



JULIE SPINELLI

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BIOGRAPHY:

Julie Spinelli enjoys a strong and recognised expertise in international arbitration. She acts as counsel in domestic or international arbitration proceedings, ad hoc or institutional (ICC, LCIA, ICSID, SCC, CMAP and UNCITRAL), for States as well as French and foreign companies in disputes in the sectors of energy, construction and engineering, aeronautical, chemicals, pharmaceuticals and hospitality.

She also represents clients in annulment, enforcement and arbitration-related court proceedings before French courts.

Julie regularly acts as an arbitrator.

QUOTES AND AWARDS:

She has been identified several years in a row as a leading practitioner globally and nationally (and before that as future leader) in her field by *Who's Who Legal, Arbitration*, which stated that:

- Julie Spinelli is “truly excellent” and “quickly becoming one of the biggest stars of the Parisian arbitration bar” (WWL, 2021)
- Julie Spinelli is “an excellent arbitrator” who is hailed by peers as “a very talented lawyer of her generation”. She is “known for the quality of her work as well as her great communications skills” (WWL, 2020)
- “Julie stands out as ‘a very convincing advocate who gets straight to the core of any problem’” (WWL, 2019)
- Julie Spinelli is “always a pleasure to work with” say peers, one of whom comments, “Julie is one of the best French lawyers I have worked with and is highly respected.” (WWL, 2019)

Julie was also identified as one of the Most-Highly Regarded Future Leaders practitioners in Europe in 2019.

Julie's arbitration practice has been ranked by Legal 500, which reported that:

- *"Julie Spinelli is particularly remarkable, not only for her mastery of procedures and her files, but also for her level of English which I find much superior to what I have encountered in other firms."* (Legal 500, 2021)
- *"Julie Spinelli is outstanding. Julie is comfortable handling both international commercial and investment treaty arbitrations with an enviable track record of success in both. A good oral advocate."* (Legal 500, 2021)
- *"Julie Spinelli is a highly innovative and creative lawyer. She possesses a sixth sense when analysing matters, identifying and addressing highly complex issues, which will make her one of the best lawyers of her time. She possesses a rare perspicacity when dealing with clients and difficult matters."* (Legal 500, 2021)
- *"Julie Spinelli works with great legal rigour and determination."* (Legal 500, 2021)
- *"a bright lawyer who impresses with her ability to sum up complex ideas in very simple terms. She is truly tactical and greatly reactive. She is a good person to have at one's own side in a difficult case."* (Legal 500, 2020)

In addition, Julie Spinelli has been:

- identified among the *"30 rising stars of the Paris bar recognized in their specialty for their talent, their commitment, their extraordinary career"* in an article entitled *"Business Lawyer: the next generation of 2020"* published by *Décideurs Juridiques* magazine;
- ranked in the 2021 Arbitrators list of *Décideurs Magazine* in the *"Strong reputation"* category; and
- profiled on the Mute Off Thursdays' Compendium of Unicorns – A Global Guide to Women Arbitrators.

EDUCATION:

- Paris Bar since 2009
- LLM, International arbitration and litigation, University College London
- Master 2 / DJCE International Business Law, Business Law Institut, Université Paul Cézanne (Aix-Marseille III)
- Master 1 International and EU Law, Université Paul Cézanne (Aix-Marseille III)

RELEVANT ACTIVITIES:

- Co-chair of the below-40 organisation of the French Arbitration Committee (*Comité Français de l'Arbitrage* (CFA-40))
- Founding member of Africarb, a group of young legal professionals with a shared interest in arbitration and Africa
- Member of the ICC Commission on Arbitration and ADR, Delegate of ICC France
- Member of the International Law Association (ILA), ASA, ICCA
- Former member of the arbitration group at the French National Bar Council (CNB)
- Visiting lecturer at the Centre for Mediation and Arbitration of Paris (CMAP)

RELEVANT EXPERIENCE:

Experiences as arbitrator and administrative secretary:

