

## ROMAIN DUPEYRE

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## LEGAL EXPERIENCE

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### DWF PARIS

Partner  
Since April  
2017

- Sole arbitrator in two consolidated ICC arbitrations relating to a post-M&A dispute between Spanish and French companies
- Co-arbitrator in an ICC arbitration between parties from Singapore and British Virgin Island over the fees due in relation to over the counter transactions
- Counsel of a main contractor in an ICC arbitration and related court procedures in France and England relating to the overhaul of a power plant in France and dispute over the call of a performance bond
- Counsel to junior oil companies in an ICC arbitration seated in Geneva against one of their joint venture partners relating to the payment of cash calls
- Counsel of a pharmaceutical company in court procedure before French courts relating to the alleged side effect of a medical product
- Counsel of a French IT services company in a mediation relating to the coverage due under a reinsurance program
- Counsel to a French contractor and its insurer in a claim relating to delays in the construction of a bridge in Kuwait and the threatened call of a performance bond
- Counsel to clients from Cameroon and Luxembourg in a recourse against an OHADA award relating to a shareholders dispute with the Cameroon national oil company
- Counsel to a mining company in a dispute with its joint venture partner in relation to the recapitalisation of a mining company in the Democratic Republic of Congo

### BOUCKAERT ORMEN PASSEMARD (BOPS), Paris

February  
2008 to  
March  
2017

- Sole arbitrator in an ICC arbitration between a Belgium and a US company relating to the termination of a distribution contract (English, Belgian and US law, Paris)
- Sole arbitrator in a franchise dispute under the rules of the European Court of Arbitration
- Chairman of the arbitral tribunal in a dispute between a French companies over the sale of food products before the Paris International Chamber of Arbitration
- Counsel of a large French banking institution in a €123m dispute arising out of fraud on OTC transactions, including through entities in the BVI and the United States
- Counsel of a leading French bank in several disputes in Hong Kong and Singapore relating to the duty to advise its clients on the risks associated with OTC transactions and mishandling of clients' accounts
- Represent an investment fund in an ICC arbitration relating to a dispute arising out of a shareholders agreement as a result of an acquisition in Algeria
- Represent a US cranes manufacturer in an ICC arbitration relating to a major at a power plant
- Represent an investment fund in an ICC arbitration relating to a dispute arising out of a shareholders agreement (Paris, French, Moroccan law)
- Represent a Japanese reinsurance company in two *ad hoc* arbitration proceedings relating to the coverage of a major terrorist attack
- Represent a pharmaceutical company in a court-ordered expertise relating to damage to a plant manufacturing oncological products

Partner as  
of 1st  
January  
2013

## **DECHERT, Paris**

### **Arbitration**

- Acted for a State in an ICC arbitration relating to public procurement (Paris, French law)
- Acted for a French company in a ICC arbitration arising out of the refusal of a shareholder to transfer his shares of an Algerian company pursuant to a SPA (ICC, Paris, French law)
- Acted for a Romanian shareholder in a dispute relating to a SPA (ICC, London, English law)
- Acted for a French company in an ICC arbitration (Zurich, Swiss law, English) and subsequent annulment proceedings in Switzerland relating to the manufacturing of a mobile phone
- Participated in an ICC arbitration relating to the breach of a service agreement (Paris, French)
- Acted for a French company in IT dispute in the mobile phone industry (Arbitration Institute of the Chamber of Commerce of Helsinki, Swedish law, English, respondent)
- Acted for a private equity fund in a dispute arising out of a SPA (ICC, Zurich, Swiss law, English)
- Acted for a French company in a dispute relating to a buyout clause contained in a shareholders agreement relating to an Egyptian company (ICC, Paris, Egyptian law, English, respondent)
- Pre-arbitration advice to a French company in relation to a dispute relating to the construction of an oil platform offshore Egypt: validity of global claims, delays and disruption.

January  
2006 to  
January  
2008

### **Litigation**

- Acted for French and international clients before French courts in disputes relating to banking, unfair competition, abusive termination of contracts and negotiations
- Advised international clients in relation to the taking of evidence and the enforcement of foreign judgments in France

## **SHEARMAN & STERLING, Paris**

### ***International Arbitration (Intern)***

- Completed research and prepared memoranda in a construction and ICSID arbitrations

September-  
December  
2005

## **BREDIN PRAT, Brussels**

### ***Antitrust and European Competition Law (Intern)***

- Filed notifications of mergers and creations of joint ventures to the European Commission

October-  
December  
2003

## **LATHAM & WATKINS, Paris**

### ***International Arbitration (Intern)***

- Proceeded to the recognition of an arbitral award against an African state
- Participated in an arbitration concerning the development of a medicine

