

VIAC – Questionnaire for Mediators

1. **Name:** Eileen Carroll QC (Hon)

2. **Nationality:** British

3. **Contact information**

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Website:

LinkedIn: Eileen Carroll QC (Hon)

4. **Education and professional experience (original profession; where did you study?):**

Please add your CV!

BA Honors Law Degrees from the University of Kent, Admission as a solicitor in 1981, Honorary QC in March 2012.

Please see CV for further information.

5. **Core area of current professional activity:**

Full time professional mediator. Please see CV for further details.

6. **Accreditation in the field of ADR (including relevant trainings and connected qualifications):**

CEDR Accredited Mediator since 1993, CPR Institute for Dispute Resolution Award 1997, European Women of Achievement Awards 2005, Coaching Qualification from Henley Management College in 2008.

7. **Practical experience in mediation**

- How many (international) mediations have you participated in
 - as single/co-mediator/in a team? 1 in 2016, 3 in 2015.
 - administered by an institution; under which Rules?
 - in which areas/fields? Manufacturing, Banking & Finance & Professional Negligence.
 - how complex (*please provide examples, participation of lawyers/experts*)?

Full time mediator since 1996. Eileen's first mediation experience was in 1988 in the United States. Please see my full CV for details of assignments.

- How often have you acted in a different function (e.g. consultant, expert)?
- What other ADR-experience do you have?

Represented international clients in mediation, both in the US, the Far East, India and Europe, before becoming a full time practicing mediator in 1996. Eileen co-founded CEDR in 1990.

8. **Languages (including levels)**

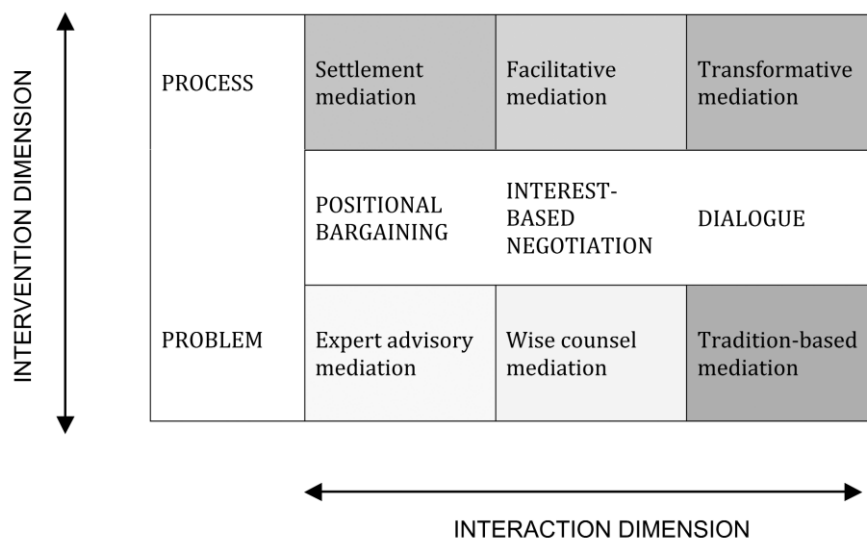
Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language):

Basic knowledge:

9. Style of mediation

Where do you see yourself? Please tick box as appropriate or indicate your preferred style.



© Alexander, Nadja (2011) "The Mediation Meta-Model - the realities of mediation practice," *ADR Bulletin*: Vol. 12: No. 6, Article 5.

Available at: <http://epublications.bond.edu.au/adr/vol12/iss6/5>; see also here for a detailed description of the 6 mediation styles.

Settlement mediation, interest-based negotiation, wise counsel mediation.

10. Please describe aspects of your personality which could be interesting to clients you are going to mediate; what would former clients emphasize in your work?

One of Eileen's most notable strengths is her ability to relate to a wide range of individuals and to build almost instant personal rapport with the parties and gain their trust. Her approach is both facilitative and evaluative and although she believes you have to gain co-operation and trust, a mediator should not shrink from helping the parties re-evaluate their options and strenuous reality testing may be a necessary part of the process.

She is very numerate and will crunch through the numbers and make sense of otherwise complex materials. She is highly intuitive and sensitive and never loses sight of the parties' own responsibility to decide whether to settle. She is respected for her confidence and strength and has impressed parties with her "judicious use of toughness" to help bridge that last gap while maintaining their trust. Clients also appreciate the time she has taken to read into complex material and use the knowledge to shape a meaningful process.

"She does not have one style, she is very adaptable and shifts attitude and tactics quickly – she has a real ability to focus on the result. She has the absolute right balance of tough and soft."

11. Publications and other activities in ADR related matters (e.g. training sessions, seminars, conferences, articles and others):

Eileen is the author of many articles on ADR including the 1989 International Financial Law review, with the title being 'Are we ready for ADR in Europe'. She has spoken on numerous platforms in Europe and North America.

Eileen has spoken at Harvard Business School, the OECD in Paris, the World Construction Risk Conference in Paris, Fordham University of New York, the World Bank and many international

conferences over the years. Eileen has also made guest appearances on various BBC Radio programmes.

Eileen is also a co-author of international book, *International Mediation: Breaking Business Deadlock* 2016.

12. Memberships in mediation institutions / functions in mediation institutions/organizations:

Eileen is a panel member of the Court of Appeal, Railway Industry Disputes Panel and CPR Institute of Distinguished Neutrals (New York). She is also a member of the Advisory panel of the Conflict Analysis Research Centre (CARC) at the University of Kent, Member of the Council of Distinguished Advisors of the Straus Institute for Dispute Resolution at Pepperdine University, California, Chair of Mary Parker Follett Group of International Female Mediators, Former Governor of Surbiton High School, London.

13. Special expertise or specializations (*please list a maximum of three*) in your ADR-practice:

High value international commercial disputes. Please see CV for further information.

14. Soft Skills (e.g. intercultural competences):

Please see CV and feedback.

