

# HMN PARTNERS SPEAK AT PARIS INTERNATIONAL UNDERWRITERS ASSOCIATION CONFERENCE

On 21 October 2021, Juliette Vogel, partner, and Nicolas Chaumier, of counsel, spoke at a conference organised by the **Association des Souscripteurs Internationaux de Paris** (Paris International Underwriters Association) for its insurance and reinsurance company members.

Juliette Vogel is a partner at HMN & Partners since 2010. She focuses on complex national, international and multi-jurisdictional litigation. She is also involved in class actions and collective actions. Juliette has developed a recognized expertise in insurance, civil liability, product liability (in particular in the health and food industries), industrial risks and damages.

Nicolas Chaumier joined the firm in 2006 and is recognized for his practice in insurance, re-insurance and civil liability law.

The topic of the conference was **'Class actions in France and Europe and their impact on the insurance and reinsurance industry'**. During this conference, Juliette and Nicolas introduced their remarks with a presentation of the French "action de groupe" (group action in English), which is, under French law, reserved for consumer associations. Juliette and Nicolas gave an overview of the way group actions are carried out in France and explained the reasons for the lack of interest in this procedure.

Then, Juliette and Nicolas discussed the recent appetite for group actions in the field of health law but also explained the difficulties raised by such actions, such as the issue of medical judicial expertise, the overlaps which may occur with criminal proceedings, and also the alternatives to group actions such as the amicable settlements possibilities offered by the French Compensation organization for the victims of medical errors. The speakers then suggested ideas to reform group action in France.

In the second part of their presentation, Juliette and Nicolas depicted the different collective actions which exist in Europe. They underlined the fact that class action procedures are not harmonized in Europe. Two trends can be identified among European countries:

(i) the countries in which there are distinct class action procedures according to the type of claim,

(ii) and countries in which the class actions apply to all sectors. Juliette and Nicolas also summarized the very recent EU directive on representative actions which could be a new impetus for group actions in Europe and the speakers concluded their presentation with a discussion on the risks and impacts of class actions for insurers and reinsurers.