

# Yann Schneller

Admitted to the Paris Bar | French

[yschneller@cartiermeyniel.com](mailto:yschneller@cartiermeyniel.com) | +33 6 29 98 95 02



## **PROFESSIONAL HISTORY**

- July 2021 - Present: CARTIER MEYNIEL SCHNELLER, Partner (Paris)  
Nov. 2011 - June 2021: ORRICK HERRINGTON SUTCLIFFE, Lawyer (Paris)  
Oct. 2008 - Oct. 2011: ORRICK HERRINGTON SUTCLIFFE, Trainee Lawyer (Paris)  
April 2008 - Jul. 2008: ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT, Trainee (Paris)  
Feb. 2007 - April 2007: GIDE LOYRETTE NOUEL, Trainee (Hanoi, Vietnam)

## **EXPERIENCE AS ARBITRATOR AND AS SECRETARY OF ARBITRAL TRIBUNALS**

- Sole arbitrator in an ICC arbitration relating to the performance and the termination of a lease agreement. The Expedited Procedure Provisions applied. The dispute was governed by Mauritanian Law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 25477/DDA).
- Sole arbitrator in an ICC arbitration relating to the conformity of the sale of nickel powder. The Expedited Procedure Provisions applied. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 24437/GR).
- Sole arbitrator in an ICC arbitration relating to the performance of a settlement agreement. The Expedited Procedure Provisions applied. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 23491/MHM).
- Administrative secretary of the arbitral tribunal in an ICC arbitration relating to the termination of an agency agreement. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 19146/MHM).
- Administrative secretary of the arbitral tribunal in an arbitration governed by the arbitration rules of the European Development Fund relating to the rehabilitation of a road in Haiti. The dispute was governed by the laws of Haiti. The seat of the arbitration was Paris. The language of the arbitration was French.
- Administrative secretary of the arbitral tribunal in an arbitration governed by the arbitration rules of the European Development Fund relating to the rehabilitation of a road in Senegal. The dispute was governed by the laws of Senegal. The seat of the arbitration was Dakar. The language of the arbitration was French.

## **EXPERIENCE AS COUNSEL**

- Acted in an ICC arbitration relating to the construction and the operation of an agro-industrial park in the Democratic Republic of the Congo. The amount in dispute was USD 23 million. The dispute was governed by the laws of the Democratic Republic of the Congo. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 23756/GR).
- Acted in an ICC emergency arbitrator proceeding relating to the right to exploit a strategic mineral deposit in the Democratic Republic of the Congo. The amount in dispute was USD 850 million. The dispute was governed by the laws of the Democratic Republic of the Congo. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 23196/DDA(EA)).
- Acted in an ICC arbitration relating to the performance of an agency agreement. The amount in dispute was USD 2,5 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English (ICC Case No. 22735/ZF/AYZ).

