

# MICHELE IUS

## SUMMARY

20 years' post qualification experience. Now Head of Contracts for a multinational group, in Danieli & C. Officine Meccaniche SpA and General Counsel for FATA SpA part of Danieli Group. In previous position as attorney-at-law, experienced in: advising public authorities, private clients and companies (including multinational) in internal and international affairs; drafting and negotiating contracts; litigation in civil and administrative cases, courtroom advocacy, drafting legal pleadings, ADR and Arbitration. International experience in Azerbaijan, Brazil, China, Denmark, Egypt, Jordan, India, Indonesia, I.R. Iran, Malaysia, Norway, Poland, Qatar, Singapore, South Korea, Turkey, UAE, UK and Vietnam.

## EXPERIENCE

2017-present

**Danieli & C. Officine Meccaniche SpA**, Udine, Italy

One of the world leaders among steel plant producers - about 9.500 employees.

Group Head of Contracts acting also as Contract and Project Financial Manager in the Financing and Contracting team (FCO). General Counsel in **FATA SpA**. one of the company of the Group. The FCO team covers the full spectrum of financial and contracting issues for the Danieli Group. The team (5 specialist in HQ and 8 specialist abroad plus local financial managers) assists in detecting the most suitable financial structure for a client based on his country of origin or the country where the project will be implemented, the merit of credit of the client and the security package available (e.g. export finance, ECA coverage, PRI coverage, bonds and bonding, LC, guarantees and sureties; etc.). The team can draft, evaluate and execute any kind of contract that is negotiated between Danieli, partners and clients (Turnkey, EPC, ESS, EPCM contracts, financing agreements, factoring agreements, agency and other distribution agreements, cooperation agreements, consortium, joint venture, cooperation agreements, M&A, NDAs, license agreements). The team moreover identifies risks and areas in need of improvement, so the company can identify menaces before they become real and increase profits. The team operates in strict connection on daily basis with the Working Capital team (in order to grant a long-term commitment in the cash-flow projection related to the project/contract), with project manager during project implementation, with the General Counsel and the claim managers in prelitigation and litigation phases (arbitration, preliminary injunction, etc.). As Group Head of Contracts, reporting to CEO and CIF, his role is overseeing the negotiation of commercial contracts for the Group, coordinating in this field the activities of the external and in-house lawyers and Contract Manager, and overseeing the financing structure related to a project working in coordination with local area managers of financing. Moreover, as Contract and Project Financial Manager is assisting directly MEA countries, Asia and Oceania. Typically working in HQ, traveling for a significant portion of the year. Activities:

- Assist in the day to day queries from the business. Coordinate the team.
- Resolve problems and non-compliance issues.
- Negotiate contracts and proposals with internal teams, partners and customers.
- Oversee maintenance and compliance with existing contracts.
- Identify risks and oversee procedure and standards in the evaluation of commercial terms before and after the signature of contract.
- Manage relationships with local in-house lawyers and law firms worldwide.
- Preliminary injunctions and Arbitration
- Watchdog Body (“ODV”) member in FATA

- 2007-2017 **Avv. Michele Ius**, Pordenone - Treviso - Udine, Italy  
Lawyer / Attorney-at-Law / Licensed to practice in Italian courts. Activities:
- Advise in international business matters such as: financing, bonds and bonding, LC, guarantees and other securities; duties, international taxation; distribution, purchasing, agency, franchising; transportation, B/L, and other transport documents; construction contracts (FIDIC, Orgalime, etc.); consortium, joint venture, cooperation agreement; M&A; IP, NDA, license
  - Assist and lead offer preparation in several international public and private tenders, won by the client with the adjudication of the contracts.
  - Specify project objectives and plans including delineation of scope of contract.
  - Manage relationships with in-house lawyers and law firms worldwide.
  - Resolve administrative issues arising in existing relationships as well as handling pre-litigation disputes.
  - Develop effective communications and mechanisms for resolving conflicts.
  - Argue clients' cases before the judges in courts of law in Italy.
  - Research and draft court papers.
  - Advocacy (written and oral) in administrative and court hearings.
- 2004-2007 **Studio Barel Malvestio & Associati**, Treviso, Italy  
 Law firm - more than 40 lawyers  
Lawyer - Responsible from managing the business clients in internal and international affairs in administrative and contract matters
- 2002-2004 **Studio Legale Leone**, Pordenone, Italy  
 Law firm - 4 lawyers  
Lawyer's trainee - Traineeship in litigation and administrative law
- 1999 **Totalfina Italiana SpA**, Milan, Italy  
 Oil & Energy Multinational - more than 10.000 employees.  
Trainee - Internship in Legal Affaires Department.

