



## ÉLODIE VALETTE

**Partner**

**Paris**

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## BIOGRAPHY

Élodie Valette joined BCLP as a partner in the Litigation and Investigations Department in November 2021. Admitted to the Paris Bar in 2013, Élodie began her career as a lawyer at White & Case where she was promoted as a counsel in 2019. Élodie acquired experience in the private sector as well as within bailiff offices. She handles major disputes involving financial institutions as well as French and foreign corporations, from all industry sectors, in relation to complex and serial litigation before both French courts and European courts (in particular the ECJ). She also uses alternative dispute resolution methods (conciliation / mediation).

Élodie has extensive experience in financial, banking and regulatory disputes. She regularly advises major financial institutions, in particular in the field of European consumer law from the angle of unfair terms and misleading commercial practices. She also assists banks and financial institutions with respect to their contracts' compliance with applicable laws and regulations

(Directive 93/13/EEC on unfair terms transposed into national law - Directive 2014/17/EU 2014 on consumer credit agreements for residential property transposed into national law - Order of 3 November 2014 on EDPs - Reform of contract law - GDPR).

As a skillful litigator, she also has first-hand experience in relation to on-demand guarantees and debt collection, including precautionary and enforcement measures. She is regularly involved in shareholder disputes and post-acquisition litigation. Élodie assists multinationals across industries in navigating all dimensions of environmental, social and governance (ESG) issues.

## PROFESSIONAL AFFILIATIONS

- Association européenne de droit bancaire et financier - AEDBF (European Society for Banking and Financial Law)
- Association Droit & Procédure (Law and procedure Society)
- Association des avocats praticiens des procédures et de l'exécution - AAPPE (Society for civil procedure and enforcement law)
- Association Paris Place de Droit (Society for Paris city place de law)
- As of January 2021, Élodie is a member of the Board of Association Droit & Procédure. Among the oldest associations in judicial circles in France, Droit & Procédure focuses on the continuing legal education of the legal profession in areas involving the rule of law, with emphasis on procedural matters, through seminars and publications. A recognized center of expertise, Droit & Procédure proposes and reviews draft legislation relating to procedural subjects, contributes to academic works and supports the practices of lawyers and other members of the legal profession.
- As of January 2021, Élodie co-leads the Environmental & Climate Justice Committee of Association Paris Place de Droit.

## AWARDS

- Lexology Client Choice Award: Litigation 2021.
- Who's Who Legal - Future Leader: Commercial Litigation (Category: Partner) for 2019, 2020, 2021, 2022, 2023 and 2024.
- Silver Camera, International Issues category, Business & Legal Forum, October 2019 (Prize awarded for the European Class Actions video, published by La Semaine Juridique Edition

Générale - JCP G in partnership with the Club des Juristes, 29 April 2019).

- Along with Philippe Métais, Élodie was recognised for class actions proceedings by the Law Commission of the French National Assembly in charge of the assessment and review of development opportunities of class actions in France.

## **ADMISSIONS**

- Paris
- England & Wales (Registered Foreign Lawyer)

## **EDUCATION**

University of Grenoble Alpes: Master 2 / Postgraduate Degree in litigation and enforcement proceedings, 2004

University of Aberdeen, Ecosse : LLM Diploma in legal studies, european law, 2003

Ecole Nationale de Procédure : Postgraduate Degree in proceedings, 2006

## **RELATED PRACTICE AREAS**

- Business & Commercial Disputes
- Environment
- Real Estate
- Brownfields
- Citizen Suits/NIMBY
- Clean Air Act
- Clean Water Law
- Compliance Audits and Internal Investigations
- Cost Recovery Litigation (Superfund/CERCLA and State equivalents)
- Criminal Enforcement
- Endangered Species (ESA)
- Environmental Review (NEPA and State EIS laws)
- Hazardous Materials Transportation (HMTA)
- Hazardous Waste (RCRA)
- Insurance Counseling
- International Environmental Law
- Oil Spills
- Pesticides (FIFRA)
- Reporting Requirements (EPCRA, CERCLA, Prop 65 and other state laws)
- Safe Drinking Water (SDWA)
- Solid Waste and Landfills
- Toxic Substances Regulation (TSCA)

- Transactional Work, Including SEC Disclosures
- Underground Injection Control (UIC)
- Water Rights
- Wetlands
- Mobile Source Emissions and Fleet Management
- Workouts & Financial Restructuring
- Wealth Management
- Subchapter S
- Going Private
- Community Banking Litigation
- De Novo Banking
- Corporate
- Litigation & Dispute Resolution
- Financial Services Corporate & Regulatory Team
- Class Actions & Mass Torts
- Class Actions
- White Collar
- M&A Disputes
- Investigations
- UK & EU Class Actions
- Regulation, Compliance & Advisory