15. How do you ensure your professional quality (e.g. coaching, practice supervision, etc?)

Eileen participates in CEDR's CPD programmes as a mediator and coach.

16. Date of birth:

5th December 1953

I have completed this questionnaire to the above to the best of my knowledge and believe it is accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons or may be published on VIAC's website.

Date and signature

Eileen Carroll QC (Hons)



*Chambers & Partners Guide to the Legal Profession - **Band One***
*Legal 500 - **Band One***

"She settled the unsettleable"

"She led the most effective opening session I have ever seen."



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Email:	ecarroll@cedr.com	Languages:	English
		Location:	United Kingdom



Overview

Eileen Carroll is one of the most senior and sought after mediators in practice today with over 20 years' experience as a full time practitioner. She works with clients across a very broad commercial perspective on claims relating to dozens of different sectors and activities around the world. Her work includes highly complex multi-party disputes valued at up to £1 billion including the Maxwell pension's scandal, PPI misselling, BCCI and British and Commonwealth Holdings.

Clients on all sides have praised Eileen's mediation work as "masterful", "extraordinary", "phenomenal", "above and beyond" and "different and more valuable than other mediators". The value of her casework in recent years has ranged from £200k up to £100+ million and her clients have included business entrepreneurs, public sector organisations, celebrities, international corporations and sovereign states.

"Incredible mind which enables her to get to the bottom of any issue; she is everything you would want in a mediator" she is one of the market's most popular mediators." Clients speak of her incredible patience and resolve, as well as an engaging and constructive manner which can help difficult parties to move more quickly towards resolution. "She led the most effective opening session I have ever seen," said one instructing solicitor.

Professional Background

Eileen is the co-founder of CEDR and recognised as one of the pioneers of mediation techniques in the U.K. In 2013 Eileen was awarded Queen's Counsel Honoris Causa by the Ministry of Justice for *her "outstanding career as a commercial mediator and her unique contribution in establishing mediation in civil justice systems over the last two decades"*.

Eileen began her career in the international chemical industry before becoming a partner in the city law firm Turner Kenneth Brown (now Nabarro). In over 20 years of practice Eileen worked with multinational corporations and a number of celebrity clients based in Europe, the Far East, India and the United States. She spent 10 years working with North American clients and worked in San Francisco with Thelen Reid Priest before returning to the U.K. to spearhead the creation of CEDR.

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Recent Highlights

- A dispute where the claimant alleged they had been inappropriately advised by the investment management services of a large bank. The claim involved aspects of warrants, hedge funds and foreign exchange.
- Claim in relation to allegations of breach of copyright trademark high profile gaming industry products with international parties.
- An international infrastructure case within the water industry in Middle East.
- Claim involving two international parties for the refund of a software licence and project costs and a counter claim by for full fees due under the contract.
- Claim in relation to a breach of distribution agreement in connection to a feature length film.
- A land development, partnership dispute between siblings involving property ownership, farm assets and the potential serving of a compulsory purchase order from local authorities.
- A matter involving liquidation and disclaimer under the terms of a commercial lease for a property being used for leisure and hotels.
- Claim for professional negligence in connection with the equalisation of normal retirement dates (NRDs) between male and female members of a staff pension scheme and the requirements of section 37 of the pension schemes act 1993.
- A claim within the rail industry involving the categorising of franchisees and labour costs.
- A claim of alleged Breach of Public Contracts Regulations within the Health Sector.
- International Distribution contract, Brazil & Swiss parties - approximately €5 Million.
- Involving ICT healthcare, intellectual property, competition and data protection. Ongoing contract successfully resolved all issues, claim £500m.
- IP rights in regard to the football fixture list.
- Infringement European design rights, wrongful threats under EU regulations. Claim £2.3m.
- Trademark infringement regarding a well-known footwear brand.
- Professional negligence regarding film financing and tax structures, group actions and claims in liquidations. £12.5m.
- Energy sector. Dispute in relation to carbon emissions contract linked to Kyoto Protocol and Europeans Emission Scheme.
- Claim by private equity in relation to underlying insurance coverage relating to fire damage.
- Claim for alleged negligence in managing a receivership and assets of an international leisure business.

- Professional Negligence against offshore trustees for alleged failure to implement certain transfers. High net worth individual.
- Alleged failure to advise on correct tax elections. Claim was £3m.
- Professional negligence claim regarding service of notice under the leaseholder enfranchisement act. Claim £6.1m.
- A professional negligence claim by trustees of a pension fund against consultants and professional advisors in connection with equalisation of pension benefits.
- A post acquisition dispute in connection with a tax deed/Insolvency.
- Claim for a libel action involving a public listed company.
- Coverage Dispute regarding property damage in connection with a fire at an oil installation.
- High net worth family dispute in connection with very large property portfolio. £100m.
- Music business dispute over publishing rights between publisher and artist.

Personal Style

One of Eileen's most notable strengths is her ability to relate to a wide range of individuals and to build almost instant personal rapport with the parties and gain their trust. Her approach is both facilitative and evaluative and although she believes you have to gain co-operation and trust, a mediator should not shrink from helping the parties re-evaluate their options and strenuous reality testing may be a necessary part of the process.

"She manages an excellent balance between gaining the clients' trust and raises issues for their consideration."

Partner, City Law Firm

She is very numerate and will crunch through the numbers and make sense of otherwise complex materials. She is highly intuitive and sensitive and never loses sight of the parties' own responsibility to decide whether to settle. She is respected for her confidence and strength and has impressed parties with her "judicious use of toughness" to help bridge that last gap while maintaining their trust. Clients also appreciate the time she has taken to read into complex material and use the knowledge to shape a meaningful process.

"She does not have one style, she is very adaptable and shifts attitude and tactics quickly – she has a real ability to focus on the result. She has the absolute right balance of tough and soft."