## **OTHER EXPERIENCES**

- 2017-2019 **ICC Italia** - Rome, Italy  
Member of the Commissions on Incoterms ® 2020 Pubb. and on Customs & Trade Facilitation.
- 2017-2019 **Fondazione Università Ca' Foscari**, Treviso -Venice, Italy Lecturer, IBATAX Master. Cooperation in international trade lesson.
- 2012-2017 **Danieli Anatolia Makine San. ve Tic. A.Ş.** - Izmir, Turkey  
 Part of Danieli Group.  
Vice-president.  
 Managing internal and administrative procedure in starting up the company activities and managing relation with banks and authorities.
- 2010-2015 **Curia Mercatorum**, CCIAA - Pordenone, Italy  
 Mediation and Arbitration Centre.  
Mediator.  
 Conducting mediations in civil and commercial cases.
- 2010-present **SEPEL** – Lo Stato Civile Italiano - Minerbio, Bologna, Italy  
 Law Review.  
 Member of the Editorial Board – collaboration.

- 2008-2010 **Studio Busetto - Pordenone, Italy**  
Fiscal advisor firm  
**Fiscal advisor trainee** - Traineeship in fiscal and tax matters
- 2007-2019 **Lecturer** in several courses and Master, e.g.:  
Master IBATAX, Ca' Foscari, Italy  
INCOTERMS 2020, and International Sanctions, ICC, Italy.  
Master Fratelli Pesenti, Contract, Claim and Delay Management in Construction Works  
Politecnico Milan, Italy.
- 2007-2017 **Panelist** in several public discussions on legal issues.
- 2004-2017 **Enaip FVG - Pordenone, Italy**  
Formation center.  
**Lecturer** - Teaching contract law, insurance law, international business law, transportation law.
- 1999-2000 **ISU, Milano, Italy**  
Library of Università Cattolica Sacro Cuore  
**Librarian** – University job.

## **EDUCATION**

- 2002-2003 **LUISS – Rome, Italy**  
International Business Lawyers Master Course, run by Luiss Management SpA, Rome, Italy:  
European integration and law, international contracts, negotiating and drafting international contracts, consumer protection in Europe, law and the internet, e-commerce, financial markets law and practice, economic analysis of law, competition law and practice, European and international company law and international taxation, Trust agreement.
- 2002-2004 **Siena University of Studies - Siena, Italy**  
Bachelors' degree in Political Science, Major: International, 2004. Graduation thesis title European Union and Regionalization.
- 1997-2001 **Sacro Cuore University - Milan, Italy**  
Bachelors' degree in Law, Major: International Law and Practice, 2001. Graduation thesis title The Electronic Bill of Lading.
- 1992-1997 **Classical Liceo G. Leopardi - Pordenone, Italy**  
High School.

## **COURSES E.G.**

- 2018 Technical Workshop, Private insurance for PF and legal aspect of Export Credit & Pri Claims, run by ExCred International London, UK.
- 2013 Dual Use & Export Control workshops, run by Ateneo Banca Impresa with participation of the relevant Ministries and Custom Authority.
- 2010 and 2012 Analysis, management and avoidance of delay and disruption in construction contracts (CIOB, Hill International, London, England and Istanbul, Turkey).
- 2004-2007 Business Law Courses run by Treviso Chamber of Commerce: arbitration law, documentary credit, international payment, international contracts.
- 2006 Judicial Cooperation in Civil and Commercial Matters Course run by Fondazione G. Morelli, Crotone, Italy.
- 2002 International Tax Course run by Centro formazione Il Sole 24 Ore SpA, Milan, Italy.

