

**MATA**  
**Mediation and Training Alternatives**

**JAGGED ENDS**

**General information**

**Dramatis personae:**

**Charlie Barker**, Marketing Director for Hondai Sports Car. Progressive, energetic, with a hard but fair reputation. Negotiated original deal with Dave Knight of Stadium Holdings.

**Dave Knight** of Stadium Holdings is a colourful character who pulled off some spectacular sponsorship deals for Stadium Holdings around the country. This was the first for Brockside. Dave has since left Stadium Holdings and has gone freelance. Although he is in touch from time to time his current whereabouts are unknown.

**Pat Smith**, new Chief Negotiator for Stadium Holdings replacing Dave Knight after he went freelance is finding it rather hard to pick up deals that have not been well documented.

**Terry Hall**, Manager of Brockside Stadium is known as the local man 'done good' and has turned the stadium into an increasingly successful business. Terry has strong ties with both the fans and local business and is an active member of the Chamber of Commerce and Rotary.

Stadium Holdings owns several stadiums in the United Kingdom of which Brockside is one.

**Background to dispute:**

Prior to him leaving Stadium Holdings six months ago, Dave Knight negotiated a sponsorship deal with Charlie Barker for exclusive advertising at Brockside Stadium. Pat Smith picked up Dave's portfolio of which this was the largest contract. The sponsorship deal was for £1 million per year for three years. In return, Hondai Sports Cars were given sole rights to banner advertising around the perimeter of the stadium together with 'grass-level' special displays (grass painting etc.) when events were televised.

The stadium has tiered corporate boxes at the north and south end, the main public seating being in the East and West Stands. The corporate boxes are rented annually to mainly local businesses and they display their names above the boxes. Some of these displays are 'eye catching'.

Although many of these displays have been in existence for several years, Hondai had expected them to be removed as part of the 'exclusive' advertising deal. Brockside Stadium have resisted such a suggestion, maintaining that Hondai were aware of the

'special relationship' Brockside had with their local businesses. Dave Knight is not available for comment and is thought to be currently in the USA. Hondai Sports Cars have issued a notice of termination of the sponsorship contract on the grounds that Brockside are not providing exclusive advertising rights as contracted and Hondai are about to issue proceedings for the return of the sponsorship monies already paid.

**Summary of claims:**

Hondai Sports Cars are about to sue Stadium Holdings for return of the first payment of £1 million made three months ago at the start of the contract, together with interest and costs (which are minimal at present).

There have been no settlement discussions or offers.

**Attending the mediation:**

Charlie Barker of Hondai Sports Cars. Comes with full authority to settle.

Alex Shepherd, in-house lawyer for Hondai.

Pat Smith of Stadium Holdings. Comes with Board authority to settle subject to Terry Hall's approval.

Terry Hall, manager of Brockside Stadium.

CEDR Mediator and Assistant Mediator

© CEDR/DR 2001