Feedback

Feedback – Legal Directories

- *“incredible mind which enables her to get to the bottom of any issue; she is everything you would want in a mediator”*
- *“not afraid to depart from the conventional practice”*
- *“Has incredible patience and resolve, as well as an engaging and constructive manner which can help difficult parties to move more quickly towards resolution.”*
- *“She led the most effective opening session I have ever seen.”*
- *“‘Hugely experienced’, she is one of the market’s most popular mediators.”*
- *“Lauded by clients as proactive, tenacious and effective.”*
- *“not afraid to challenge parties”*
- *“described as a key factor in unlocking negotiations”*
- *“a no-nonsense” mediator who “brings a depth of legal knowledge and an eye for detail to complex disputes.”*
- Earns particular praise for the energy she brings to mediations, with one solicitor noting: *“she settled the unsettleable.”*
- *“She enjoys tremendous respect in the marketplace. Numerous clients commented upon her energetic and direct approach. Others praised her ability to ‘home in on the practical aspects so that everyone is constantly aware of the commercial objective’.”*
- *“A very skilled, smooth mediator – assertive but not aggressive and only puts real pressure on people when absolutely necessary.”*
- *“She adopts a crystal-clear approach and always has her eye on the result.”*
- *“She managed to interplay with the teams effectively despite large numbers on each side.”*
- *“highly experienced, accessible and collaborative”*

- Quotes taken from Chambers & Partners Guide to the Legal Profession and The Legal 500 and Who’s Who Legal

Feedback - Clients

- *“I’m being absolutely candid when I say that Eileen was the best mediator I’ve ever encountered.”* [Partner, Family Trust Case](#)
- *“Eileen was approachable, she had very clear strategies, she cut through the nonsense, she moved things along to the extent that she could. She was completely in control of the process.”* [Partner, Family Trust Case](#)

- *"It is I who should be thanking you. You had a lot to live up to as a co-founder of CEDR and you did that and more. It was inspirational for all of us to see you at work – and I don't say that lightly."* [Solicitor, Employment Case](#)
- *"Thank you for working tirelessly to encourage the parties to settle yesterday. You did a great job and my team is very grateful to you."* [Partner, Insurance Case](#)
- *"Thank you. And thank you for your very adept and non-judgmental way of bringing the parties to a deal. For a few moments in the middle of the afternoon, I had thought that we weren't going to get there. Well done."* [Partner, Banking Case](#)
- *"Thank you very much once again for all you help yesterday. In particular, thank you for your positive attitude which helped keep the atmosphere (reasonably) relaxed when things could have fallen apart."* [Partner, Retail case](#)
- *"We would like to thank you for all your help and assistance yesterday in bringing the above Mediation to a satisfactory conclusion. Without your professional skills and integrity, a settlement would not have been possible and we thank you again for this."* [Partner, Media/Entertainment Case](#)
- *"A very big thank you for your skill, patience and perseverance. We certainly wouldn't have got there without you."* [Partner, Pension Case](#)
- *"It was complicated and she dealt with it well. Strong point was the way she dealt with personalities - interpersonal skills understood the commercial drivers."* [Solicitor, Professional Negligence Case](#)
- *"Eileen was very good at preventing the other side from walking out, which was a real risk as tensions were running very high. Eileen kept the mediation on track which ultimately led to a successful outcome."* [Partner, Retail Case](#)

Dispute Experience

>> Banking & Finance

Eileen's mediation practice has a strong banking and commercial perspective. During her career as a Partner in a city law practice Eileen acted for a broad range of City and international clients and this expertise is now evident in the mediations she conducts involving international banks, financial regulators and other financial institutions.

Eileen has handled cases arising from the financial crisis, such as inter-bank disputes, credit default swaps, hedging products and PPI misselling.

- A dispute where the claimant alleged they had been inappropriately advised by the investment management services of a large bank. The claim involved aspects of warrants, hedge funds and foreign exchange.

- This discreet issue involving a claim against former trustees in connection with an allegation that they failed to ensure that shares in a trust were transferred from other trusts into claimant's trust.
- A claim by commercial entity in relation to an interest rate hedge product against a global bank.
- Major Financial Services claim and allocation of potential liabilities of over £40 million relating to the PPI misselling scandal.
- Court of Appeal, professional negligence claim arising from a loan transaction.
- Claim for unfair prejudice, constructive dismissal and fraudulent transfer of shares.
- Financial services, professional negligence claim in connection with a final salary scheme.
- Professional Negligence claim of alleged failure on the part of an investment management firm to properly managed the portfolio of a high net worth individual. £30million.
- Dispute over lock-up of collateral for credit default swaps involving international bank and major fund, International liquidation. \$20 million.
- Termination of swap transaction derivative hedging product.
- Dispute involving a global financial services firm in liquidation, and an international bank, involving related payments from a successor company to liquidators. Swiss law.
- Dispute between a European Bank and an established Venture Capitalist over the structure of a VC investment.
- Off-shore banking dispute between two fund managers over monies due under a Share/Asset Purchase Agreement.
- Financial Services claim for high net worth Australian and family off shore trust.
- High profile claim by ex-CEO of a bank.
- Multi-party banking, alleged mortgage fraud cases.
- Banking- multicurrency facility/FX.
- Financial leasing claims.
- Mezzanine finance and guarantees.
- FCA disciplinary hearing involving major Plc.
- High yield investment fraud claims.
- Banking/Funding litigation under CFA's.