- Sole arbitrator in an ad hoc arbitration relating to a failed real estate deal in Guadeloupe
- Sole arbitrator in an ICC case between a North-African water and electricity state entity and a contractor relating to a construction dispute in the context of a public works agreement for a water supply project in the region
- Co-arbitrator in a CMAP case relating to the abrupt termination of a franchise agreement between two French companies
- Sole arbitrator in an ICC case related to the alleged wrongful termination of three consultant agreements concluded between a Korean and a French company in the submarine/defense industry
- Sole arbitrator in an ICC case related to the termination of a distribution agreement between an Italian and a US company in the retail industry, where a number of IP and trademarks issues arose and where the respondent failed to participate in the proceedings
- Sole arbitrator in an ICC case related to the alleged wrongful termination of a distribution agreement concluded between a German and a French company in the biotech sector
- Sole arbitrator in a CMAP case related to a construction dispute between two French companies and where bankruptcy issues arose as the respondent was placed in liquidation
- Sole arbitrator in a CMAP case related to the alleged wrongful dismissal of a French company director
- Secretary to an ICC tribunal, assisting Dr. Hamid Gharavi acting as President, in a dispute between a Congolese company, a Chinese company and a company incorporated in the British Virgin Islands relating to alleged violation of a joint venture contract regarding the extraction and production of a mine
- Secretary to a LCIA tribunal in a dispute between a company incorporated in the British Virgin Islands and a Colombian company relating to the termination of a helicopter leasing contract subject to English law
- Secretary to an ICC Tribunal, assisting Pr. Thomas Clay acting as President

Experiences as counsel:

- **Commercial arbitration:**

- Advising a biomass-fuelled thermal power plant in Mauritius, which has been producing renewable energy from bagasse (a fibrous residue of sugar cane) against the electricity state-entity regarding a force majeure dispute triggered by the sudden increase in the price of coal due to the Ukraine war
- Advising and representing a French world-leading hospitality company in a Geneva-seated ICC arbitration proceedings against the owner of a five-star hotel in Morocco in relation to the violations of a management contract and a trademark license agreement
- Advising and representing a Dubai-based subcontractor company against one of the largest company specialized in entertainment in Paris in a fast track ad-hoc arbitration in relation to wrongful termination of contractual relationship
- Advising and representing a Dutch company specialised in the construction of steel structures in the context of an ICC arbitration against the largest European company specialised in the steel production relating to allegations of design defects on a tandem mill
- Advising and representing an Israeli company in ICC arbitration proceedings against an Algerian company in relation to a dispute relating to an alleged defective construction of hectares of greenhouses
- Advising a Dutch company specialized in the design and construction of complex and immersive subsea structures for oil and gas extraction in pre-contract negotiations in relation to an offshore project in Angola
- Advising and representing a Malaysian company specialized in the engineering, procurement, construction, and management of subsea and offshore projects in an ICC arbitration against a major Iranian oil and gas company, in connection with a contract for the engineering, procurement, construction, installation and commissioning of an offshore gas field in Iran. The estimated value of the dispute was USD 100 million
- Advising and representing a European chemical company in ICC arbitration proceedings launched against a French pharmaceutical company relating to a claim for breach of representations and warranties in a post-merger dispute
- Advising and representing an American pharmaceutical company in ICC arbitration proceedings launched against a French pharmaceutical company in a post-M&A dispute relating to representations and warranty in a license agreement dispute (seeking a price reduction for the entry on the market of a competing generic product)

- Advising and representing a Spanish distribution company in an ICC arbitration against a French luxury cosmetics company in a commercial dispute under French law relating to the abrupt termination of a long-standing business relationship
- Advising and representing a French hotel management company in *ad hoc* arbitration proceedings against the owner of a luxury hotel in French Polynesia in relation to the wrongful termination of a management contract due to the consequences of the COVID-19 crisis
- Advising and representing a French hotel management company in ICC arbitration proceedings against the owner of a famous five-star hotel brand in French Polynesia in relation to the wrongful termination of a management contract for alleged material breach
- Advising and representing a French armament company (in bankruptcy) in an ICC arbitration against another Germano-Italian armament company in a commercial dispute governed by French law relating to alleged violations of IP rights arising out of the sale of bomb shells
- Advising and representing a Lebanese company in an ICC expedited arbitration proceedings against a European aeronautical company in relation to a EUR 60 million claim for the wrongful termination of three different contracts governed by French and Spanish law due to allegations of corruption in the context of the aeronautical industries (both civil and military) in the Kingdom of Saudi Arabia
- Advising and representing the former shareholders of an Egyptian company that represented the French military aeronautical industry in Egypt in ICC arbitration proceedings against a French aeronautical group for the wrongful termination of contracts governed by Spanish law
- Advising and representing a group of multinational companies in ICC arbitration proceedings against a French aeronautical group for the wrongful termination of three different contracts governed by French law due to allegations of corruption in the context of the civil aeronautical industry in Russia and CIS countries
- Advising and representing several European energy companies in arbitrations (CCI/SCC/UNCITRAL) relating to the revision of gas prices in long-term gas sales contracts
- Advising and representing a European oil company in several *ad hoc* (UNCITRAL) arbitration proceedings against a North African State-owned oil and gas company relating to contractual and technical disputes in relation to a production sharing agreement
- Advising and representing the Cuban State telecommunication company in ICC arbitration proceedings against a Spanish telecommunication company in relation to a contract subject to French law