## EXPERIENCE

- Assisting a major French bank faced with criminal and civil charges of commercial malpractice (duty of information, duty to warn, duty of advice, unfair term, legality of escalator clause) in the context of a class action, brought by consumer associations and hundreds of individuals, relating to a portfolio of real estate loans which were granted to individuals in a foreign currency. Proceedings are under criminal investigations and pending before the civil and commercial courts. As well as legal advice on regulatory issues connected with the charges legal issues arising from this case were also examined at a European level before the ECJ.
- Post-acquisition disputes: Assisting listed and non-listed companies and their management on their corporate crises, especially conflicts related to shareholder's disputes, post-acquisition litigation as well as liability and regulatory proceedings.
- On-demand guarantees: Assisting international industrial groups resisting demands made by contractors under on-demand bank guarantees issued by Paris branched of banks.

- Debt collection: Assisting industrial groups relating to precautionary and enforcement measures.

## RESOURCES

### PUBLICATIONS

Élodie is the author of numerous contributions in academic law reviews mainly related to class actions / collective redress, procedural law, torts and liability, consumer law and environmental legal issues.

### SPEAKING ENGAGEMENTS

- Speaker at a round table organized by the French Ministry of Justice and held at the French Supreme Court (Cour de cassation) on “the influence of European law on consumer protection” 30 september 2021.
- Speaker at Campus avocat 2021, « La mise en état » (the pre trial proceeding before the judicial court under French law ) 7 July 2021.
- Speaker at the Civil Procedure Workshops organized by Droit & Procédure entitled “La procédure civile sous contrainte sanitaire : droit d’urgence ou droit commun?” (Civil procedure under health constraints : emergency law or ordinary law?) - 19 June 2021.
- Speaker at the webinar entitled "The challenges of new climate and environmental litigation and of the corporate duty of care" (launch event of the Climate and Environmental Justice Commission of the Paris Place de Droit association) - 14 April 2021.
- Panelist in a webinar hosted by MTMP (Mass Torts Made Perfect) “Mass Damage and Access to Justice : Proposed EU-Wide Solutions” - 23 July 2020.
- Panelist for “Webinar for Virtual Justice in France, UK and US : challenges of remote hearings and trials ” in the webinar hosted by the British Institute of International and Comparative Law (BIICL) / the Commission Paris-London of the Paris Bar, and the International Association of Defense Counsel (IADC) - 29 June 2020.
- Speaker at AEDBF’s breakfasts, « Les contrats de crédit à l’épreuve de la réglementation des clauses abusives » (Credit Contracts put to the test of regulation of unfair terms - 6 February 2020.
- Speaker at Delegations of the French Bar workshops in Brussels, “L’instauration de recours collectifs à l’échelle européenne” (the introduction of Europe-wide class actions) - 8 November

2019.

- Speaker at Droit & Procédure workshop on « les actions de groupe européennes – Panorama des class actions en France et en Europe, présentation de la proposition de directive sur les actions représentatives des consommateurs » (European class actions - Panorama of class actions in France and Europe, presentation of the proposal for a directive on actions representing consumers) 17 October 2019.
- Speaker at Campus Avocat 2019, le devoir de vigilance, « enjeu de responsabilité civile » (the duty of care, a civil liability issue) - 4 July 2019.
- Paris Bar School (EFB) – Lectures on banking laws « Les clauses abusives dans les contrats de crédit . actualité en contentieux bancaire - contentieux du TEG / TAEG, obligations du prêteur » (Unfair terms in credit agreements. current developments in banking litigation – Annual percentage rate litigation, lender's obligations) – 14 May 2019, 4 June 2019 and 24 October 2019.
- Speaker at Campus avocat 2018, « les clauses abusives dans les contrats de crédit » (unfair terms in credit contracts) - 5 July 2018.

## RELATED INSIGHTS

Insights

Feb 14, 2024

### **Paris Litigation Gazette Issue 5**

Insights

Jan 18, 2024

### **What are the risks for firms that won't show greenwashing the red card?**

News

Jan 10, 2024

### **BCLP Litigation Lawyers ranked in 'Who's Who Legal'**

News

Dec 19, 2023

### **BCLP Earns Honors in Paris from Décideurs for 36 Practice Areas**

Insights

Oct 25, 2023

### **Paris Litigation Gazette Issue 4**

Insights

Jul 10, 2023

## Paris Litigation Gazette Issue 3

Awards

Apr 20, 2023

**BCLP Paris featured in 'Top Law Firms in France' by Le Point magazine**

News

Apr 12, 2023

**Legal 500 EMEA 2023**

BCLP has been ranked in 14 practice areas across 4 jurisdictions in the 2023 edition of The Legal 500 EMEA Guide.

News

Apr 12, 2023

**BCLP ranks in Global Investigations Review's 'GIR 100 2022'**