Feedback - Banking & Finance

- *"And thank you for your very adept and non-judgmental way of bringing the parties to a deal. For a few moments in the middle of the afternoon, I had thought that we weren't going to get there. Well done."*
Partner
- *"Eileen was focused on the core issues for either side and brought the relevant people together at the appropriate times, which was very successful in breaking deadlocks and without which a settlement would not have been reached. Highly recommended."*
Partner, Law Firm
- *"Eileen stamped an immediate command on the situation and also on the principals to drive the mediation process to a successful conclusion with the parties being at one in following her guidance and lead. We appreciated Eileen's proactive no nonsense approach."*
Head of Litigation, Law Firm
- *"We were very impressed by Eileen. She did very well in the circumstances and did a good job getting the parties to talk."* Solicitor
- *"She was great, very good. We were very happy with the result and were very grateful."* Partner, Law Firm
- *"Thanks Eileen - well done for persevering!"* Partner, Law Firm
- *"Your heroic efforts were appreciated."*
- *"I would say that she is the best mediator we've ever had."* Senior QC
- *"Very Proactive and looked to move around obstacles. Sensitive to the very unique situation of the Parties."*
Regulator
- *"We were very impressed with the way she conducted the whole thing. And the way she dealt with the people involved. She moved things on quickly. It was really focused. She is definitely someone we would recommend."*
- *"We all really liked the way you approached the day, the plenary session and the actual negotiations. So a big thumbs up from all of us."* Partner
- *"I thought your approach to the mediation was notably different and more valuable than all of the mediators I have seen at work before."* Partner
- *"We very much appreciated the hard work that you put in. It was particularly important that you were able to build a rapport with my client. That plainly helped things along."* Partner
- *The mediator kept the focus on the task in hand, especially as we were limited for time to reach an agreement. She actively encouraged us to think on an outcome that we would be satisfied with and this meant we were able to think through possible solutions far quicker."* Senior Manager, UK Bank

- *"She was very good at making the parties feel at ease and that they were getting a fair "hearing". The mediator had a good knowledge of the issues at stake and she was very good at summarising the parties' respective positions."* [Partner, City Law Firm](#)
- *"[The] clients trusted the mediator as she was open and built up trust and rapport... At one point the parties got embroiled in arguing about a particular clause in the contract and the mediator used her authority and moved parties on from the dispute very effectively."* [Partner, City Law Firm](#)
- *"She is the best at what she does and her reputation is deserved."*
- *"My client and I feel that you made a very valuable contribution, and we particularly appreciated the close analysis you had undertaken of the materials, and the helpful suggestions and challenges you provided."*
- *"She had a strong grasp of the issues and a lot of energy."*

>> Commercial Contracts

- International Case - Regarding Emission Reduction Unit Purchase Agreement.
- Claim under distribution agreement. £1.8m.
- A post acquisition dispute in connection with a tax deed/Insolvency.
- High net worth family dispute in connection with very large property portfolio.
- Terminated contract between software developer and automotive business intelligence provider.
- Breach of contract due to defaulted payments by a software company.
- Contractual interpretation of a facilities management agreement for a global clothing retailer.
- Alleged wrongful termination of agreement between national newspaper and a media company.
- Healthcare, IP, ICT terminated contract and breach of license agreement for drug databases.
- Claim for non-payment of success fee.
- Salvage - claims including allegations of fraud.
- Termination of long term contracts/OFT.
- Multiple contracts claim- alleged breach of warranty.
- International distribution/supply agreement dispute.
- Disputes between Danish, UK and USA companies regarding the distribution of a well-known trademarked sportswear and termination of a distribution agreement for jewellery worldwide brand recognition.

Feedback - Commercial Contracts

- *"Eileen thank you for your help. It was a productive session and encouraged me to consider mediation again in the future."* [General Counsel, North American Corporation](#)
- *"Eileen's approach empowered the parties to feel they were in control of the outcome."*
- *"I think your approach was instrumental in bridging the gap."* [Corporate Vice-President](#)
- *"She was very much on top of things. She was not confrontational which worked to perfection with my client."* [Senior-Associate](#)
- *"Thank you for your invaluable part in bringing this dispute to closure."* [In-House Counsel](#)
- *"She kept things going and everyone engaged. Her legal background was very useful."* [Finance Director](#)
- *"Just a quick note to thank you once again for all your efforts and skill at the mediation last Friday."* [General Counsel](#)
- *"Our ability to get to a settlement was largely thanks to your assistance during the mediation process - not least helping us get the other side closer to a realistic quantum."* [Chief Financial Officer](#)
- *"Thank you for all of your hard work. We really appreciate the efforts you made."* [In-House Counsel](#)
- *"She met all our expectations ... deals with the parties in a challenging and pro-active way ... really impressed with Eileen's follow-up work."*
- *"She clarified the issues for us in a way I never thought would be possible in this matter."*
- *"I thought she was great. She was very good at breaking the ice. The other side seemed to really like her too."*
- *"[Her] understanding of both the case and the parties' psychology, was a key factor in un-locking the negotiations."* [Post-Acquisition Dispute, International](#)

>> Construction & Engineering

Frequently appointed as mediator for construction and engineering disputes for public and private sector projects.

- An international infrastructure case within the water industry, Middle East.
- International Contract - allegations of failure to deliver equipment in relation to deep water pipelines in Central America.
- Lead project mediator on a multi-billion Euro rail infrastructure project in a European Capital City. Eileen spent 40 days successfully enabling difficult negotiations between all the stakeholders in order to put the project back on course.

- Professional negligence claim against architecture firm for project overspending.
- Contractual interpretation of a facilities management agreement for a global retailer Engineering contract disputes involving allegations of breach and failure of design.
- PFI contracts related to a number of sectors including healthcare and education.
- Warranty claims related to the UK rail industry.
- Engineering- post acquisition dispute.
- Quality and design of a sports stadium playing surface.
- Claim involving design failure of sports facilities.
- Claim against architects for alleged failure of design in major infrastructure projects.