- **Investment arbitration:**

- Member (and lead counsel) of the team which represented Iranian investors against the Republic of Korea in an UNCITRAL arbitration initiated under the bilateral investment treaty between Iran and Korea in relation to the expropriation of an investment in home appliance industrial company (*Mohammad Reza Dayyani, et al. v. The Republic of Korea*, PCA Case No. 2015-38) that led to a favourable award for 68 million USD against the Republic of Korea on June 5, 2018
- Member (and lead counsel) of the team which represented Muhammet Cap & Sehil İnşaat Endustri ve Ticaret Ltd. Sti. against Turkmenistan in an ICSID arbitration initiated pursuant to a bilateral investment treaty in relation to 31 disputed construction projects in Turkmenistan (*Muhammet Cap & Sehil İnşaat Endustri ve Ticaret Ltd. Sti. v. Turkmenistan*, ICSID Case No. ARB/12/6) (until November 2018)
- Representing a Hong-Kong-based company in ICC arbitration proceedings against a sub-Saharan African state and its national telecommunications agency in connection with the state's expropriation of the company's right to operate a gateway international telecommunication
- Member of the team that represented Romania in an ICSID arbitration related to the alleged expropriation of investments, including in the insurance and press industries (*The Nova Group Investments, B.V. v. Romania* (ICSID Case No. ARB/ 16/19))

Experience before domestic courts in relation to actions to set aside / *juge d'appui*:

- Advising and representing a Cypriot company against a Russian oligarch and his Cypriot investment vehicle to obtain conservatory measures in aid of an LCIA arbitration relating to the default on a EUR 20 million promissory note
- Advising and representing a Dubai-based subcontractor company against one of the largest company specialized in entertainment in Paris in an action to set aside against an arbitral award rendered in a fast track ad-hoc arbitration in relation to wrongful termination of contractual relationship
- Advising and representing a Portuguese construction investment and management company in the context of an action to set aside an ICC arbitral award against a Spanish company regarding a dispute arising from a shareholder agreement and an put option in the event of a substantial breach
- Advising and representing a Middle-Eastern state in an action to set aside an ICC award rendered against a French equipment manufacturer and industrial assembler, which alleged that the recognition and the enforcement of the award would violate international public policy and resisting a stay of enforcement
- Advising and representing the Cuban telecommunications company in the context of an

action to set aside an ICC arbitral award against a Spanish telecommunications company

- Advising and representing two Indonesian companies in an action to set aside an ICC award rendered against a European aeronautical group, which alleges that the recognition and enforcement of the award would violate international public policy on account of allegations of corruption and resisting a stay of enforcement
- Advising and representing an American hospitality company in securing conservatory measures in aid of a possible ICC arbitration proceedings against the owner of a land in relation to the failure of real estate development project and the default payment of an exit indemnity
- Advising and representing a French hotel management company in domestic court proceedings to seek and obtain provisional and conservatory measures in aid of an *ad hoc* arbitration proceedings against the owner a hotel in French Polynesia in relation to the wrongful termination of a management contract due to the consequences of the COVID-19 crisis
- Advising and representing a French company specializing in chemicals in the context of action to set aside an arbitral award rendered in *ad hoc* arbitration against a French pharmaceutical company regarding a post-acquisition dispute relating to a liability guarantee (environment and pensions)
- Advising and representing a French national acting as an arbitrator in ad hoc arbitration proceedings against a challenge initiated before the Paris Court of Appeal
- Advising and representing a French national acting as an arbitrator in ad hoc arbitration proceedings against a challenge initiated before the Versailles Court of Appeal

PUBLICATIONS AND CONFERENCES:

Recent publications :

