

## Mediator CV - Neil Goodrum

### Overview



Neil Goodrum

Neil was accredited by CEDR as a mediator in December 1997. He has extensive experience in mediating disputes in many different areas including: employment, partnership, shareholders, inter-business, professional negligence and probate. The amounts in dispute in these cases have ranged from relatively modest sums to many millions of pounds.

He is a Lead member of the CEDR Training Faculty has been involved with CEDR in training mediators and others involved in dispute resolution in the UK and internationally.

Neil, as a solicitor and Senior Litigation Partner, has acted for clients in many types of disputes and has represented parties in mediations. In addition to acting for clients in contentious matters, Neil sits as a Chairman of the Football League Football Disciplinary Commission.

The Chambers Guide notes – “Peers report that he is *‘great at the creative thinking that is sometimes necessary to eliciting the most useful information’*. Neil’s approach is characterized as *“accommodating, enthusiastic and fantastically persistent.”*

### Experience

Examples of cases that Neil has mediated include:

### Employment/workplace

- 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.

- Alleged breach by employee of contract of employment by establishing competing business where the amount in dispute exceeded £100,000.
- 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.
- Claim by a former employer that employee had been in breach of fiduciary and fidelity obligations as well as breaching post termination restrictions against a background of an interim injunction. Amount in dispute was over £200,000.
- Work place dispute between employee and line manager regarding allegations of bullying and breach of contract.
- Employment dispute relating to race discrimination and allegations of losses arising from breach of contract.

## **Sport and Media**

- Dispute relating to compensation payable to a very high profile football league manager following the issue of court proceedings against his former club. The amount in dispute exceeded £5 million.
- Dispute regarding allegations of defamation between members of a national known sports team.
- Dispute relating to advertising and sponsorship in football.
- Potentially high profile dispute regarding the constitutional and commercial relationships in the governing body of major sport.
- Dispute arising from an alleged breach of a commercial sponsorship agreement in the sports sector with a counterclaim for sums paid out under the agreement. Amount in dispute approximately £60,000.

## **Partnership / Shareholders**

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

- A dispute involving breach of a partnership agreement and the making of secret profits, where the amount in dispute exceeded £300,000.

#### **Inter-business**

- 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.
- Dispute relating to allegations of breach of a franchise agreement involving allegations of misrepresentation by the franchisor.
- A dispute relating to a contract for sale of a commercial property where the amount in dispute exceeded £2.75 million.
- A dispute between two companies in a specialist industry regarding the terms of an alleged option to purchase part of one of the organisations concerned.
- Dispute regarding alleged breach of contract between with a claim and counterclaim where the amount in dispute was approximately £150,000.

#### **Supply of Goods and Services**

- A dispute regarding the supply of electricity to commercial outlets in circumstances where there was an issue as to whether or not one party was engaged as principal or agent. The amount in dispute between the parties exceeded £1m.
- Dispute relating to the terms of a contract for the transportation of specialist equipment including the basis on which the agreement could be lawfully terminated.
- A dispute regarding a contract to undertake building alteration work at a number of commercial properties owned and operated by one of the parties.
- Dispute relating to the alleged breach of a contract to supply specialist equipment to a commercial entity with a consequential loss claim.
- Dispute relating to a claim for breach of a contract for the supply of specialist industrial equipment in which it was alleged that time was of the essence regarding delivery.

#### **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.
- Professional negligence claim in construction industry where the amount in dispute was in excess of £275,000.

### Personal injury and 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.
- 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.
- Complex personal injury claim where there were issues of individual and corporate responsibility. Amount in dispute exceeded £200,000.

### Probate

- Claim under the Inheritance (Provisions for Family and Dependents Act) 1975 where the amount in dispute exceeded £300,000.
- Claim under Inheritance (Provision for Family and Dependents) Act 1975 where the amount in dispute was approximately £500,000.

### 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, challenge and take a firm approach to focus the parties on resolution, when required.

### Feedback from parties to mediations:

- "He was very courteous and very persistent this was very effective."
- "Neil treated the parties and the issues with respect. He was very practical and was there to get the job done."
- "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."
- "Tempers were running high and parties were frustrated but Neil handled the mediation well."
- "The prospects for a settlement did not seem particularly high at the start of the day. Neil worked well to get the parties together and achieve a settlement"

## Professional skills

- Since 1986, Neil has been a Senior Litigation Partner with McCormicks dealing primarily with contract and commercial litigation, partnership, employment, professional negligence, 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.

#### **Other professional qualifications/experience**

- 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 Panel of Mediators .
- 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.
- Member of the CEDR Direct Panel of Mediators
- As one of the management partners of McCormicks, he has had direct experience of running a business with over 100 employees.
- McCormicks is recognised as a leading sports law firm in the Legal 500 and the Chambers Guide and has a national reputation in this area. The firm has also been recognised by the Legal 500 and the Chambers Guide, for its expertise in employment law, media and entertainment law, as well as a number of other areas.

#### **Contact Details**

Neil Goodrum  
McCormicks  
Wharfedale House  
37 East Parade  
Harrogate  
HG1 5LQ

Tel: 01423 530630  
Fax: 01423 530709

Email: [n.goodrum@mccormicks-solicitors.com](mailto:n.goodrum@mccormicks-solicitors.com)  
Website: [www.mccormicks-solicitors.com](http://www.mccormicks-solicitors.com)