



Jonathan has the ability to connect with clients and solicitors and to quickly gain their confidence. He reads situations well and this helps him to move the parties towards settlement.

## Mediation experience

Jonathan has been a commercial mediator for 24 years. His mediation practice has covered a wide variety of areas but in particular he has considerable knowledge of professional negligence disputes, construction disputes, property disputes (particularly those arising out of disputed wills and probate), partnership, employment, financial services, as well as more general commercial, company and contractual matters. He has lectured on mediation and ADR in the USA, South Africa and in Estonia. He currently provides the Evaluative Mediation module in the RICS mediation training course.

## Other dispute resolution experience

- Certified by the International Mediation Institute
- Distinguished Fellow of the International Academy of Mediators
- Member of the Advisory Board of the Standing Committee of Mediation Advocates
- Former Director and Chairman of ADR Net Limited
- He speaks regularly on mediation topics both in the UK and abroad
- He also provides training courses in preparation and presentation at mediations
- He currently provides the Evaluative Mediation module in the RICS mediation training course.

## Mediation style

Jonathan is willing to adopt an evaluative approach to his mediations. Whilst recognising he is not there to determine the issues, he is not afraid to engage with the parties on the strengths and weaknesses of their claims. His experience as a commercial lawyer and litigator of over 30 years, and a mediator for more than 20 years, has given him a good insight into the realities of dispute resolution.

He believes that settlements tend to emerge as a consequence of the parties taking a realistic look at the prospects of success or failure of the whole or aspects of their case and then taking a similar approach when looking at the case of their opponents. In addition he looks to give the parties an opportunity to consider options other than simple win or lose. Whilst many disputes are primarily claims about money, there are often other issues that need to be addressed before a constructive discussion about financial settlement can take place.

However, at the end of the day, he recognises he is there to help the parties achieve their settlement of the dispute that they have brought to mediation and works with them to achieve the settlement they want.

## Directories

### Legal 500 2017

**Jonathan Lloyd-Jones** is 'an effective mediator who is good at listening to parties and focusing on a dispute's key points; he can be robust and challenging when necessary and will keep going to get a result'. Lloyd-Jones is also praised for being 'receptive to the emotions that often ride high between clients at a mediation, and he is quick to adapt the structure of the mediation to suit and accommodate the clients' wishes, rather than impose his own views'. His practice covers commercial topics, including claims for fraud-based restitution, breaches of restrictive covenants, and professional negligence claims; and he is often involved in insolvency, construction and property matters.

### Chambers & Partners 2018

**Jonathan Lloyd-Jones** is an excellent and "very personable" mediator, whose "relaxed and friendly" approach has earned him the respect of peers and instructing parties alike. He is experienced in mediating a host of commercial disputes, including professional negligence, fraud and employment issues. One commentator notes that he is "incredibly practical, and when the chips are down and it looks a million miles away from settlement he always has an idea to get it over the line." He is increasingly engaged for property and construction disputes.

### Who's Who Legal: Mediation 2017

Listed as one of the World's top mediators in this International Directory. **Jonathan Lloyd-Jones** has a "first-class track record" on professional negligence, construction, property, partnership and employment disputes.

## Areas of Practice

Jonathan's main area of practice include:

Professional negligence, construction, property (particularly those arising out of disputed wills and probate), employment, partnership, general commercial, company and contractual matters.

### Commercial and financial

- Dispute between German and British engineering companies over the financial loss following the explosion of a machine in a high tech factory.
- Claim by purchasers of an accountants practice against the vendors that they failed to make proper disclosure
- Several claims by Bank for recovery of monies from commercial customers
- Claim by a number of investors against accountants and fund administrators over allegedly fraudulent investments totaling several million pounds
- Claim by a group of over 50 investors against their lawyers and a bank following the failure of a tax saving scheme
- Claim by a Spanish solar farm developer against their British partner over the misdirection of proceeds from solar farms in the UK.
- Claim by US logistics company against various defendants alleging fraud in relation to shipments from Bangladesh
- Warranty claim following sale of drinks company to a multi national company
- Dispute between insurance company and their IT supplier alleging various breaches and claims for additional payments.
- A claim by an Investment Fund against a foreign PLC alleging fraud and consequential loss on the investments made. The claim was for over \$1bn and settled following an all day mediation and further meetings which took place over the subsequent weeks.
- Various claims for breach of contract between large commercial organisations.
- Dispute as payments required under a major redevelopment agreement for property in Scotland
- Claim against pawnbrokers for damages arising out of breaches of the Consumer Credit Act
- Claim by IFAs against financial planners for breach of the introducer's agreement
- Unfair prejudice claim under S994 Companies Act by director and shareholder
- Allegation of Disability discrimination against major UK University
- Dispute over funding under a joint venture agreement
- Claim vs Local authority for damages for breach of Data Protection Act
- Claim by solicitor against insurance company over alleged wrongful avoidance of policy for dishonesty
- Claim by construction company against insurer for wrongful avoidance of policy for non disclosure