- Acted in an ICC arbitration relating to the construction of an industrial building. The amount in dispute was USD 12 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 22494/GR).
- Acted in an ICC arbitration relating to the performance of a contract for the sale of copper. The amount in dispute was USD 15 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 22003/DDA).
- Acted in two ICC arbitrations relating to the sale of a strategic asset and the performance of a distribution agreement in Morocco. The amount in dispute was USD 65 million. The dispute was governed by Moroccan law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Cases Nos. 21970/DDA and No. 22614/DDA).
- Acted in an ICC arbitration relating to the supply and installation of the air-conditioning system of the new Tripoli airport tower control. The amount in dispute was USD 2,5 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 21737/DDA).
- Acted in an ICC arbitration relating to the electrification and the modernization of a railway in Tunisia. The amount in dispute was USD 40 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Case No. 19460/EMT/GR).
- Acted in two ICC arbitrations relating to the construction of a gas terminal. The amount in dispute was USD 300 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French (ICC Cases Nos. 18466/MHM and No. 22833/GR).
- Acted in an ICSID arbitration relating to the operation of a cement manufacturing plant in Egypt. The amount in dispute was USD 70 million. The arbitration was conducted in English and French (ICSID Case No. ARB/21/35).
- Acted in an ICSID arbitration relating to the withdrawal of the rights to exploit the Simandou iron ore deposit in the Republic of Guinea. The amount in dispute was USD 5 billion. The arbitration was conducted in English and French (ICSID Case No. ARB/15/46).
- Acted in an ICSID arbitration relating to the construction and the management of a business district in the Republic of Guinea. The amount in dispute was USD 107 million. The language of the arbitration was French (ICSID Case No. ARB/12/36).
- Acted in an CCJA-OHADA arbitration relating to the repayment of a bank loan for the construction of a hotel in Tchad. The amount in dispute was USD 5 million. The seat of the arbitration was Abidjan. The language of the arbitration was French (Case No. 016/2018/ARB).
- Acted in an CCJA-OHADA arbitration relating to the termination of a concession agreement for the operation of a container terminal in the Republic of Guinea. The amount in dispute was USD 45 million. The dispute was governed by the OHADA Treaty and the Uniform Acts. The seat of the arbitration was Abidjan. The language of the arbitration was French (Case No. 001/2011/ARB).
- Acted in a CCAT arbitration relating to the repairs of motor train components. The amount in dispute was USD 1.5 million. The dispute was governed by French law. The seat of the arbitration was Tunis. The language of the arbitration was French (Case CCAT N°11).
- Acted in an arbitration governed by the UNCITRAL arbitration rules relating to the expropriation of an investment in the telecommunications sector in Poland. The amount in dispute was USD 2 billion. The language of the arbitration was English (PCA Case AA.283).
- Acted in an arbitration governed by the arbitration rules of the Franco-German Chamber of Commerce relating to the termination of a supply agreement. The amount in dispute was USD 30 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was English.

- Acted in an *ad hoc* arbitration relating to the rights to use a car manufacturer trademark. The amount in dispute was USD 18 million. The dispute was governed by French law. The seat of the arbitration was Paris. The language of the arbitration was French.
- Acted in many litigation proceedings before French Courts including construction, commercial, post-acquisition and shareholders' disputes, expert proceedings, enforcement and annulment of arbitral awards, recognition and enforcement of foreign judgements in France.

### **ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE**

- Counsel in the amicable resolution of a dispute relating to the construction of an LNG plant in Algeria. The contract price was USD 2 billion. The amount in dispute was USD 340 million. The contract was governed by Algerian law. The amicable dispute resolution process involved the drafting of contract interpretation analysis, the drafting of an extension of time claim, the drafting of a request for arbitration and negotiation assistance. The matter was successfully settled.
- Counsel in two mediations involving two energy majors relating to the operation of two power plants. The first mediation involved the renegotiation of the contract terms and conditions. The second mediation involved the resolution of a dispute following the termination of the contract for the operation of the second plant. The first matter was successfully settled.
- Frequently assists the legal, project and delivery teams in the amicable resolution of construction disputes. This includes the interpretation of contract provisions, the amicable and collaborative resolution of disputes, the drafting of contract amendments and settlement agreements. It also covers assisting the project teams with COVID-19 related claims following the coronavirus outbreak. The section below provides numerous examples of involvement in alternative dispute resolution.