June-  
September  
2003

## **EDUCATION**

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### **GEORGETOWN UNIVERSITY LAW CENTER, Washington D.C.**

#### ***LL.M., International Legal Studies - With Distinction***

- Recipient of the CALI Award for Excellence in International Civil Litigation
- Graduate Paper: "Can Amicus Curiae Become Amicus Arbitrae? Reflections on the ICSID's Proposition to Admit Amicus Curiae in Arbitration Proceedings"
- Selected courses: Advanced Commercial Arbitration, International Civil Litigation

May 2005

### **AIX-MARSEILLE III UNIVERSITY – BUSINESS LAW INSTITUTE, Aix-en-Provence**

#### ***DESS / DJCE in International Business Law - With Distinction***

- Competed in the 10th Willem C. Vis International Commercial Arbitration Moot Court
- Selected courses: International Dispute Resolution, Anti-Trust, Corporate Law

June 2003

### **EUROPEAN LAW SCHOOL OF MAASTRICHT, Maastricht**

#### ***Maitrise in European and International Law - With Distinction***

- Selected courses: Private International Law, International Organizations

June 2002

**BOOKS**

- *Règles et pratiques du droit français de l'arbitrage*, Lextenso, Dec. 2012, 480 p. (w. H.-J. Nougéin)
- *Lamy droit de l'assurance 2019 [coll.]*, la responsabilité du fait des produits en Amérique du Nord

**ARTICLES**

**Arbitration**

- RDAl/IBLJ, Analysis of arbitral awards relating to the hospitality industry, 2018
- Revue juridique de l'Océan Indien, "Arbitrator's ethic", No 24, 2017, p. 49
- ICC Bulletin, "Review of ICC Awards relating to the Hospitality Industry", 2016/2
- Revue Lamy de droit civil, "La clause compromissoire", n° 138, juin 2016, p. 41
- Juristourisme, "L'arbitrage hôtelier", mars 2016
- b-Arbitra, "L'arbitrage en matière hôtelière", 2015/2, p. 255
- Cahiers de l'arbitrage, "L'affaire Vasarely : l'arbitrage en trompe l'œil", 2015/3, p. 433
- Revista Brasileira de Arbitragem, "The Paris Arbitration Rules: A New Kind of Ad Hoc Arbitration Rules for Sophisticated Users of International Arbitration", 2015, Vol. XI, n° 44, pp. 84-99
- International Journal of Arab Arbitration, "From the Definition of an Arbitral Award to the Violation of International Public Policy: A Blend of French Arbitration Law", 2014, vol. 6, n° 4, 2014, p. 57
- Arbitration, "The New Rules of the French Reinsurance and Insurance Arbitration Centre (CEFAREA-ARIA France): The Modernisation of Arbitration in Insurance Law", 2014, vol. 80, Issue 4, p. 362
- ASA Bulletin, "Les arbitres et centres d'arbitrage face à leurs responsabilités", 2014, vol. 2, p.145.
- Lettre des Juristes d'Affaires
  - "La création du Centre national de l'arbitrage du travail", No 1218, August 2015
  - "Le Règlement d'arbitrage de Paris", No 1111, May 2013
- Journal Africain de Droit des Affaires, "Les notions d'investissement et de force majeure dans l'arbitrage CIRDI : note sous sentence CIRDI Affaire n° ARB/07/02, RSM c. République centrafricaine", JADA, 2012, n° 2, p. 95
- Revue de l'arbitrage
  - "La Cour d'appel de Paris confirme et étend le principe d'arbitrabilité de la rupture de relations commerciales établies", note sous CA Paris, 1er juill. 2014, Scamarck, Rev. arb. 2015.135
  - "La demande d'intérêts moratoires est une question de fond qui relève de la compétence des arbitres", note sous CA Paris, 3 févr. 2011, Sytrol, Rev. arb. 2011.468
  - Compte-rendu de la réunion du groupe de travail sur l'arbitrage interne sur "les événements de la procédure arbitrale", Rev. arb. 2010.1003
  - "Rupture de relations commerciales établies : la Cour de cassation confirme la priorité de la compétence arbitrale en dépit du caractère d'ordre public des textes invoqués et de la nature contestée de l'action", Rev. arb. 2010.513
- Revue Congolaise de Droit et des Affaires, "L'apport des républiques du Congo à la jurisprudence française sur l'arbitrage et le droit international privé", n° 5, févr. 2011
- Spain Arbitration Review, "La participación de terceros en el arbitraje internacional", 9/2010, p. 83
- Paris Journal of International Arbitration, compte rendu des conférences LCIA YIAG et ICC YAF, 2010-4, pp. 1196-1203
- Kluwer Arbitration Blog, "Arbitrators on the witness stand! Comparative approaches", 3 août 2010
- Mealey's Int'l Arb. Rep., "French Supreme Court Holds That Findings Made by Arbitrators Are Effective against Third Parties", vol. 24, No 8, August 2009 (w. Ch. Bouckaert)
- American Lawyer,
  - "France on arbitration spree", Summer 2011
  - "Recent French Case Law on International Arbitration", Summer 2009
- Int'l Arbitration Law Review, "French Supreme Court Prohibits 'Double Dipping': the Beetle Case", Dec. 2008
- Legalweek, "French Courts Confirm Liberal Approach Toward International Arbitration", 3 July 2008, p. 54
- Jurisassociations, "Les associations s'invitent dans l'arbitrage international", janvier 2008

