

## **Neil Goodrum - Mediator CV**

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*" Neil treated the parties and the issues with respect. He was very practical and was there to get the job done"*

### **Mediation experience**

Neil was accredited by CEDR as a mediator in December 1997. He is a CEDR Registered Mediator.

As an experienced lead mediator, the types of disputes Neil has mediated include employment, commercial Litigation, professional negligence, clinical negligence and personal injury. Neil, as a solicitor, has also acted as a representative of parties in mediations.

Examples of mediations include:

### **Employment**

- a claim by a director/shareholder for breach of contract, wrongful and unfair dismissal, equal pay and sex discrimination where the amount in dispute exceeded £350,000
- allegations of breach of contract of employment by senior employee including misuse of employer's intellectual property.
- employment dispute between Executive Director of a nationally known high profile company based on claims for breach of contract, disability discrimination, and personal injury. The amount in dispute exceeded £1.5 million.
- industrial dispute involving a number of employees, supported by their Trade Union, arising from proposed new terms and conditions of employment.
- claim that ex senior employees had established a substantial competing business in breach of post termination restrictions and the ex employees' counter claim for monies unpaid pursuant to the contract of employment.
- dispute following the "transfer" of a contract between two commercial organisations, regarding the application of TUPE and the impact of employment contract covenants.
- breakdown in workplace relationships against a background of potential claims for breach of contract, sex discrimination and disability discrimination.

### **Commercial contract**

- partnership/commercial contract dispute between members of a Limited Liability (Professional) Partnership where the issues in dispute involved breach of contract, allocation of clients and future competition. The amount in dispute exceeded £500,000.

- commercial contract dispute relating to the breach of a multi-party joint venture agreement where the amount in dispute was up to £1 million.
- dispute arising pursuant to a commercial agent's agreement where the amount in dispute exceeded £250,000.
- alleged breach of a commercial contract and negligence regarding the supply of business services.
- dispute arising from a claim to enforce personal guarantees given by the directors of a company in liquidation and involving a counter claim regarding material misrepresentation in the sale of the business.
- a dispute involving breach of a partnership agreement and the making of secret profits, where the amount in dispute exceeded £300,000.

#### Professional negligence

- claim against former solicitors for professional negligence in the handling of a personal injury damages claim in which the amount claimed exceed £900,000.
- professional negligence claim against two former firms of solicitors regarding the handling of a personal injury claim valued in excess of £100,000.

#### Clinical negligence

- complaint regarding birth of severely disabled child where the amount in dispute was £2m.
- complaint by a patient of negligence by a general surgeon resulting in a permanent disability.

#### Personal injury

- dispute regarding the amount of compensation following a road accident resulting in severe head injuries, where the amount claimed was in excess of £2m.
- dispute between five insurers over the apportionment of liability in a serious industrial accident claim where the amount in dispute was estimated to exceed £600,000.

#### Inheritance

- claim under the Inheritance (Provisions for Family and Dependents Act) 1975 where the amount in dispute exceeded £300,000.

#### Personal style

Neil believes that mediation provides a perfect opportunity for meaningful dialogue, directly or indirectly, between the parties in a 'safe environment'. His style is facilitative but with a willingness to persist and take a firm approach when required.

Examples of comments made by clients about Neil as a mediator include:

- “He was very courteous and very persistent this was very effective.”
- “He got to the nub of the issues very quickly and painlessly and was very professional.”
- “He was an astute man and got on top of was going to cut the mustard.”
- “The individual clients in this case were very hostile towards one another and very difficult, the mediator dealt with the personalities very expertly.”
- “He is an experienced mediator who made them all think differently about key issues.”
- “He reality tested well and tried to push our client, I assume that he was doing the same with the other side.”
- “Neil was very conciliatory and that was a ‘good foil’ for the two of us.”
- “The relationship between the parties was very strained. He dealt with it very sensibly.”
- “There was a lot of history to this matter and a lot of animosity, but he controlled that very well.”
- “Neil treated the parties and the issues with respect. He was very practical and was there to get the job done.”
- “Tempers were running high and parties were frustrated but Neil handled the mediation well.”

### Professional background

Since 1986, Neil has been a Senior Litigation Partner with McCormicks dealing primarily with commercial litigation, employment, clinical negligence matters and personal injury.

In **employment** matters he deals with employer and employee contentious and non-contentious cases, including acting on behalf of major sporting and charitable trust clients. Many of these cases involved substantial claims, by senior employees, and have often been of a high profile and sensitive nature. An experienced Employment Tribunal advocate, Neil has dealt extensively in employment law matters, including dismissal, redundancy, discrimination and transfer of undertakings cases, and has advised on trade union issues. He has appeared on local television and radio as an expert in this area.

Recent cases have included: acting for a very successful, high profile company in a claim by a dismissed senior Director and major shareholder, acting for an employer facing contract and statutory claims from senior directors removed on grounds of capability, advising in a high value claim for an employee dismissed in circumstances amounting to disability discrimination and harassment and acting for a company seeking an injunction and damages on the basis that key employees had used their employment as a “spring board” to establish a competing business.

Throughout his professional career Neil has dealt with many types of **commercial** disputes. These have included bringing and defending matters arising from the breach of commercial contracts for the supply of goods and services, professional negligence matters relating to accountants, architects, surveyors and solicitors. He has also acted in partnership disputes relating to accountants and solicitors and in claims arising from professional misconduct.

In relation to **clinical negligence and personal injury**, he has acted primarily for claimants although he has experience of acting on instructions from an employer's liability insurer in a substantial number of cases involving industrial injury. He has acted in very high value cases including claims for clients under a disability having dealt with a number of cerebral palsy matters, and other serious brain injury cases in the context of both clinical negligence and personal injury.

Since qualifying in 1981, Neil has dealt almost exclusively with contested matters throughout his professional career. Until the early 90s these included commercial fraud and other serious criminal cases. He initially worked in Leeds and then Oxford before joining McCormicks, when the firm was founded in 1983, and becoming a Partner in 1986.

His other professional qualifications/experience include:

- June 1994 Fellow of the Chartered Institute of Arbitrators
- July 1995 Higher Courts (Criminal Proceedings) Qualification
- October 1997 Higher Courts (All Proceedings) Qualification
- April 2000 Appointment to the Sports Dispute Resolution Panels of Mediator and Arbitrators
- March 2002 Member of the Chartered Institute of Arbitrators Panel of Mediators
- August 2002 Practitioner Member of the Law Society Civil/Commercial Mediation Panel
- October 2003 Member of the Panel of Mediators for the Court of Appeal Mediation Scheme
- August 2006 Member of the CEDR Solve Direct Panel of Mediators
- August 2007 Member of the CEDR Training Faculty

As one of the management partners of McCormicks, he has direct experience of running a business.

McCormicks is recognised as a leading sports law firm in the Legal 500 and has a national reputation in this area. The firm has also been recognised by the Legal 500, for its expertise in employment, media and entertainment law, as well as a number of other areas.

## Contact Details

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