Feedback - Construction & Engineering

- *"Just a quick note to thank you once again for all your efforts and skill at the mediation last Friday."* [General Counsel](#)
- *"Definitely your job was very good! Mission impossible accomplished!"* [Counsel, International Law Firm](#)
- *"my clients found the mediation to be a positive experience, so thank you for that."* [Partner](#)
- *"Thanks Eileen, and for all of your hard work to achieve a settlement which makes a great deal of sense given the quantum involved."* [Partner](#)
- *"Many thanks Eileen for your help in achieving this milestone"* [CFO, Global Manufacturer](#)
- *"This mediation needed someone of your calibre and authority which you mixed perfectly with sensitivity and humour."* [Partner; Public Service Contract](#)
- *"We were very impressed with the amount of reading Eileen had done, as she had taken the trouble to read a very complex contract and provisions which, it emerged, were at the core of the dispute."* [PFI Contract](#)
- *"An excellent, no nonsense approach, bringing out, at an early stage, the main issues for resolution."* [Rail Industry](#)

>> Employment & Workplace

Eileen's employment experience includes whistle-blowing cases, constructive dismissal, alleged sex discrimination, data protection, alleged harassment, senior exit packages, professional misconduct, disciplinary hearings, minority shareholder actions and international corporate raiding claims.

She has mediated a number of disputes in the last 12 months involving international banks, the regulators and leading professional practices and has also advised and coached senior personnel on managing change in challenging environments. Eileen holds a Coaching Qualification from Henley Management College.

- Sex discrimination case based on sexual orientation.
- Facilitation of discussions between two senior employees for a major City institution.
- Claim for alleged sex discrimination unlawful termination.
- Racial discrimination claim and disability discrimination.
- A claim by former employer against employee for breach of alleged restrictive covenants and counterclaim.
- Employment tribunal claim for sex and age discrimination and unfair dismissal by Director of global software company.
- Termination of employment of Director and long-term friend at family run company.
- Claim for unfair prejudice, constructive dismissal and fraudulent transfer of shares.
- Exiting banker and city multi-national claim- over £10m in relation to protected rights and public interest disclosure following a claim by MD in relation to unfair dismissal and termination.
- A high profile claim by the ex-CEO of an international banking Group for \$125 million in lost salary, guaranteed bonuses and investments.
- Dismissal in the financial services sector following alleged breach of data protection raised as part of his grievance procedure by a female commodities trader who was investigated by the governing body.
- Termination of the contract of 'talent'.
- Employment dispute involving a high profile figure and a major international bank.
- Senior Partner exit from Magic Circle firm.
- Whistle blowing/constructive dismissal in Banking sector.
- Non-payment of six figure bonuses to senior traders (multiple cases).
- Exit package from Financial Services sector of a CEO.
- Corporate investigation over alleged breach of City regulations.
- FCA disciplinary hearing involving major plc.
- Interpretation of a six figure bonus arrangement.
- Claims for harassment and unfair dismissal- senior executive.
- High profile claim by ex-CEO of multinational - very significant claim.
- Claim for discrimination, equal pay and pensions – constructive dismissal.

- Alleged discrimination made a senior employee of city firm.
- Whistleblowing and bonus claims made by a senior executive in a multinational.
- Disciplinary proceedings – allegations of breach of human rights legislation.
- Claim by US company against European company for alleged corporate raiding (£8m).
- Enquiry into allegation of misconduct by professional in Petroleum Industry.
- Constructive dismissal claims by a minority shareholder.
- Employment claim under TUPE Regulations regards benefit package including permanent health insurance due to pre-existing condition.
- Termination of the contract between a national broadcaster and a producer.
- Allegation of wrongful termination against government department by senior employee.

Feedback - Employment & Workplace

- *"It is I who should be thanking you. You had a lot to live up to as a co-founder of CEDR and you did that and more. It was inspirational for all of us to see you at work – and I don't say that lightly."* [Solicitor, Employment Case](#)
- *"We were very impressed by Eileen. She did very well in the circumstances and did a good job getting the parties to talk."* [Solicitor](#)
- *"Thank -you for your assistance at short notice this week. For my part, you really added value."* [Employment/Insurance Market; Senior Director HR](#)
- *"Thank you very much for helping us get to a satisfactory resolution. Your calm and patient modus operandi was key to getting us there."* [Partner, Head of Employment](#)
- *"May I take this opportunity to say, I found your guidance, patience and nimble professional manner most helpful."* [Client](#)
- *"Eileen was great; we were pleased with her manner and approach."*
- *"We felt that she gave excellent support after the mediation day itself, and was available when we called her regarding a dispute in the agreed terms of the settlement."*
- *"I knew Eileen would be suitable for this case as she takes a very sensitive approach. This was particularly useful given the personal issues."* [Employment/International](#)
- *"I think Eileen was very good. Very personable. Very friendly... She had a clear understanding of the issue. Very sharp at understanding these quickly. I would use her again and certainly recommend her to anyone! Thanks."* [Employment/Financial Services; Lawyer](#)

- *"Eileen was great, we were pleased with her manner and approach."* [Employment/Global Banking; High Value; Property Lawyer](#)
- *"We felt that she gave excellent support after the mediation day itself."* [Employment; Property Lawyer](#)
- *"She was very good with everyone and we got a resolution which is always the acid test."*
- *"She was fantastic. We were very pleased and our client was very pleased. We would certainly recommend her to others."* [Employment/Technology; International Parties](#)
- *"Eileen was very good, very professional, very persistent and bent over backwards to bring the parties together, but she had an impossible task... Every effort was made to try to get it resolved."* [Court of Appeal Employment Mediation](#)
- *"Eileen is one of the best mediators I have ever worked with."* [Partner from Magic Circle Firm](#)

>> Energy & Natural Resources

- Energy sector. Dispute in relation to carbon emissions contract linked to Kyoto Protocol and European Emission Scheme.
- International Contract - allegations of failure to deliver equipment in relation to deep water pipelines in Central America.
- Cross border warranty and insurance dispute related to failures at a power station in South America.
- Claims of alleged nuisance related to the construction of a Wind-farm.
- Dispute over rights and obligation with regards disposal of chemical waste.
- Claim against multi-national for alleged land contamination.
- Property damage caused by oil from nearby facility owned by an international oil company to a private residence.

