rory.legal

Avocats & Solicitors



Marie VALENTINI

Partner
Member of the Paris Bar
Called to the Bar of England and Wales

Marie Valentini is a member of the Paris Bar and has been called to the Bar of England and Wales. She assists and represents French and foreign companies in domestic and international, institutional and *ad hoc*, commercial arbitrations subject to French (and other civil) and English laws. She also acts as arbitrator.

Marie also has extensive experience of commercial litigation before the French courts in general and of arbitration-related litigation, in particular of proceedings to set awards aside and appeals against *exequatur* orders.

Her practice notably focuses on the defence, telecoms, banking and transport sectors, in post-acquisition disputes, shareholders disputes, disputes relating to agency and services agreements and disputes raising EU sanctions issues.

A former representative of the International Chamber of Commerce's Young Arbitration and ADR Forum (ICC YAAF) for the European Chapter (2021-2024), Marie is also a member of several arbitration practitioners' associations, including CFA40 and YIAG. She also authored a number of publications on arbitration and is a regular speaker at conferences and university courses.

Marie's arbitration practice has been recognised by several international rankings, including Legal 500 EMEA (*Rising Star,* 2024), WWL (*Future Leader*, since 2023) and Best Lawyers (since 2021).

rory.legal
9 rue Duphot
75001 Paris, France

+33 6 22 87 45 24
mv@rory.legal

Nationality
French

Bar admissions
Paris Bar
Bar of England and Wales (Called)

Languages
French
English

Education
BPP Law School (London), 2017
Ecole de Formation du Barreau (Paris), 2011
Master 2 Arbitration and International Trade (Versailles), 2010
LL.M. International and Commercial Dispute Resolution (London), 2009
Master 1 Carrières Judiciaires (Paris 2), 2008

Professional experience
Partner, rory.legal, Paris (since 2024)
Associate (Counsel), August Debouzy, Paris (2011-2024)

Arbitration experience

As counsel and co-counsel

Counsel to and representation of French and foreign companies in commercial, institutional and *ad hoc* arbitration proceedings, in particular :

- Co-counsel to and representation of a Swiss trading company in an arbitration under the rules of the International Chamber of Commerce (ICC) against a Luxembourg business partner, raising EU sanctions issues. The financial value of the dispute was USD 112 million. The seat of the arbitration was Luxembourg (Luxembourg) and Luxembourg law was applicable to the dispute
- Counsel to and representation of European and US subsidiaries of a major European industrial group in a post-acquisition ICC arbitration in the telecommunications sector, raising in particular issues of fraudulent misrepresentations / deceit (« *dol* »). The financial value of the dispute was EUR 22 million. The seat of the arbitration was Paris (France) and French law was applicable to the dispute
- Counsel to and representation of subsidiaries of a major French industrial group in several ICC arbitration proceedings, in the defence sector and in the telecommunications sector, against Latin American commercial agents, raising compliance issues and impact of criminal proceedings. The proceedings were seated in Amsterdam (the Netherlands) and the applicable law was Dutch law
- Co-counsel to and representation of a French subsidiary of a major European industrial group in *ad hoc* arbitration proceedings initiated by a former Lebanese sales agent, in the defence sector. The financial value of the dispute was EUR 450 million. The seat of the arbitration was London (United Kingdom) and English law was applicable to the dispute
- Counsel to and representation of a Gabonese bank in an arbitration governed by the rules of the OHADA Common Court of Justice and Arbitration (CCJA) relating to the performance of a loan agreement, against Emirati and American companies. The financial value of the dispute was 5 billion CFA francs. The seat of the arbitration was Libreville (Gabon) and the applicable law was Gabonese law
- Counsel to and representation of a Russian company against Ukrainian companies in an ICC arbitration between shareholders of a mining company in Laos. The financial value of the dispute was EUR 25 million. The seat of the arbitration was Paris (France) and Lao law was applicable to the dispute
- Counsel to and representation of Luxembourg and French companies in an *ad hoc* shareholders arbitration. The seat of the arbitration was Paris (France) and the dispute was decided *ex aequo et bono*
- Counsel to and representation of several franchise companies against various entities of a major French food distribution group in six separate *ad hoc* arbitration proceedings, with claims ranging from EUR 3 to 6 million each. The proceedings were seated in France and the claims were decided *ex aequo et bono*
- Counsel to and representation of an African company in GAFTA arbitration proceedings in relation with the delivery of commodities. The seat of the arbitration was London and English law was applicable to the dispute. The value at stake was approx. EUR 11 million, including interest
- Counsel to and representation of a French company in several arbitration proceedings initiated before the CAIP by a former business partner. The financial value of the dispute was EUR 6 million. The seat of the arbitration was Paris (France) and French law was applicable to the dispute
- Counsel to and representation of a French company in an ICC arbitration concerning the wrongful termination of a contract by a German manufacturer. The financial value of the dispute was EUR 3 million. The seat of the proceedings was Brussels (Belgium) and French law was applicable to the dispute
- Counsel to and representation of an Asian exclusive commercial agent against a French company in CAIP arbitration proceedings. The seat of the arbitration is Paris and the dispute is subject to French law
- Assistance and advice to an American group in connection with the initiation of three arbitration proceedings under the rules of the London Court of International Arbitration (LCIA). The seat of the proceedings was London (United Kingdom) and the applicable substantive law was English law.

