



## Maggie Kennedy

**Director and Consultant Mediator**

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### In Brief

Solicitor (1988)

Business

*"Good is not the word I would use to describe the way the mediation was conducted; excellent in every way would describe it better."*

Director, Consensus Mediation Limited

Contract

Construction

Former Chair, Mediators in East Anglia

Computers/IT

Accredited (1999) & Registered (2001) Mediator

Employment

Professional negligence

Judicial appointments (part time)

General commercial

### Mediation Experience

Maggie Kennedy is highly experienced in the resolution of commercial and private client disputes, having spent many years at the international solicitors' firms Eversheds and Hammonds. Maggie has both broad and specialist experience enabling her to negotiate business disputes over money, goods, buildings or performance; from small claims to million pound disputes in the manufacturing, construction and service industries, as well as disputes between individuals or private clients.

Approachable, bright and commercially aware, her IT skills and sense of humour are also familiar attributes to those that know and work with Maggie, and her particularly well developed interpersonal skills are invariably appreciated by clients and solicitors alike.

Maggie Kennedy is a careful and perceptive mediator dedicated to ADR, her skills and personality helping participants to find creative solutions.

Maggie is often invited to speak about mediation and ADR at conferences and lectures. One conference organizer commented:

*"I thought you might like to know that the delegates at last week's seminar obviously appreciated your style as you were voted top speaker in a summary of the seminar critique forms!"*



Another participant said: *"Polished and informative. No criticisms."*

**Comments on Maggie Kennedy's mediation style include:**

*"Maggie has a very powerful understanding manner and approach, which the clients found reassuring. The key issue for the claimants was confidence in the accuracy of the information being presented by the opponents, and Maggie was able to deal with this difficult issue effectively. As advisor to the clients, I found the approach to be spot on."*

*"I was very impressed with Maggie Kennedy who handled what was potentially a very difficult encounter with the requisite strength and diplomacy. I thought she was a very impressive mediator and I would certainly recommend her to my colleagues."*

*"Maggie did an excellent job. I had not thought that this case would resolve through mediation so I was extremely happy as was my client. We are feeling really good about the result - but I feel it was a very positive outcome for all concerned. I would not hesitate to recommend Maggie again."*

In the same case, the other party's solicitor said:

*"Both I and my client were very pleased with the outcome. My client is extremely relieved that he can now move on with his life and that there was a settlement. It was a very worthwhile process."*

Nearly all cases settle on the day, but Maggie is more than willing to keep on working to achieve a settlement afterwards, assisted by telephone and e-mail communications between Maggie and the parties. One party's solicitor said:

*"I should like to take this opportunity of thanking you for all your assistance; particularly for the help given after the day of the Mediation. I am quite sure that without your help the matter would not have been resolved."*

**Some cases mediated...**

- breach of contract claims and counterclaims;
- professional negligence - solicitors, architects, surveyors, accountants;
- accountants' alleged professional negligence involving client's loss of business premises;
- action against professional body for refusal to fund litigation;
- private clients - division of capital and other assets;
- shareholder disputes;



- multi-million online business dispute, involving shareholdings and employment issues;
- sickness/suspension employment contract dispute;
- termination of director's employment;
- consultancy agreements;
- sports contract disputes;
- franchise contracts;
- bespoke commercial database packages;
- website disputes - building/design, hosting, optimisation (SEO);
- internet domain name disputes;
- intellectual property (trade marks, trading names, copyright);
- passing off dispute in the education sector;
- international sale of goods;
- domestic building works;
- defective mechanical & electrical works;
- defective building works;
- construction - breach/repudiation of contract;
- construction - employer/main contractor/sub-contractor disputes;
- construction - delay, L&A damages, extensions of time, practical completion;
- construction - contractors' warranties;
- construction - retentions, performance bonds; guarantees;
- swimming pools - construction and ventilation;
- multi-party contract for the refurbishment of school premises involving asbestos, delay, quality of works;
- contracts for waste disposal;
- aeroplane repairs;
- vehicle repair contracts;
- vehicle hire-purchase contracts;



- rural museum dispute;
- dispute over rights of way;
- disputes involving both commercial and residential boundaries

and numerous other contractual and tort-based disputes.

Maggie has extensive practical knowledge and experience of IT related cases. She is familiar with the technical and practical aspects of the design and creation of websites and search engine optimisation. She has extensive practical experience of databases and user interfaces.

### **Professional Background...**

Degree in law from Leeds University, then Solicitors' Finals at Nottingham Trent.

Articles at Leeds Magistrates Court, then a commercial litigator with Hepworth & Chadwick (now Eversheds) then a construction law specialist at Hammonds, before becoming a partner and head of litigation at a smaller regional practice.

Maggie Kennedy established Consensus Mediation in 1999, and has guided its steady growth and success since then.

Maggie holds a number of part-time judicial posts including Parking Adjudicator for England and Wales, and Congestion Charging Adjudicator.

## **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**