- Revue Québécoise de Droit International, “Les limites de l’obligation de motivation: de la concision des sentences arbitrales”, vol. 19.1, mai 2007
- Les Petites Affiches, “Tribunaux arbitraux permanents et préconstitués: mieux vaut-il opter pour le menu ou résoudre ses litiges à la carte?”, 6 février 2006, n° 26, pp. 4-8

### **Commercial litigation**

- JCP E, “L’ACPR et sa commission des sanctions : analyse à l’aune de 5 années d’exercice”, 2015, p. 1379.
- Argus de l’assurance
  - “L’opposabilité de la clause d’arbitrage aux tiers victimes exerçant l’action directe”, juin 2019
  - “Loi Pacte: les nouveautés en assurance-vie”, avril 2019, p. 40-41
  - “L’affaire MTA : le Conseil constitutionnel sanctionne le transfert d’un portefeuille de contrats sans garanties préalables”, mai 2015
  - “L’art subtil de la résiliation”, 21 novembre 2014, p. 58
  - “La portée du principe de libre choix de l’avocat par l’assuré”, 7 février 2014, p. 4
- Tribune de l’assurance, “Clause d’arbitrage ou clause d’expertise amiable ?”, n° 160, July 2011, p. 38
- Revue Générale de Droit de l’Assurance, “Le nouveau droit français de l’arbitrage et ses implications en matière d’assurance et de réassurance”, juin 2011, p. 361 (w. Ch. Bouckaert)
- ARIAS Quarterly Journal (Journal of the AIDA Reinsurance and Insurance Arbitration Society)
  - “Judicial Review of Arbitration Awards: France Current Situation”, 2015, No 3
  - “A New French Arbitration Law: Salient Features for Insurance and Reinsurance Practitioners”, 2011-3
  - “French Case Law on Enforceability of Expanded Judicial Review Clauses”, 2008, No 4, p. 19
- Insurance Day, “Reinsurance Arbitration: French Court Confirms Limited Review of Awards by Amiable Compositeur Arbitrators”, 15 août 2008
- Bloomberg European Business Law Journal, “French Dilemma Over The Introduction of Class Actions”, n° 1, janvier 2007 (w. G. Lemaire)
- Getting the Deal Through, “Insurance and Reinsurance: France”, 2008 à 2012