## **QUALIFICATIONS**

**Language Literacy:** Italian - Mother tongue  
English - Fluent  
Spanish - Intermediate  
French - Intermediate  
Turkish - Beginner

**Computer Literacy:** Word, Excel, PowerPoint, Internet.

**PUBLICATIONS** Author of more than fifty legal publications, such as:

- Books**
- Possible applications of the UNIDROIT Principles in international construction contracts: what about the updated 2017 FIDIC Yellow Book? in THE MULTIPLE USES OF THE UNIDROIT PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS: THEORY AND PRACTICE, Giuffrè, 2020
  - Artt. 1-12 della Legge n. 218/95 (comments on Italian International Private Law), (with B. Barel) in Codice civile e Leggi collegate - Commento giurisprudenziale sistematico (a cura di G. Cian), CEDAM, 2010
  - Compendio di diritto del commercio internazionale (International Business Law Book) (with C. Castellano), SIMONE, 2008
  - Commento art. 31, in Riforma urbanistica e disciplina dell'attività edilizia e del paesaggio. Commento alla legge regionale friulana nr. 5/2007 (Analysis of the new Town Planning Law in Friuli Region), MAGGIOLI, 2007
  - La legge urbanistica della Regione Veneto, Commentario alla l.r. V. n. 11/2004 (Commentary of the new Town Planning Law in Veneto Region), CORRIERE DEL VENETO, 2004
- Law Review**
- Investire in Turchia costituendo una società, una "branch" o un "rep-office" (The investment in Turkey with the incorporation of a company, branch or rep-office), in *Fiscalità e commercio internazionale*, IPSOA nr. 3/2015
  - Attenzione alle norme inderogabili belghe in caso di agente commerciale belga (Particularities of the Belgian commercial agent legislation), in *Fiscalità e commercio internazionale*, IPSOA nr. 6/2014
  - Golden Land Myanmar: abrogato l'embargo verso la Birmania, un'opportunità per le imprese (New EU rules on Burma / Myanmar embargo: new opportunities for the business community), in *Fiscalità e commercio internazionale*, IPSOA nr. 1/2014
  - Giudice competente. Vendite internazionali: sentenza innovativa sul termine 'reso fabbrica' (The jurisdiction in case of an international purchase agreement with delivery EX-Works"), in *PMI*, IPSOA, nr. 1/2012
  - Crisi di mercato: è possibile la revisione del contratto di vendita internazionale (The market crises: it is possible a revision of the sale agreement), in *PMI*, IPSOA, nr. 4/2011
  - Il principio di proporzionalità delle misure restrittive di uno Stato membro rispetto al diritto di libera circolazione garantito dall'Unione (EU State restrictions on free circulation), in *Lo Stato Civile Italiano*, SEPEL, nr. 3/2011
  - Il diritto dell'Unione Europea: fonti e rapporto con l'ordinamento italiano (EU Law, relation with the national law), in *Lo Stato Civile Italiano*, SEPEL, nr. 11/2010
  - Pluriesecuzione e conflitto con convenzioni internazionali (The jurisdiction in case of several places of execution of the contract), in *Commercio internazionale*, IPSOA, nr. 23/2009
  - Appalti, la competenza giurisdizionale nel caso di Ati composta da società italiane e straniere (Public contracts, jurisdictional competence in the case of Temporary Company Association formed by Italian and foreigner companies), in *Dir. & Giust. GIUFFRÈ* nr. 6/2008
  - La Turchia per il WTO (Analysis of the Turkish economic and legal reforms by the 4th WTO Trade Policy Review), in *Commercio internazionale*, IPSOA, nr. 11/2008
  - Opere pubbliche, tornano gli arbitrati (Public contracts and Arbitration), in *Dir. & Giust., GIUFFRÈ*, nr. 31/2005