



LUTRAN & ASSOCIÉS

PARIS BASED LAW FIRM

ANTICIPATION CREATION RESOLUTION

OVERVIEW

Lutran & Associés was founded in 2016 by Mr. David Lutran, a registered lawyer at the Paris Bar since 2004 who was trained within the litigation departments (business and criminal litigation) of international renown law firms.

The firm is mostly involved in business law, real estate and criminal law, for the benefit of clients from France and abroad (large companies, small and medium enterprises (SME), associations and individuals) who practice their activities in the following sectors: energy, car manufacturing, luxury, pharmacy and biotech, housing and social housing, consulting, banking, food supplies import-export, sports, art.

Lutran & Associés is specialized in resolving its clients' disputes (from both a litigation and an amicable perspective - David Lutran being also a mediator), handling them in French, English and Spanish.

This firm assists its clients in contractual matters for the negotiation, the drafting and the reading of contracts (especially commercial contracts).

To ensure optimal efficiency and mitigation of cost in the proposed solutions, Lutran & Associés prioritizes teamwork in case processing to enable each actor to fully provide its added value.

Lutran & Associés benefits from a wide network of partners (lawyers or else, in France and abroad) to work with. Thus, the firm is able to provide its clients with a wide range of legal services and gather multidisciplinary teams according to the specific needs of each case.

I. PRACTICE DEDICATED TO DISPUTE RESOLUTION

A. LITIGATION

Highly qualified in litigation matters as well as to manage sensitive conflictual situations for which it is important to immediately understand the specific logic and issues, Lutran & Associés demonstrates agility and creativity to deal with its clients' issues.

Lutran & Associés helps its clients at all stages of the litigation process, from the mitigation of risks and the management of crisis situation to the enforcement, in France and abroad, of judicial and arbitral decisions.

B. MEDIATION AND ADR (ALTERNATIVE METHODS OF DISPUTE RESOLUTION)

Lutran & Associés' team practices ADR (mediation, interest-based negotiation, collaborative law, conciliation and participative procedure) to help its clients to resolve their issues, since ADR constitute, when the case affords it, a suitable option to reach a complete and tailored resolution of the dispute for a less important cost.

David Lutran acts as a mediator, at the parties' request or when directly appointed by either a Mediation Center or a Court. He is accredited as Mediator ("*Médiateur agréé*") by the Center for Mediation and Arbitration of Paris ("*CMA*"), registered by the National Center for Mediation of French Lawyers ("*CNMA*") and referenced among the mediators of the International Chamber of Commerce ("*ICC*"). He has also been trained to the practice of collaborative law.

As mediator, he took part into business law-oriented mediations (disputes between partners - which may also involve patrimonial and family matters, termination of commercial relationships between clients and suppliers; loan agreements, company management), sometimes involving very complex aspects of technical, financial and human natures.

II. EXPERTISE OF LUTRAN & ASSOCIÉS

A. COMMERCIAL LAW AND LITIGATION

Commercial law and litigation are the core activities of Lutran & Associés: sudden termination of business relationships, contractual liability, relations between suppliers and distributors, commercial agency, hidden defects, transport operations, counterfeits, debt recovery...

Examples of representative files:

- Defense of the interests of a foreign company specialized in the sales of pharmaceutical products, due to the termination of a contract (commercial agency) on the supplier's initiative;
- Defense of the interests of a company specialized in biotechnologies, in a dispute with its transporter due to the loss of products (genetically modified animals) in a transport operation;
- Defense of the interests of a pharmaceutical laboratory, in a dispute addressing the execution of a finance contract within the context of a consortium agreement for drug development;
- Defense of the interests of a car manufacturer within the context of many disputes with clients and dealers, related to hidden defects affecting some of the vehicles.

B. DISPUTES INVOLVING EXECUTIVE OFFICERS AND PARTNERS

Lutran & Associés handles disputes opposing a company to its executive officer(s) (or its former executive officer(s)) or opposing the partners of a structure within files which are often highly sensitive and include critical confidentiality issues.