## **CONFERENCES**

### **Arbitration**

- “Arbitration and artificial intelligence: from theory to practice”, CMAP, 4 April 2019, Paris Arbitration Week
- “The role of the insurer in arbitration procedures”, Institut des Assurances, Paris I Panthéon Sorbonne, 29 October 2018, Paris
- “Witness and documentary Evidence in International Arbitration”, Campus international du Barreau de Paris, 27 September 2018, Abidjan
- “The French Arbitration Dynamic“, Round table organised by the French Ministry of Justice as part of the French President State visit to the United States, April 2018, Washington DC
- “Arbitration, big data and artificial intelligence”, CMAP, 13 April 2018, Paris
- “Arbitration and Mergers and Acquisitions”, Paris Arbitration Week, 12 April 2018, Paris
- “The Synergy & Divergence between Civil Law and Common Law in International Arbitration”, CI Arb, Paris, 7 December 2017
- “Qualities of the arbitrator in oil & gas disputes”, Algiers, 3 December 2017
- “Arbitration in France after the Act on Justice of the 21st century”, CASDA, Rennes, 24 April 2017
- “Arbitration in the Construction industry”, Arts & Métiers, Paris, 6 April 2017
- “L'éthique en matière d'arbitrage”, CAMM, Antananarivo, Madagascar, 10 October 2016
- “Arbitration in the hospitality industry”, ICC YAF, Paris, 28 January 2016
- “L'arbitrage and medium size businesses”, Journées méditerranéennes de l'arbitrage, Marseille, 12 November 2015
- “L'éthique des conseils et des arbitres”, FCM, Beyrouth, 28 September 2015
- “Le maillon faible – les parties ‘faibles’ peuvent-elles réellement consentir à l'arbitrage? (droit du travail, de la consommation, parties impécunieuses et actions de groupe”, AIJA, Paris, 11 juin 2015
- “La pratique de la preuve dans l'arbitrage”, Sousse, Tunisie, 23 May 2015
- “Les modes alternatifs de règlement des conflits en matière de difficultés des entreprises”, Colloque CREDIMI, CEJJ, Tunis, 15 April 2015
- “Le président du tribunal arbitral”, Aix-en-Provence, 25 March 2015
- “L'éthique des arbitres”, Conférence de l'Institut Arabe des Chefs d'Entreprises, Tunis, 13 November 2014
- “Les honoraires des arbitres”, Matinales du CMAP, 10 June 2014
- “Le déroulement de la procédure arbitrale”, Ecole d'arbitrage d'Alger, 4 June 2014
- “Ethics in International Arbitration”, CILS International Arbitration Symposium, Salzburg, 23 May 2014
- “L'arbitrage au Sénégal”, Saly, Sénégal, 28 February 2014
- “IBA Young Practitioners Symposium”, Paris, 13 February 2014
- “L'arbitrage international en droit algérien”, 6 Conferences organised by the Paris-Algiers commission of the Paris Bar
- “Evidential issues in construction arbitration”, CIARB YMG conference, Istanbul, 19 October 2013
- “Les particularités procédurales CIRDI”, 4th Mohand Issad Day, Algiers, 13 October 2013
- “Les spécificités de l'arbitrage en matière de (ré)assurance”, Queen Mary University, Paris, 4 September 2013
- “Paris, Place africaine d'arbitrage”, ICC, Paris, 21 June 2013
- “L'ordre public et l'arbitrage”, CREDIMI, Dijon, 16 March 2013
- “Liability of arbitrators and arbitral institutions”, CI Arb's monthly arbitration forum, Dublin, 4 February 2013

### **Commercial litigation**

- “The new English Insurance Act”, Lloyd's Annual Coverholder Meeting, Paris, 23 September 2016,
- “L'impact de la réforme du droit des obligations en matière d'assurance”, Paris II University, Paris, 14 April 2016
- “Le rôle de l'avocat dans l'action de groupe”, Versailles, 26 June 2015
- “L'action de groupe en droit des assurances”, Paris II Panthéon-Assas, Paris, 16 April 2015
- “La résiliation du contrat d'assurance un an après la loi Hamon”, ALEA, 2 April 2015
- “Quelles sont les règles applicables aux procédures contre le Lloyd's ?”, Lyon, 4 November 2014

## **RANKINGS**

- Who's Who Legal 2019: "Romain Dupeyré is a well-regarded figure among international arbitration practitioners who commend his excellent work on contractual and shareholder issues in Africa."
- Legal 500, July 2016, Dispute Resolution: "Romain Dupeyré est un 'excellent avocat et stratège, doté de très bonnes compétences de négociateur'"
- Who's Who Legal 2016 : "Romain Dupeyré enjoys a 'sterling reputation' as an 'acclaimed arbitrator and litigator'"
- Décideurs décembre 2015, arbitrage: "Romain Dupeyré est l'un des futurs grands noms de la profession"

## **PROFESSIONAL ACTIVITIES**

- Chartered Arbitrator (CArb) et Fellow (FCI Arb) of the Chartered Institute of Arbitrators
- Member of the ICC Commission on Arbitration
- Member of the ICC Institute of World Business Law
- Member of ICC France
- Member of the *Comité français de l'arbitrage*: chair of the working group on insurance and reinsurance arbitration, member of the working group on OHADA arbitration and co-chair of CFA40 (2010-2013)
- Member of the editorial board of the *Paris Journal of International Arbitration*
- Member of the Association française d'arbitrage (AFA), Comitê Brasileiro de Arbitragem, Association Suisse d'Arbitrage (ASA), *International Arbitration Institute* (IAI)
- Chair and founder of the legal think tank "JUREM"
- Shareholder of 2 legatechs: Case Law Analytics and Demander Justice

## **ARBITRATORS LISTS**

- ICC France
- Chambre arbitrale internationale de Paris
- Cairo Regional Centre for International Commercial Arbitration (CRCICA)
- Kuala Lumpur Regional Centre for Arbitration (KLRCA)
- Vienna International Arbitration Center (VIAC)'s list of Practitioners in International Arbitration