Feedback – Energy and Natural Resources

- *"Many thanks Eileen for your help in achieving this milestone"* [CFO, Global Manufacturer](#)
- *"Definitely your job was very good! Mission impossible accomplished!"* [Counsel, International Law Firm](#)
- *"my clients found the mediation to be a positive experience, so thank you for that."* [Partner](#)
- *"Thanks Eileen, and for all of your hard work to achieve a settlement which makes a great deal of sense given the quantum involved."* [Partner](#)

>> ICT – Information, Communication & Technology

During her career as a lawyer and mediator Eileen has worked with a number of FTSE clients in the ICT sector and also has considerable experience working U.S. clients from Silicon Valley.

- Claim involving two international parties for the refund of a software licence and project costs and a counter claim by for full fees due under the contract
- Claim £2.7m in connection with corporate information and communications technology.
- Public sector IT contract dispute with significant value with over 23 attendees and multiple stakeholders, successfully resolved all issues. Over £100m.
- A claim by a systems specialist IT provider against a Pan-European provider of vehicle telemetric services. Claim £2.28 million.
- Involving ICT healthcare, intellectual property, competition and data protection. Ongoing contract successfully resolved all issues. £500 million.
- Terminated contract between software developer and automotive business intelligence provider.
- Healthcare, IP, ICT terminated contract and breach of license agreement for drug databases.
- Breach of contract claim for 5m euros between Finish and UK computer games companies involving the development of new games software.
- Claim related to the sale of games and ‘apps’ on mobile devices globally.
- A claim for £90 million arising out of the merger between two telecoms companies related to licence agreements for use of infrastructure and the sharing of roaming rights.
- Mediated the re-negotiation of the terms of an on-going contract (for voice and data networking services) which had become derailed.
- Breaches of proprietary technology and the alleged wrongful termination failure of a joint venture agreement between a telecommunications companies in Asia and the USA.
- Cross border ICT case regarding a framework agreement for a digital media initiative.
- Termination of a software supply, implementation and development contract between a consumer finance company and a multi-national international development firm.
- Breach of contract dispute between a subcontractor and main contractor regarding the supply of services and maintenance of the ICT systems of a UK Government Department.
- Major multi-national claim for non-performance and wrongful termination.
- Dispute over health sector satellite communications contract.
- Claims involving allegations of failure to deliver and implement IT systems- £10 million.

- Renegotiation of long term international retail contract for the provision on ICT services.
- International dispute involving major software supplier.
- Claims related to New technology rights, Authorship, Software quality.
- Cross Border claim over allegations of breach of trade secrets and breach of copyright involving international parties under Californian law.
- Breach of patent and royalty claims.
- Breach of international software/licence claims, royalties.
- IT services claim- £5 million joint venture in connection with toolbar and other design applications.
- Creative games software development- claim for wrongful termination of contract.
- Internet leads generation- claim for breach of contract and non-compliance.

Feedback – ICT

- *“She was very much on top of things. She was not confrontational which worked to perfection with my client.”* [Senior Associate](#)
- *“Thank you for your invaluable part in bringing this dispute to closure.”* [In-House Counsel, Technology Company](#)
- *“Thank you for all of your hard work. We really appreciate the efforts you made.”* [In-House Counsel](#)
- *“Many thanks for your input on helping the parties get to an agreed position. I believe that the mediation, and your management of/input to it, were extremely worthwhile, and has allowed the parties to agree a position from which to move forwards.”* [Partner, Head of Technology, Law Firm](#)
- *“We all thought Eileen was FANTASTIC! from the outset. She worked hard with all the parties. This was a 20-hour long mediation and you could see how she was fully committed from the very beginning until the end. This mediation involved highly emotional matters which she handled to perfection! She knew how to get the parties to where they needed to get to.”* [In-house counsel](#)
- *“She was incredible. This was a very difficult case. She was very good at dealing with emotions and keeping everything under control. Her preparation was thorough and she got all the issues very quickly.”* [Lawyer](#)
- *“Thank you for your hard work and determination yesterday. Given the personalities it was a very intensive day and I appreciate all your effort that went in to reaching a settlement.”* [Technology/Creative Industries](#)
- *“Eileen had a very sensible, commercial approach and she was very professional in her dealings with the parties. She managed an excellent balance between gaining the client’s trust and raising issues for their consideration.”* [Telecoms/Technology; High Value; City Partner](#)

Eileen Carroll QC (Hon)

- *"Your ability to digest the issues in the dispute and get down to the substance of the matter was invaluable, it made a profound impact on the mediation process."* [Technology Industry; Entrepreneur](#)
 - *"Very impressed... grasped all the issues... whole client team were very impressed."* [Telecommunications/public sector](#)
 - *"Your style was very energising and a positive experience."* [International IT Contract](#)
 - *"Eileen managed to get some fairly difficult people to agree."* [IT/Retailers](#)
 - *"Eileen had a very sensible, commercial approach and she was very professional in her dealings with the parties. She managed an excellent balance between gaining the client's trust and raising issues for their consideration."*
 - *"Her ability to get behind the intricacies of our dispute was very impressive."*
 - *"Eileen went about it the right way. She was effective in bringing the parties together. We were very happy – unsurprisingly. She was a brisk and good performer."*
 - *"Very impressed that she'd grasped all the issues. She did a really good job in moving things forward. The whole client team was very impressed with her."*
- "She smoothed some of the tension and picked up issues quickly. She assessed the situation and took a view about the approach."*

>> Insolvency

- A matter involving liquidation and disclaimer under the terms of a commercial lease for a property being used for leisure and hotels.
- Claim involving insolvency of a financial institution and a dispute in relation to an alleged pre bonus agreement.
- Professional negligence claim against architecture firm for being over budget resulting in client insolvency.
- Film financing case involving group actions against an advisor in liquidation and underlying insurance issues worth £12.5m.
- Insolvency of a family lumber business and a claim against the patriarch for £3 million and another high value claim against a brother. Allegations of fraud made by the liquidator.
- Claim by a bank against a family business which collapsed with debts of £ 1.6 million. The clients had lodged complaint against the bank with the FCA, local MP and Chairman of the bank regarding the alleged misrepresentation made by the ex-Bank manager.
- Telecoms industry - claimant company in receivership.

