

Pierre Muller



Mediator (CEDR), Conciliator and Arbitrator Former Judge at the Cantonal Court (Vaud)

For almost 20 years, Pierre Muller has conducted and judged a very large number of cases involving an economic interest. His personal and professional qualities as a **judge** have been widely acknowledged.

Committed **conciliator**, he has gained the experience that enables him to bring delicate negotiations to a successful conclusion, including in complex cases.

Convinced of **the flexibility and effectiveness of extrajudicial dispute resolution**, Pierre Muller has devoted himself entirely to it since 2017.

His aim is to ensure that the parties benefit from **the most appropriate and proportionate way** of resolving their dispute, taking into account parameters such as :

- duration, psychological weight and cost of the possible processes,
- preservation of their relations with each other and with the third parties concerned by their dispute,
- the urgency of the issues to be resolved,
- the need for expert advice.

As a **mediator**, Pierre Muller helps the parties, with neutrality, to re-establish a **constructive dialogue** enabling them to **cooperate effectively** with each other, either for the duration of the mediation, to find the best solutions to their dispute, or in the longer term.

As a **conciliator**, he may be called upon to help the parties assess the strengths and weaknesses of their respective positions.

He intervenes **to prevent the parties from having to go to court**, as well as **during proceedings**, as it is never too late to find a negotiated solution, or to take a moment to clarify the situation and find mutually satisfactory solutions.

His experience in **arbitration** enables him to act as sole arbitrator or chairman of panels in his areas of expertise, but also to set up **'tailor-made' arbitration proceedings** in consultation with the parties, particularly in the fields of **construction** and **inheritance**, for example by providing for the rapid involvement of an **expert** or by designing the procedure in such a way as to facilitate the search for an **agreement** (conciliation).

With parties/counsel who wish to assess the best way of resolving a dispute, he examines the various options and possible combinations during an **"exploratory meeting"** to help them make an appropriate and proportionate choice.

Pierre Muller works in French and English.

Fields of activity and experience

- **Construction (during or after construction, if necessary with joint intervention of an expert):** e.g. conflict between the client and a contractor or a architect, engineer, etc.; between a

general contractor and a subcontractor; between specialised agents; between the members of a construction consortium; in relation to a building contractor's legal mortgage.

- **Real estate & neighbourhood:** e.g. disputes relating to the execution of a real estate sale or brokerage commission; to a building right; or relations between neighbours or condominium owners.
- **Settlement of an estate between heirs:** e.g. difficulties in connection with the division of property or the validity of a will.
- Difficulties between **partners of a company or members of bodies of a legal person** (e.g. partners of a firm or office of self-employed persons, of a start-up or other company, partners of a limited liability company; shareholders or directors of a public limited company; members of an association or a committee of an association or foundation) **in the course of a relationship** (e.g. communication problems; loss of information; loss of access to the company's website) (e.g. communication problems; loss of trust) or **at the end of the relationship** (e.g. financial settlement, takeover of customers, exercise of a competing activity, intellectual property rights etc.).
- **Labour disputes** (during or at the end of the employment relationship).
- **Debt enforcement and bankruptcy** and **private international law**, including **international bankruptcy**.
- **Intellectual property** (trademarks; copyright) and **unfair competition**.
- **Civil liability** of board directors, statutory auditors, lawyers, notaries.
- **Sports law** and **sports arbitration** (experience as an arbitrator at the Court of Arbitration for Sport).

Judicial Career

2002-2017

Judge at the Cantonal Court (Vaud, Switzerland)

Vice-Presidency of the Cantonal Court (2013-2016)

Civil Court (2002-2017)

Civil Court of Appeal (2016-2017)

Debt enforcement and bankruptcy Court (2002-2010)

2001 – 2002

Judge at the Court of the Arrondissement of Lausanne

1998 – 2001

Judge at the Civil Court of the Cantonal Court (Vaud)

Formation

2023

Institut Charles Rojzman : Formation en Thérapie sociale – 1er Cycle

2018

Centre for Effective Dispute Resolution : Accredited Mediator

1995

Bar exam (Geneva)

1993

Université de Lausanne : Lic. iur.; Award of excellence