- Assistance and advice to an Asian investor in an African country prior to the initiation of either ICC or ICSID proceedings in the mining sector
- Assistance and advice to a French company manufacturing technical doors for high-risk sites prior to the initiation of SCAI arbitration. The dispute would be subject to English law

Arbitrator and assistance to the Arbitral Tribunal

- Sole arbitrator in an ICC arbitration between English and US companies and a Russian company. The proceedings were conducted under the ICC Expedited Procedure Rules. The seat of the arbitration was Paris (France) and the governing law was English law
- Secretary to the arbitral tribunal in an ICC arbitration between a Swiss company and a Malaysian company. The financial value of the dispute was USD 2 million. The seat of the arbitration was Geneva (Switzerland) and the governing law was Swiss law
- Secretary to the arbitral tribunal in an ICC arbitration. The financial value of the dispute was USD 3 million. The seat of the arbitration was Paris (France) and the governing law was Algerian law

Arbitration-related litigation proceedings before the French courts

Representation of French and foreign companies in connection with challenges of arbitral awards (actions for annulment of awards and appeals against *exequatur* orders), in particular :

- Representation of a Swiss company in proceedings to set aside an ICC international award, as claimant and as respondent
- Representation of a Russian company in proceedings to set aside an ICC award, as claimant (award set aside on the grounds of breach of international public policy)
- Representation of British and Guinean companies in proceedings to set aside an CAIP award, as respondent (grounds: breach of the arbitral tribunal's mission and breach of international public policy).
- Representation of a British company against two US companies in proceedings to set aside an ICC award, as respondent (ground: breach of the adversarial principle)
- Representation of a European State entity in proceedings to set aside an ICC award, as claimant (grounds: breach of the arbitral tribunal's mission and breach of international public policy)
- Representation of Chinese and US companies in proceedings to set aside an international award relating to a worldwide telecommunications patent licence, as claimant (ground: breach of the arbitrators' mission)
- Representation of an African company in an action to set aside an ICC award in the telecoms sector, as claimant
- Counsel to an Indian company in connection with proceedings initiated before the French Supreme Court, to overturn a decision confirming the setting aside of an ICC award
- Representation of various clients in claims to suspend provisional enforcement of international awards

Representation of French and foreign companies in proceedings to enforce arbitration awards, in particular :

- Assisting third party debtors in proceedings to challenge asset freezes performed to enforce an arbitration award (awarsd challenged then set aside at the seat), raising in particular issues of state immunity

Other arbitration-related litigation proceedings, in particular:

- Proof-gathering proceedings (article 145 of the French Code of Civil Procedure) prior to the initiation of arbitration
- Liability proceedings against arbitrators whose award was set aside for having been issued after expiry of the statutory time limit
- Proceedings before the supporting judge ('*juge d'appui*') relating to the constitution of the arbitral tribunal

Other experiences

Commercial litigation before the French courts (first instance and appeal)

- Representation of companies in several post-acquisition disputes (earn-outs, liability warranties), some giving rise to expert proceedings. Several of these disputes were settled by the parties
- Representation of entities of a major European industrial group in a long-lasting tort action brought by a commercial agent of one of the group's subsidiaries
- Representation of a French transport company in an action for breach of international humanitarian law standards (Geneva Convention)
- Representation of French companies in several unfair competition actions, some of which were settled.
- Representation of corporate officers in several actions relating to the revocation of their mandates
- Summary proceedings before commercial courts.

Mediation and conciliation

- Several mediation proceedings (*ad hoc*, CMAP, ICC), both as counsel and as assistant to the party—appointed mediator, all of which were settled by the parties
- Judicial conciliation proceedings (Paris Commercial Court), settled by the parties