Feedback - Insolvency

- *"She was very efficient and got up to speed very quickly... I thought Eileen was very competent and helped the parties to achieve a deal on the day. She also picked up our concerns about the emotional aspects of the other side and handled that well."* Family Business/Insolvency
- *"You did a really super job on a tricky wicket."* Partner, Law Firm
- *"I think everyone is pleased that this is now over!"* Partner, Law Firm
- *"The Mediator kept the focus on the task in hand, especially as we were limited for time to reach an agreement."*
- *"She actively encouraged myself and my colleague to think on an outcome that we would be satisfied with and this meant we were able to think through possible solutions far quicker."*

>> Insurance / Reinsurance

During her time in an international practice Eileen advised American clients on insurance coverage issues relating to casualty, property and environmental coverage. She also gave evidence in a US court on Lloyd's coverage and the Lloyd's Market spanning 10 years and worked closely with Lloyd's brokers and underwriters.

- A coverage dispute concerning liability of former partners of a firm in relation to an excess remuneration provision.
- Breach of contract, insurance and professional negligence dispute.
- Large multi-party coverage claim negotiations to achieve a settlement fund for underlying litigation. Excess £30million.
- Coverage dispute regarding property damage in connection with a fire at an oil installation.
- Claim by private equity in relation to underlying insurance coverage relating to fire damage.
- Large, multi-party claim for insurance coverage related to an underlying claim for £100million. Over 15 parties engaged in the dispute.
- Disputes mediated include CFA's and funding insurance, brokers' negligence, coverage disputes involving regulator and insolvency, Fraudulent reinsurance, public liability, solicitors and accountancy negligence.
- International trade and credit risk insurance claim for \$25m between the Lloyds of London and a Korean multinational corporation related to a call on reinsurance of counter guarantees and refund guarantees.
- UK and international claims involving primary and reinsurance contracts, including allegations of fraud and material non-disclosure. Claims up to £50 million.

- International credit risk insurance with Lloyds and international parties: professional negligence claim coverage. Financial services/Accountants/Trustees
- Multi-party insurance and copyright dispute regarding Assisted Reproduction Insurance which provides coverage for donors, surrogates and people undergoing IVF. Californian Law.
- Breach of contract dispute between a company hired to conduct bespoke investigations involving insurance governance to improve the standard of risk analysis, and a leading insurance provider. USA insurance broking, copyright trade secrets.
- Insurance and Engineering warranties.
- Offshore financial regulator & professional indemnity insurance.
- Cross border claim related to Credit Trade Insurance.
- Fraud allegations involving public sector and planning.
- Regulator - professional indemnity coverage dispute.

Feedback – Insurance / Reinsurance

- *"Many thanks for your valiant efforts (and stamina) yesterday - the clients were extremely pleased to close the matter, which I can say was against our rather pessimistic expectations."*
- *"it was a tricky case and I think all parties are relieved it is over. Thanks for your efforts at mediation."*
Partner, Law Firm
- *"I have limitless appreciation for the job that you did as a mediator in what I believe was one of the most difficult cases to settle that I have encountered in my nearly forty years of litigating civil lawsuits." us*
Coverage Counsel
- *"Thank you for working tirelessly to encourage the parties to settle yesterday. You did a great job and my team is very grateful to you."* Partner, Insurance Case
- *"Well done, it was no easy task for you."* Partner, Law Firm
- *"Excellent platform to go forward, greatly assisted by you."* Partner, Law Firm
- *"Even the hard-bitten American lawyers were impressed with the outcome, and with the energy that you put into the process."* Lloyds Underwriter
- *"Given the personalities on all sides, I know now that we settled because we had a Mediator who could keep us all moving forward no matter what. You were masterful!"* Attorney, Los Angeles Law Firm
- *"[Thank you for the] energy, skill, and expertise that you brought to the table in London. I know that both my clients were extremely impressed with your efforts and how you managed to bring parties together who had been engaged in a bitter dispute."* Partner, San Francisco Law Firm

- *"[I am] emailing to tell you how much I appreciate the truly extraordinary job you did for all of us. Your quick grasp of the issues in our case and interpersonal dynamics involved, as well as your own force of personality, were crucial to the success of the mediation."* [Associate, Los Angeles Law Firm](#)
- *"My client was very appreciative, as was I, of your phenomenal efforts during the mediation. You did a tremendous job of holding together a very contentious and difficult multi-party negotiation."* [Principal Attorney, San Francisco Law Firm](#)
- *"Very hands-on approach... which was very effective."* [Lloyds Underwriter Lawyer; International Credit Risk; High Value](#)
- *"We are about to sign a settlement with the other party for over £16 million. Can I thank you for all your help in this one as I see the settlement really as an extension of the excellent work you did in the mediation in bringing the parties to the table."* [Insurance; City Lawyer](#)

>> Intellectual Property

- IP rights in regard to the football fixture list.
- Claim in relation to allegations of breach of copyright trademark high profile gaming industry products with international parties.
- Commercial matter involving intellectual property and design of a satellite for ocean bound vessels. Claim for technology rights and options. Claim £13m.
- International Distribution contract, Brazil & Swiss parties - approximately €5 Million.
- Involving ICT healthcare, intellectual property, competition and data protection. Ongoing contract successfully resolved all issues. £500m.
- Infringement European design rights, wrongful threats under EU regulations. Claim £2.3 million.
- Trademark infringement of well-known shoe brand.
- Alleged wrongful termination of agreement between a national newspaper and a media company.
- Healthcare, IP, ICT terminated contract and breach of license agreement for drug databases.
- Data protection- third party rights and protection of intellectual property.
- Allegations of breach of copyright, trademark and patents, franchise agreements, allegations of breach of franchise and breach of European regulations.
- Breach of copyright and wrongful trading.
- Telecoms- network merger and licensing agreement and infrastructure dispute.
- Claims involving broadcasting rights for digital TV channels.

