



## **Bill Marsh** **Commercial Mediator**

### **Outline Profile**

#### **Mediation**

- One of the most experienced commercial mediators in the UK, having practiced full-time in the field since 1991.
- Member of Panel of Independent Mediators
- Mediation and facilitation experience (see over page) - Hundreds of mediations in practically every area of law and business, including many multi-party, international and multi-million pound matters
- Independently ranked by Chambers UK Guide to the Legal Profession among the top 8 commercial mediators in the UK, and described most recently as:
  - *“An extremely clever and engaging mediator, who builds up a good rapport with the parties, while demonstrating sound commercial knowledge”*
  - *“Clients unanimously acknowledge him as a ‘persuasive facilitator of a settlement’”*
  - *“One of the greats”*
- Independently ranked by Legal 500 among the top 10 commercial mediators in the UK and described as *“Strongly recommended for major commercial mediations”*
- CEDR-accredited mediator, CEDR Solve Lead Mediator, English Court of Appeal panel mediator

#### **Consulting**

- Founder and Director of Conflict Management International, a leading international dispute resolution consulting firm, Bill is Europe’s leading government adviser on mediation. His consulting experience includes:
  - Chairman of Inter-Governmental Mediation Conference for 15 Central and Eastern European Governments (now expanding to include further governments)
  - Serves/d as mediation adviser to the Governments of UK, Russia, Romania, Bulgaria, Slovakia
  - Advised the European Commission on development of mediation in EU
  - Represented UK at UN negotiations on international mediation law
  - Advised UK Financial Services Authority on design and implementation of ground-breaking mediation scheme for regulatory disputes
  - Advised many other companies and organisations on dispute resolution issues

#### **Training**

- One of the most experienced mediation trainers in Europe
- Delivered mediation training to thousands of lawyers, judges, business people and other professionals in UK, France, Belgium, Netherlands, Italy, Spain, Austria, Germany, Switzerland, Russia, USA, Slovakia, Romania, Bulgaria, Hungary, Malta, Singapore, and Australia.
- Lead Trainer on CEDR Training Faculty since it started.

#### **Other**

- Former executive director of CEDR (1991-2002)
- Member of the Advisory Board of the International Centre for Reconciliation, Coventry
- Author of *The ADR Practice Guide: Commercial Dispute Resolution* (Published Butterworths 1995 and 2000) and contributing author to *Mediators on Mediation* (Edited Newmark and Monaghan, Published Tottel 2005)
- Former corporate lawyer in UK and Paris
- Regular speaker at national and international mediation conferences

### **Detailed mediation experience**

## Case profiles

- Experience as mediator and facilitator in hundreds of disputes involving the following areas:
  - banking
  - corporate acquisitions
  - commercial contracts
  - commercial fraud
  - company valuations
  - construction/engineering
  - employment
  - IT and telecommunications
  - intellectual property
  - insurance and reinsurance
  - national and local government
  - health service
  - partnership
  - oil and gas
  - professional negligence
  - passing off
  - property development
  - pensions
  - regulatory
  - shareholder/company law
  - shipping
  - sport
- Mediations in the public domain – Westminster City Council and Dame Shirley Porter (long-running political gerrymandering dispute), and disputed takeover of Brighton & Hove Albion Football Club (brought in by English Football Association)
- Disputes and parties have involved numerous countries including UK, France, Switzerland, Belgium, Greece, Lebanon, Tunisia, West Africa, USA, Canada, Australia, Japan, China, Russia and South Africa.
- Parties have included national governments, public bodies/authorities, public companies, private companies and firms, and individuals. Many disputes have been multi-party (up to 13 parties) and high value (up to 100s of millions of pounds).

## Party feedback:

- Independently ranked in top 8-10 commercial mediators in the UK in Chambers Directory and Legal 500
- “Our clients were very impressed and believe me [they] are very hard to please! They commented on a number of occasions just how good they thought you were” (*Solicitor, multi-million pound international defence contract dispute*)
- “Your tenacity was much appreciated and was a major contributor to us resolving the matter” (*Solicitor, shareholders action*)
- “I am in no doubt that your input, ideas and energy helped to keep the parties talking throughout a difficult and challenging day (and evening, and night!). We will certainly look for an opportunity to work with you again as a mediator” (*Solicitor, world-wide trademark infringement dispute*)
- “[Our client] is very pleased to have settled the claim and most impressed with your help in achieving that” (*Solicitor, professional negligence/banking claim*)
- “I do not believe that the settlement would have been achieved without your skilful, persistent and patient intervention” (*Solicitor, 6 party pensions dispute*)
- “Thank you for all your efforts in bringing this matter to a satisfactory conclusion from both sides point of view. It was something of an unusual case which, without your skill and judgment, had the potential to go horribly wrong...my clients have specifically asked me to thank you” (*Solicitor, international banking claim*)
- “Thank you for your skilful handling of the mediation and for your success in guiding the parties to an entente cordiale” (*Paris-based lawyer, international multi-million pound IT dispute*)
- “...write to say how impressed I was by your mediation skills...From being somewhat sceptical about the mediation process, I have become a convert and will be recommending you to my colleagues” (*Counsel, share option and employment dispute*)
- “Most of the credit for the settlement must go to you for your skilful handling of the parties..” and “Thank you for your patience and perseverance...I am certain that we would not have got there without your very significant contribution...” (*Solicitors, US\$53 million international fraud claim*)
- “Bill was brilliant...” (*Solicitors, multi-party, multi-million pound acquisition warranty dispute*)

- “Very good...patient” - “extremely impressed...(and) now a bit of a mediation convert...having been (before the mediation) a bit sceptical about how effective it would be in a civil fraud case” - “Thought Bill Marsh was excellent – he had a very hard job to do, dealt with everyone very fairly, took time to go through everything with them and was very thorough” - “glowing reports of the mediator” - “Thought Bill was excellent and did a good job” (*various parties and lawyers, 9 party commercial fraud case*)
- “... expressing my appreciation for the way in which you conducted the mediation. It really was remarkable how such a bitter dispute was resolved in such a satisfactory way” (*Solicitor, shareholder dispute*)
- “Bill was excellent. I have seen him mediate before and was impressed again. He has an excellent touch, firm, calm, courteous and trustworthy. He has a great combination of elements and controls the day with ease. I will use him again...” (*In-house counsel, re-insurance dispute*)
- “Thought that Bill was great...fantastically on top of the documentation...He understood the human issues on the claimant’s side and was very sensitive. Understood financial aspects, as well as legal aspects...” (*Solicitor, largest medical negligence claim in UK history*)

### **Professional background**

Bill was a corporate lawyer in the UK and Paris, handling a range of commercial transactions and problems – acquisitions, disposals, mergers, flotations/listings, commercial agreements (agency, distribution, manufacturing, etc), insolvency, partnerships, shareholder issues and many others.

Bill was a founding Executive Director of CEDR from 1991 to 2002, responsible for all its mediations.

In 2002, he formed Conflict Management International (CMI) which has quickly become Europe’s leading mediation adviser to governments. In 2005/6 alone, CMI worked with 16 governments, advising on mediation reform and development.

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