Mixing various considerations (related to persons, financial issues, uncertainty about the sustainability of a company in the event of its paralysis caused by the dispute, danger in terms of reputation), those particular files must be perceived not only through a legal point of view for their resolution in the best interest of the client, whether he is an executive officer or a partner, or a company having trouble with its current or former executive officer.

The experience acquired by the firm through these types of cases affords it to address tailored solutions in line with the business world (including family business), taking into consideration its specific customs and traditions.

Examples of representative files:

- Defense of the interests of a company in a dispute caused by the revocation of its executive officer, which gave rise to several parallel proceedings addressing the abusive aspect of such revocation, the losses caused by his management faults as well as the commission of several criminal offenses (misuse of company assets, violation of the law on work safety...), the whole within the context of difficult negotiations for the purpose of the takeover of the so-called company that was put under judicial administration;
- Defense of the interests of an energy company in a dispute with one of its executive officers due to his conduct within a parallel structure he was running and which Executive board was composed of the main actors of the sector;
- Defense of the interests of several members of a sport association in a dispute related to its governance with the so-called members of the leading team, and which was subject to a conciliation process before the French Olympic and Sportive National Committee ("*Comité National Olympique et Sportif Français*");
- Defense of the interests of a renowned law firm within the context of a dispute opposing its partners against the original structure's partners.

C. REAL ESTATE LAW AND LITIGATION

Lutran & Associés often deals with various aspect of real estate matters and disputes (landlord-tenant relationships, relations within the co-ownership, various nuisances, repossession of property, leases negotiation and drafting, rental management...).

Lutran & Associés provides tailored and documented answers to all legal and rental management questions for its clients (regime of charges, conditions for the recovery of an abandoned property, obligations of the landlord and the tenant, common areas of the building, relations between the actors interested in the building and its management...).

The firm represents and assists its clients before all courts at all stages of the case, including appraisal operations on a particular point affecting the building, and relies on the skills of other actors in the real estate business (court bailiffs, notaries, accountants, real estate experts, real estate agents, etc.) to optimally manage their files.

Examples of representative files:

- Defence of the interests of landlords (institutional and private) in disputes with their tenants (recovery of unpaid debts, evictions, execution of court decisions), including emergency procedures (“house squats”);
 - Defence of the interests of an institutional landlord in a dispute with an association for the defence of tenants concerning the regularization of their rental expenses;
 - Defence of the interests of an institutional landlord in a dispute with the former property manager of his housing stock (several hundred housings).
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D. CRIMINAL LAW AND WHITE-COLLAR CRIME

Lutran & Associés handles its client’s issues in all areas of criminal law (personal injury and damage to property ...) and white-collar crime – whether they are accused of the commission of a crime/offense, victims or simple witnesses.

The firm defends its clients at all stages of the proceedings, from the investigation to the trial.

Besides defending its clients involved in criminal matters, Lutran & Associés also takes into account the subjacent criminal aspects of non-criminal cases in order to establish a complete and effective litigation strategy.

Examples of representative files:

- Defense of the interests of an industrial group in a criminal proceeding initiated abroad after an airplane accident (homicide, violation of air regulation, defamation);
 - Defense of the interests of a chemical manufacturer in the criminal part of a case related to the violation of environmental regulation (pollution of an industrial site and releases of waste in nature);
 - Defense of the interests of an insurance company which was the victim of the actions committed by one of its employees (concealment, theft and breach of trust);
 - Defense of interests of a business owner in a case related to his activity (false testimonies, false accusation, false declarations to the judicial authorities and corruption/subornation of witnesses).
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“Our job as lawyers is to design and implement an intelligent and complete solution, taking into account all aspects of the case”.

Both combative and committed but also showing pragmatism when the situation requires it, Lutran & Associés lawyers identify the possibilities offered by each case to make the best choice and implement it with consistency and determination, both to help a client to defuse an arising dispute or to fight on his side in an open conflict.

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