### **FIDIC CONTRACTS EXPERIENCE**

- Counsel in a collaborative claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of a conference center. The original contract price was 200 million dollars. The amount in dispute was 190 million dollars (FIDIC Red Book 1999, amended).
- Counsel in a collaborative claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of roads and associated utilities. The original contract price was 200 million dollars. The amount in dispute was 122 million dollars (FIDIC Red Book 1999, amended).
- Counsel in a collaborative claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of roads, junctions, tunnels and land bridges. The original contract price was 71 million dollars. The amount in dispute was 58 million dollars (FIDIC Red Book 1999, amended).
- Counsel in a collaborative claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the construction of 57 skywalks. The original contract price was 93 million dollars. The amount in dispute was 40 million dollars (FIDIC Red Book 1999, amended).
- Counsel in a collaborative claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the construction of a financial plaza. The original contract price was 77 million dollars. The amount in dispute was 19 million dollars (FIDIC Red Book 1999, amended).
- Counsel in negotiations for the resolution of a claim for an extension of time and additional costs relating to the construction of a high-rise building. The original contract price was 710 million dollars. The amount in dispute was 250 million dollars (FIDIC Red Book 1999, amended).
- Counsel in a collaborative claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the execution of a contract for the construction of

two high-rise office buildings. The original contract price was 306 million dollars. The amount in dispute was 370 million dollars (FIDIC Yellow Book 1999, amended).

- Counsel in a collaborative claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the design and the construction of two office buildings. The original contract price was 351 million dollars. The amount in dispute was 167 million dollars (FIDIC Yellow Book 1999, amended).
- Counsel in a collaborative claim resolution process resulting in the successful settlement of a claim for an extension of time and additional costs relating to the construction of dedicated car parks. The original contract price was 163 million dollars. The amount in dispute was 84 million dollars (FIDIC Yellow Book 1999, amended).
- Counsel in a collaborative claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the design, construction, and operation of an automated waste collection system. The original contract price was 34 million dollars. The amount in dispute was 13 million dollars (FIDIC Gold Book 2008, amended).
- Counsel in a collaborative claim resolution process for the resolution of a claim for an extension of time and additional costs relating to the design, construction and operation of a chilled water plant. The original contract price was 207 million dollars. The amount in dispute was 10 million dollars (FIDIC Gold Book 2008, amended).
- Counsel in negotiations for the resolution of numerous claims following the termination of a contract for the design and the construction of four office buildings. The original contract price was 410 million dollars. The amount in dispute was 83 million dollars (FIDIC Yellow Book 1999, amended).
- Counsel in negotiations for the resolution of numerous claims following the termination of a contract for the design and the construction of 44 towers offering office, residential and commercial accommodation as well as two five-stars hotels. The original contract price was 3,7 billion dollars. The amount in dispute was 1,2 billion dollars (FIDIC Yellow Book 1999, amended).

### **EXPERIENCE AS TRAINER**

27 Sept. 2021	FIDIC Contracts: dispute resolution mechanisms and guarantee provisions (4h)	Legal and project teams of a transport company
9 Sept. 2021	The Conduct of International Arbitration Proceedings by the Arbitrators (4h)	French National Committee of the ICC (ICC France)
11 March 2021 (4 <sup>th</sup> session)	ICC Complex Arbitrations (4h)	French National Committee of the ICC (ICC France)
30 Jan. 2020	CCJA-OHADA Arbitration (2h)	Legal and project teams of a transport company
10 Dec. 2019 (3 <sup>rd</sup> session)	Management of Arbitration by In-House Counsel (4h)	French National Committee of the ICC (ICC France)
15 Oct. 2019 (3 <sup>rd</sup> session)	Arbitration in the Construction Industry (4h)	French National Committee of the ICC (ICC France)
19 Sept. 2019 (4 <sup>th</sup> session)	ICC Expedited Arbitration (4h)	French National Committee of the ICC (ICC France)
24 May 2019 (4 <sup>th</sup> session)	ICC Emergency Arbitration (4h)	French National Committee of the ICC (ICC France)