- (Yet to be published) Chapter “France”, in Arbitration Handbook 2023 (Global Legal Post), edited by Three Crowns
- (Yet to be published) *L'influence des travaux de l'Association de droit international* (International Law Association) *sur la pratique de l'arbitrage international*, in the ILA 2023 150-year anniversary of the ILA White book
- CEPANI Newsletter, Stories from a Young Arbitrator: “Walking on thin ice when addressing corruption as an arbitrator
- Chapter “France”, in Getting the Deal Through “Sovereign Immunity”, Lexology 2020, 2021 and 2022 (with Yann Dehaut-Delville): <https://www.lexology.com/gtdt/workareas/sovereign-immunity>
- « ‘Avant l’heure, ce n’est pas l’heure ; après l’heure, ce n’est plus l’heure’ ou de l’effectivité du second alinéa de l’article 1526 du Code de procédure civile », CAPJIA 2020-4, co-authored with Yann Dehaut-Delville (to be published)

- Chapter “France”, in The International Comparative Legal Guide to Investor State Arbitration, ICLG 2020 and 2021 (with Yann Dehaudt-Delville): <https://iclg.com/practice-areas/investor-state-arbitration-laws-and-regulations/france>
- Chapter “France”, in GAR Know-How Litigation, Global Arbitration Review Insight 2020, 2021 and 2022, (with Jean-Luc Larribau et Anne-Claire Hans)
- “L’arbitrage et les petits litiges”, in 3ème édition des Cahiers de l’Arbitrage du Conseil National des Barreaux (with Jean-Robin Costargent)
- “The gathering and taking of evidence under the IBA Guidelines on party representation in international arbitration: civil and common law perspectives” (2014) 8 Dispute Resolution International 37 (with Gisele Stephens-Chu)
- “Bilateral option clause – importance of clear and unequivocal wording”, International Law Office, 2014, (with Elie Kleiman)
- “NML v Argentina: Supreme Court tightens waiver of sovereign immunity test”, International Law Office, 2013 (with Elie Kleiman)
- “Dallah: one test, two different findings”, International Law Office, 2011 (with Elie Kleiman)
- “La réforme du droit de l’arbitrage, sous le double signe de la lisibilité et de l’efficacité”, Gazette du Palais, 2011, n° 26-27, p. 9 (with Elie Kleiman)
- “New arbitration law reform: the market’s verdict”, International Law Office, 2011 (with Elie Kleiman)
- “Long-awaited arbitration law reform finally passed”, International Law Office, 2011 (with Elie Kleiman)
- “La Haute juridiction écarte une nouvelle fois l’application de l’obligation de modérer le dommage en droit français de la responsabilité délictuelle”, Gazette du Palais, 2009, No 84-85, p 10 (with Shaparak Saleh)

Recent conferences :

- Cambodia Parliamentary Committee, ASEAN-EU International Day, The Legal Framework and the French Experience of Commercial Courts and Enforceable Mediation/Conciliation (Based on the arbitration Model), December 22-23, 2022
- Moderating the dinner debate on the National Courts’ Stance on Public Policy in International Arbitration, co-organized by the CFA-40 and the Rising Arbitrators Initiative (RAI)
- “What are legitimate responses when facing guerrilla tactics (both as counsel and as arbitrator)”, CCC Conference - Brussels, June 2022
- “The role of state courts in enforcement and setting aside proceedings involving fraud or corruption”, Dutch Arbitration Days, Amsterdam, June 2022
- “Is Finality under Fire?”, Paris Arbitration Week, March 2022
- “New CMAP Arbitration Rules”, Paris Arbitration Week 2021, 23 September 2021
- “Arbitration and insolvency”, *Les jeudis du 16*, Special Paris Arbitration Week 2021, 23 September 2021
- “International Arbitration, current perspectives”, 4th edition of the seminar organised by UIA International Association of Lawyers, Session 2 “New Developments in Investment Arbitration”, 27 May 2021 :

<https://www.uanet.org/fr/evenements/arbitrage-international-perspectives-actuelles-4e-edition#program>

- « *Les actualités de l'arbitrage* », MARDis du CMAP, 25 May 2021 : <https://www.cmap.fr/les-actualites-arbitrage/>
- “Why do you need the International Bar Association Rules on the Taking of Evidence?”, Keynote speech for the Eastern European Foreign Investment Moot Court Competition – EEFI, 20 mai 2021: <https://eefimootcourt.org/events/>
- « *Arbitrage : Quelle place aujourd’hui pour le Barreau de Paris?* », 12 November 2020 : https://lnkd.in/g2_daz5
- “Connecting points between criminal proceedings and arbitral proceedings », États Généraux de l’Arbitrage, CNB, 25 October 2020
- “The Control Of Potential Corruption Issues By State Courts In The Context Of Setting Aside And Enforcement Proceedings”, Conference on Allegations or Signs of Corruption in International Disputes, ICC Tel Aviv Arbitration Days, March 2020