## Construction

- Claim by distribution company against architects and engineers for the negligent design of a loading yard.
- A major and high profile claim arising out of the failure to complete a significant public building. The parties included the local authority, the contractor and architect. The case settled shortly after a 2 day mediation saving the parties an estimated £20m in legal fees.
- Joint mediator on a 7 party dispute over a major oil spill down many floors of a brand new office block in London. The case settled after 2 days of mediation.
- Construction disputes, often involving a number of parties and ranging from extensions to private properties to multi-million pound developments.
- Claim by architects for non payment of fees and counterclaim by developer for professional negligence and allegation of no contract
- Claim by national housebuilder against architects and engineers for defective design
- Claim by employer under major building contract against structural engineers

## Insolvency

- Claim by liquidator against solicitors over the lease of a restaurant
- Claim against former director of a well known company for contribution due to alleged preference
- Claim by insolvency practitioner against former owners of a recruitment business for diverting funds illegally
- Claim by liquidator against former directors, accountants and advisors for contribution
- Claims by liquidator against former directors for contribution due to alleged preferences and transactions at an undervalue
- Claim by trustee in bankruptcy against wife of bankrupt regarding alleged transfer at undervalue

## Professional Negligence

- Claims against barristers for poor advice
- Claims against accountants for negligent advice concerning tax schemes
- Claims against surveyors including
  - Negligent valuation advice
  - Failure to spot encroaching tree roots
- Numerous claims against insurance brokers for failure to ensure that appropriate insurance was in place for businesses following damage to premises
- Various claims against IFAs for poor financial advice
- Claim against solicitors for failure to pursue loss of profits claim arising out of the destruction of a business by fire.
- Dispute re solicitors failure to ensure individual funders had priority over Bank Charge
- Claim by Bank against solicitors and valuers over taking of security over industrial property
- Claim by a building society against national estate agents for poor valuation advice
- Claim by property investor against solicitors for failure to protect properly his interests in a substantial development
- Claim against architect in relation to a major house refurbishment.
- Claims against IFA's over investments in a fraudulent scheme.
- Claim against former accountants for poor tax advice.
- Various claims against solicitors and counsel by individuals, companies and institutions for professional negligence.
- Professional negligence disputes involving solicitors, accountants, patent agents, insurer brokers, IFA's and professionals from the building industry. Many such disputes are multi-party.

## Other

- Shareholder disputes in private and family companies.
- Claims against public bodies by individuals and corporations.
- Claims by public bodies against commercial institutions.
- Claim by widow of deceased farmer for failure to make reasonable provision in will for her.
- Claim against Local Authority for failure to maintain roads and pavements causing damage to an important historic building
- A claim brought by a number of farming Claimants alleging breach of duty by a government department leading to major financial loss and potential claim for personal injury. The claim required a full understanding of the background to the dispute involving a detailed site visit and interviews with the farmers at their farms before proceeding with the mediation.

## **Client comments**

I must say that having been at many mediations, I thought that your conduct and skills were superb in bringing together a settlement.

Jonathan was excellent. Very good with the clients, approachable, patient and clear helping to bring the settlement together.

As well as having mastered your brief you were skilful, polite and well structured. You made powerful friends yesterday who I hope and believe will instruct you again. I also had a masterclass in the role of a mediator.

Very well, he understood the issues in dispute from the outset and also understood that both parties were there with the definite intention of settlement, offers were therefore made at a very early stage which resulted in the mediation being concluded in a relatively short period of time.

Jonathan delivered an excellent professional service and worked extremely hard to finalise the deal. We would have no hesitation in recommending him in the future.

We were very happy with the performance of the mediator. Good contact before the event. Good flexibility. Kept pace with developments. Good humour. Excellent appreciation of the issues. We would be delighted to work with JLJ again.

