disadvantages of Mediation

Melanie Stancliffe, Partner *Thomas Eggar LLP*

- Differences between mediation in Civil Law and Common Law jurisdictions, common issues in UK Mediation and EU Directive on Mediation

Clive Freedman, Barrister *3 Verulam Buildings*

- UK Mediation – Current status and recent developments

Iain Christie, Barrister & Secretary *Civil Mediation Council*

- French Mediation – Current status, overview and differences with UK Mediation

Antoine Adeline, Partner *Squire Patton Boggs, Paris*

- From Litigation to Mediation and beyond

Nick Pearson, Mediator *CEDR Chambers*

- Culture and Conflict Resolution

Mia Forbes Pirie, Partner *Jurit LLP*

9.30am Panel Discussion and Q&A

Closing: Robert Marcus & Melanie Stancliffe

FBLs forthcoming events presented by Catherine Palmer, Vice President England & Wales, FBLs

Speaker Bios:

Robert Marcus

Over the last 30 years, Robert has worked in a very traditional law firm, a large City practice then, for most of his career, as an in house lawyer at IBM. Latterly, he has founded and manages this vibrant new law firm. He has been fortunate to be involved in influencing a number of fascinating and sometimes economically or socially important transactions. He has learnt how good, and sometimes not so good, lawyering directly influences long term outcomes for clients and others. Robert is a CeDR trained and accredited mediator with particular expertise in technology related dispute resolution

Melanie Stancliffe

Melanie has 17 years' experience in providing practical employment advice to businesses and executives, particularly in the financial, tech and retail sectors.

She is a keen French speaker, loves France and leads our French group. Her success in international work, unfair dismissal, discrimination and restrictive covenant litigation has led to her being ranked as an expert in Chambers and Legal 500.

Melanie is a member of the Employment Lawyers Association and has contributed to government consultation on new UK employment law including flexible working.

Her recent work includes:-

- successfully representing a director in mediation of £1m+ bonus dispute;
- acquisition and reorganisation of UK target by French listed financial services company;
- harmonisation programme across French and UK subsidiaries of French listed software company;
- successful defence of international pharmaceutical company against discrimination and harassment claims;
- investigations and internal misconduct and redundancy procedures, involving FCA, NHS and CQC;
- preparing contracts and procedures for new employers in the UK; and
- negotiating departures of senior executives and board directors.

Iain Christie

Iain is a practising civil and commercial, family and workplace mediator and a certified Imago Facilitator. He has been Secretary of the Civil Mediation Council since 2012. He is a barrister by background, an Associate member of 5RB, the media and entertainment law chambers, and a Board member of IMPRESS, the independent monitor for the press. He is joint editor of *Tugendhat and Christie: The Law of Privacy and the Media* and contributor to *Blackstone's Guide to the Defamation Act 2013*. In addition to his mediation practice, Iain is a professional actor and is currently understudy to James Fox in a national touring production of *Dear Lupin* which opened at the Theatre Royal in Windsor on 14 May.

Antoine Adeline

Antoine Adeline is a partner within the commercial dispute resolution department of the Paris office of Squire Patton Boggs. He is a French and Canadian national, has lived and practised in England for five years and brings more than 20 years' experience to Squire Patton Boggs, as a trial advocate and litigation and arbitration lawyer in a highly international environment.

His particular focus is on arbitration, cross border disputes, alternative dispute resolution, and corporate insolvency.

Although he has particular experience in areas such as construction, software and various manufacturing industries, he represents a diverse range of businesses from public, multinationals and household names through to larger SMEs.

Antoine graduated from Panthéon-Sorbonne University and the London School of Economics. He has been dual-qualified in France and England for the last 14 years and is bilingual in French and English.

He teaches international arbitration and mediation to post-graduate students at Panthéon-Sorbonne University. Antoine has written numerous publications on dispute resolution and corporate insolvency and is invited as a speaker at various seminars and conferences (e.g. French Senate, LSE, ICDR, CEPR).

Clive Freedman

Clive is a Barrister, Mediator and Arbitrator practising at 3 Verulam Buildings, Gray's Inn. His practice covers commercial disputes generally, including IT, construction, professional negligence, banking and commercial fraud. His main area of specialisation is IT law, particularly contractual disputes arising from IT projects. He is the co-author of *Kendall on Expert Determination* (Sweet & Maxwell, 2008 and 2014), and has contributed to *Banking Litigation* (Hewetson & Elliott, 1999, 2005 and 2011), *Bullen & Leake & Jacob's Precedents of Pleadings* (chapter on IT Disputes), and *Electronic Evidence* (2013, chapter on electronic disclosure). He is a Fellow of the British Computer Society and ex-Chair of its Disciplinary Panel, and is a Fellow of the Chartered Institute of Arbitrators. He has been a member of FBLs for many years.

Nick Pearson

Nick Pearson practiced law internationally for over 25 years in the dispute resolution field including a significant period based in Hong Kong. He retired as a partner and the Head of the Global Dispute Resolution Practice at Baker & McKenzie (over 700 disputes lawyers in over 35 jurisdictions) at the end of 2006. Nick now pursues an independent mediation practice with CEDR, one of the UK's leading mediation organisations.

He has acted as lead mediator, co-mediator, assistant mediator, and party adviser both in the UK and internationally, in several hundred disputes (including many multi party) specialising in corporate and commercial disputes, with particular experience in cross-border claims. Amounts in dispute have ranged from £30,000 to £100 million.

Mia Forbes Pirie

A skilled mediator and facilitator, Mia heads Jurit LLP's Alternative Dispute Resolution and Prevention group where she is developing specialised mediation groups and in-house training. She supports parties in achieving practical and creative solutions while improving relationships. After practicing law for seven years in the City, she worked in energy regulation in Europe and America, including advising the US Department of Energy on using facilitation to develop controversial legislation.

Mia has been asked to speak at Chatham House on how culture and neuroscience influence conflict resolution. She is fluent in French and Italian and holds both a Masters of Law and Science.