18 April 2019	Drafting an Arbitration Clause (4h)	Training delivered to the legal and project teams of a contractor
11 April 2019 (6 <sup>th</sup> session)	Drafting an ICC Arbitral Award (4h)	French National Committee of the ICC (ICC France)
12 March 2019	Seminar on International Commercial and Investment Arbitration (4 days)	Personnel of different ministries of the Republic of Guinea (Conakry, Guinea)
Oct. 2018 (3 <sup>rd</sup> session)	Case Study of an International Commercial Arbitration Procedure (20h)	French National Committee of the ICC (ICC France)
19 June 2018	Seminar on International Commercial and Investment Arbitration (4 days)	Personnel of different ministries of the Republic of Guinea (Conakry, Guinea)
April 2016	Design Obligations of the Contractor in the FIDIC Red and Yellow Books 1999	Legal and project teams of a contractor
Dec. 2015	Fact Witnesses in International Arbitration (4h)	Legal and project teams of a contractor
April 2015	Arbitration in the Construction Industry (4h)	Legal and project teams of a contractor
Nov. 2014	The Basics of International Arbitration (4h)	Legal and project teams of a car manufacturer
May 2014	Complex Arbitrations (4h)	Legal team of an energy major

### **SPEAKING ENGAGEMENTS**

21 Sept. 2021	<i>How Artificial Intelligence Will Reshape the Value Chain of Construction Disputes</i>	Paris Arbitration Week
21 Sept. 2021	<i>Construction Delay, causation, and expert evidence</i>	Paris Arbitration Week
20 Sept. 2021	<i>The Challenges of Disruptions Claims</i>	Paris Arbitration Week
29 April 2021	<i>French recent case law pertaining to Arbitration</i>	French National Committee of the ICC (ICC France)
16 Dec. 2020	<i>The New ICC Arbitration Rules: Return on Experience of an Arbitrator on the Use of the Expedited Procedure Provisions</i>	French National Committee of the ICC (ICC France)
6 Dec. 2019	<i>Contract Management from the Eyes of the Court</i>	Open Contract Management Forum
6 Dec. 2018	<i>The new Expedited Procedure Provisions of the ICC Arbitration Rules</i>	Open Contract Management Forum

## **LECTURES**

Every year since 2018	University Paris-Saclay, <i>Masters in Arbitration and International Commerce</i> (MACI): Seminar on Techniques of Drafting Memorials and Oral Advocacy (preparation for Moot Court Competitions) (6h)
Jan. 2021	University Paris-Saclay, <i>Certificate of Arbitration Practice</i> : Seminar of the Drafting of an Arbitration Clause (4h)
April 2020 Feb. 2019	Universities of Bordeaux, Toulouse and Lyon, <i>Masters in Economic Cooperation and Business Law</i> (Hanoi, Vietnam): Seminar on the Conduct of International Arbitration Proceedings (20h)
June 2018	University of Montpellier, <i>Specialized Studies Certificate on domestic and international litigation</i> : Seminar on the Drafting of the Arbitration Clause and the Commencement of Arbitration (6h)

## **EDUCATION, QUALIFICATIONS & CERTIFICATIONS**

- Construction Law & Dispute Resolution MSc, *King's College London*, 2020-2022 (London, UK) (expected in 2022)
- FIDIC Summer School, *King's College London*, September 2021
- FIDIC Certified Adjudicator, August 2021
- Paris Bar Admission, 2011
- Master 2, Law of Economic Globalization, *Sciences-Po Paris* and *Paris 1*, 2008 (Paris, France)
- Master 2, Law of Economic Cooperation, *University of Bordeaux*, 2007 (Hanoi, Vietnam)
- Master 1, International Law, *University of Bordeaux*, 2006 (London, UK)
- Licence en droit, *University of Bordeaux*, 2005 (Bordeaux, France)

## **MEMBERSHIPS**

- Society of Construction Law
- Dispute Resolution Board Foundation
- Commission on Arbitration and ADR of the ICC French National Committee
- Comité français de l'arbitrage (French Arbitration Committee)

## **PRO BONO AND COMMUNITY RESPONSIBILITY**

- Founder and coordinator of a partnership with *La Sorbonne* Legal Clinic
- Founder of the *Entretiens de l'Excellence* for the legal profession

## **LANGUAGES**

- English
- French