



## Chris Fitton

### *Consultant Mediator*



#### **In Brief**

1991 Barrister

1995 Solicitor

1996 Solicitor Advocate

1999 Mediator

- Finance
- Trust/Fiduciary Duty
- Pensions
- Commercial
- Private Client
- Public Bodies
- Construction & Property
- Professional negligence
- Employment

#### **Mediation Experience**

Chris is a solicitor and partner at a leading national firm of solicitors and specialises in dispute resolution by mediation. He has been involved with Alternative Dispute Resolution for over 15 years, and has been an accredited mediator with ADR Group since 1999. He has over 18 years experience in commercial and insurance dispute resolution, including an expertise in the following areas:

- Contract/commercial disputes
- Professional negligence
- Financial services, life, mortgages and pensions
- Property/L&T/Wills & Probate, Equity and trusts, 1975 Act
- Insurance coverage disputes

Chris has mediated over 100 sizable cases since his accreditation. He is familiar with:

- mediations with three and four different parties
- disputes in the public sector (charities, NGOs, public authorities)
- handling unrepresented parties
- cases involving non-lawyer advisers and experts
- different funding arrangements, eg CFAs, ATE legal costs insurance, contingency fees

Chris has a close knowledge of facilitative mediation as well as the CPR. He is a former chancery barrister (1991 Call) and a Solicitor Advocate (Civil, Higher Rights). Chris has experience of Appeal Court and House of Lords hearings as well as of conducting matters



before the Financial Ombudsman Service and the Pension Ombudsman.

### Some cases mediated...

Chris was the mediator in a three party £530,000.00 negligence claim surrounding the £2.2m group buy-out of OPS benefits. The issues involved were the actuarial valuation of widows' benefits and GMPs. **Claim settled at mediation.**

Financial Services

Chris was the mediator in a £1.2m corporate dispute between an MBO team and the construction company's former owners. The issues surrounded warranties and indemnities for the construction company, and VAT. **Claim settled at mediation.**

Construction

Chris was the mediator in a £6m claim by Receivers against the convicted fraudster's wife. The claim arose under a SFO Confiscation Order. There were complex factual issues around the dissipation of the fraud proceeds, including trusts, a network of companies and various overseas properties. **Claim settled shortly after the mediation.**

Fraud

Chris was the mediator in a £1.8m construction dispute, alleging project management/planning/other shortcomings by the professionals involved in nine separate construction projects. **Claim settled at mediation.**

Construction

Chris was the mediator in a £2m claim by a disaffected former appointed representative of a life office, who alleged a negligent reference had been written against him on his termination. The defence was justification. However there were also very substantial quantification issues. **Claim settled after the end of the mediation.**

Financial Services

Chris was the mediator in a £930,000.00 contested probate claim between two factions within the deceased's extended family. Precisely what assets were within the estate, and what duties the executors had owed were contested. **Claim settled at mediation.**

Probate or Private Client

Chris was the mediator in a £660,000.00 dispute between an IT consultancy company and its outsourcers. **Claim settled shortly after mediation.**

Contract/Commercial

Chris was the mediator in a £1.7m pension dispute, alleging professional negligence against the financial advisers. On the face of it, the claim was about portfolio choice. However there were substantial other issues, including how an over funded SSAS should have been dealt with. **Claim settled at mediation.**

Financial Services

Chris was the mediator in a £1.6m contested PHI claim. High-earning executive alleged a stress-related illness. Precisely what his employment status was at the time was also disputed. **Claim settled at mediation.**

Financial Services

Chris was the mediator in a £1.2m pension transfer related claim, against an intermediary now in liquidation. This mediation covered virtually all aspects of pension transfer claims, including method of quantification, causation issues and PI coverage issues (the operation of the Third Party (Rights Against Insurers) Act 1930. **Claim settled at mediation.**

Financial Services

Chris was the mediator in a £1.2m accountancy negligence claim, where bad EIS tax relief advice was alleged to have been given by the financial adviser. **Claim settled shortly after the mediation.**

Professional Negligence



### **What solicitors have said about him:**

*"Kept up the quickness of pace"*

*"...technique was excellent"*

*"...really 'swam the channel' for us on this one"*

*"...played a blinder"*

### **What the legal directories say about him**

Legal 500 (2008):

*"Excellent"*

*"Exhibits substantial knowledge and experience in the sector"*

Chambers (2008):

*"Keeps things moving at a cracking pace"*

*"Positive, constructive and approachable"*

*"Good humour and great instincts"*

Chambers (2009):

*"Extremely talented and reliable"*

## **Why choose consensus mediation...?**

Our role ensures that...

- Mediators remain wholly impartial and focused on the dispute because we handle all the fee negotiations, contracts, documents and logistics;
- Mediators do not become disqualified from acting (even by perception) because of previous direct or frequent instructions from one party or solicitor;
- Clients and their solicitors can concentrate on the case while we sort out all the administration and logistics.

We quote an inclusive fee for the mediator's time and the administration of the entire mediation process. Consensus Mediation does not charge for "overtime" or for any other hidden extras.

For an informal discussion call one of our Case Managers now on **0844 561 1763**