The mediator explained the process fully to my client. He clearly understood the issues and inspired confidence in the client who trusted him to ensure that everything that could possibly be done to achieve a deal was done.

Jonathan was a very able and experienced mediator. He quickly -recognised that both parties were experienced in mediating and set about driving the parties to settlement figures at an early juncture, which eventually resulted in a timely and successful settlement.

Jonathan was particularly well prepared considering that he was a -last minute replacement for Philip. We had exchanged voicemails on the Friday before the mediation but did not manage to speak until the day of the mediation. He had read in very well and quickly got to the issues. His pace on the day was very good. He worked well between the parties and we felt that he was making the other party really think about their case. There was considerable work for the mediator to do to persuade the Claimant to accept the difficulties with his case and the mediator achieved this successfully by dividing his time and efforts appropriately, sensibly and fairly between the parties.

Jonathan handled both the clients, the lawyers and the Claimants very well. This was a claim with a lot of emotion {disappointed beneficiaries) and Jonathan allowed the claimants their say but did not allow it to spiral out of control which would have prevented settlement discussions. Jonathan set exactly the right pace.

## **Professional memberships**

- International Mediation Institute Certified Mediator
- Distinguished Fellow and Board member of the International Academy of Mediators
- Member of the Advisory Board of the Standing Committee of Mediation Advocates
- Former Director and Chairman of ADR Net Limited
- CMC Registered Mediator

## **Professional background**

Jonathan Lloyd-Jones qualified as a solicitor in 1979 and as a mediator in 1991 and since then has been actively involved not only in practicing as a commercial mediator but also in the development of mediation practice in the UK. Until 2012 he combined that practice with his own practice as a solicitor specialising in commercial litigation. He was described in The Legal 500 (2011) as *one of the best solicitors, he has an extraordinary grasp of facts and a remarkable analytical mind and knowledge of the law.*

Since 2012 Jonathan has practised full time as a commercial mediator. Prior to that Jonathan was Senior Partner of his Oxford law firm (Linnells) from 1998, leading it into a merger with the larger regional firm of Blake Lapthorn (now Blake Morgan) in 2003.

He was Chairman of Blake Lapthorn from 2005 until 2011 and left the firm in 2012. During his time as Senior Partner and Chairman he acquired wide experience of partnership matters and the challenges of running a business, which means he understands, probably to a greater degree than many legal advisors because of his personal experience, the need for practical and commercial solutions to problems.

Additionally from 2004 – 2012 he represented the firm all over the world as part of its international network.

## **Training/talks/books/articles**

Jonathan has trained lawyers, business people and other professionals in mediation skills and in the skills of using mediation effectively for their own disputes. He also conducts training in-house for law firms, insurance companies and others.

## **Outside interests**

He is Chair of Trustees of The Art Room, a charity that, by using art as therapy, encourages the reintegration into main stream schooling of children that have been or are at risk of exclusion. The charity has the Duchess of Cambridge as its Royal Patron and is currently expanding significantly.

Whilst at Blake Lapthorn, he was closely involved with encouraging a greater understanding of environmental issues in Oxfordshire. He set up the Green Breakfast series at the firm, which raises amongst local business leaders and others an understanding of the wider environmental concerns that will shape our world in the future.

Jonathan loves to travel when possible and in 2012 spent 2 months in Argentina trying to learn Spanish and to tango at the same time.

## Personal

Qualified as solicitor: October 1979

Trained as mediator: October 1991

**1977-1980** **Stephenson Harwood** - City of London Corporate practice

**1980-1988** **London** West End litigation practice  
Partner and Head of Civil Litigation Department

**1988-2012** **Blake Laphorn** – Top 60 law firm  
Chairman 2005 -2011  
Former Head of Commercial Dispute Resolution Practice Group

## Contact details

### Independent Mediators

**David Douglas** –  
Director

**Nicky Doble** –  
Chief Executive

**Phone:**  
+44 (0)20 7127 9223

**Email:**  
[imoffice@independentmediators.co.uk](mailto:imoffice@independentmediators.co.uk)

**Website:**  
[www.independentmediators.co.uk](http://www.independentmediators.co.uk)

**Direct:**  
Jonathan Lloyd-Jones

**Mobile:**  
+44 (0)7850 847759

**Email:**  
lloydjones@gmail.com