- Claim involving entertainment sector- 3D applications, design manufacture and protection of Sensitive Information Act material.
- Internet leads generation- claim for breach of contract and non-compliance.

Feedback – Intellectual Property

- *“Thank you for all of your hard work. We really appreciate the efforts you made.”* [In-House Counsel](#)
- *“I think everyone managed to keep level headed and I thought you got on the top of the real issues really quickly which was very helpful. Will certainly recommend you for other opportunities.”* [Partner](#)
- *“I was so impressed with your grasp of, what we all believe to be, very difficult issues, as well as the coach-like skills of being very clear and précising. ... Thank you for your very impressive holding us together and moving us forward to a conclusion. It is a great relief that through the mediation process we appear to have avoided the costly and time-consuming court appearances.”* [Director, Leading Media Group](#)
- *“I would like to thank you so much for your time and effort Eileen. You did - I thought - an absolutely superb job in difficult circumstances. You were across the detail, added a lot of energy and never let momentum settle. You were very good company. And as much as your position allowed, you were sympathetic and understanding to our case. We are grateful.”* [Head of Arts Production](#)
- *“Thank you so much for your assistance and commitment to the process”* [Head of Intellectual Property](#)
- *“I'd like to take this opportunity to thank you again for all your help - our ability to get to a settlement was largely thanks to your assistance during the mediation process - not least helping us get the other side closer to a realistic quantum.”* [Chief Financial Officer](#)
- *“Eileen had a very sensible, commercial approach and she was very professional in her dealings with the parties. She managed an excellent balance between gaining the client's trust and raising issues for their consideration.”*
- *“Eileen was very good and we would use her again”* [Partner](#)

>> Media & Entertainment

One of the most experienced mediators in the UK, during her 20 years in legal practice in the UK and USA Eileen represented a number of celebrity clients in relation to libel, film rights and character merchandising. As a mediator Eileen is used to managing and relates well to big personalities.

A claim involving a distribution agreement exceeding the cap on Direct Deliveries and Exit charges between two large UK publishing companies.

- Case in relation to a breach of distribution agreement in connection to a feature length film.

- Claim involving a well know west end theatre in relation to cancellation of a production.
- Claim in relation to allegations of breach of copyright trademark high profile gaming industry products with international parties.
- Claim for a libel action involving a public listed company.
- Claim against high profile city non-executive. Counterclaim / Breach of Contract.
- Professional negligence regarding film financing and tax structures, group actions and claims in liquidations. £12.5m.
- Highly charged case between composer and music publisher.
- Alleged wrongful termination of agreement between a national newspaper and a media company.
- Multi-party case regarding film and book rights for a production due to be aired on national television and cut from the schedule at short notice due to this dispute.
- Music business dispute over publishing rights between publisher and artist.
- Film distribution/rights – injunction 5 parties.
- Dispute over a licensing agreement between a Swedish internet film distributor and American film licensor.
- Breach of contract and intellectual property dispute in software industry.
- Claim for non-payment in the telecoms and games sector.
- Breach of confidentiality in relation to the publication of book under the Human Rights Act.
- Grand Prix sponsorship deals.
- Football subscription rights.
- US/European entertainment licence default.
- Privacy and confidentiality rights.
- Renegotiation on sports rights and services contract.
- Media- broadcaster exit package.
- Media- broadcaster business dispute.

Feedback - Media & Entertainment

- *"We would like to thank you for all your help and assistance yesterday in bringing the above Mediation to a satisfactory conclusion. Without your professional skills and integrity, a settlement would not have been possible and we thank you again for this."* Partner

Eileen Carroll QC (Hon)

- *"I was so impressed with your grasp of, what we all believe to be, very difficult issues, as well as the coach-like skills of being very clear and précising. ... Thank you for your very impressive holding us together and moving us forward to a conclusion. It is a great relief that through the mediation process we appear to have avoided the costly and time-consuming court appearances."* [Director, Leading Media Group](#)
- *"Without your professional skills and integrity, a settlement would not have been possible and we thank you again for this."* [Partner, Law Firm](#)
- *"I'd like to take this opportunity to thank you again for all your help - our ability to get to a settlement was largely thanks to your assistance during the mediation process - not least helping us get the other side closer to a realistic quantum."* [Chief Financial Officer](#)
- *"We all thought Eileen was FANTASTIC! from the outset. She worked hard with all the parties and you could see how she was fully committed from the very beginning until the end. She had the right personality to deal with each one of the difficult personalities on the day. This mediation involved highly emotional matters which she handled to perfection!"*
- *"You truly did an admirable job here and we would not have gotten it done without your superb efforts."*
- *"I and my client are extremely grateful. Thank you very much indeed."*
- *"Her firm and gracious tenacity contributed greatly I am sure to the conclusion of a successful mediation of a complicated situation and she is to be congratulated."* [Film Producer](#)
- *"[This was] a very high profile case involving protection of privacy...very impressed, I would definitely use her again."*
- *"I felt the Mediator was exceptionally helpful and I cannot think of any suggestions for her to be more so."*

>> Partnership & Shareholder

During her career as a lawyer Eileen assisted her own City partnership, using mediation to deal with exiting partners and she also advised on a number of professional partnership breakdowns, working with one of the leading barristers in this field. As a mediator she has frequently been called upon to mediate partnership breakdown and is highly regarded for her sensitivity and patience in this difficult area. Her own experience gives her a greater depth of understanding of the underlying issues.

Recent cases involve one of the largest multi-party partnership failures, exits from magic circle firms, family business breakdown, expulsion from partnerships, minority shareholder disputes, claims under LLP's and team moves.

- A land development, partnership dispute between siblings involving property ownership, farm assets and the potential serving of a compulsory purchase order from local authorities.
- Partnership dispute in relation to land development. Over £40 million.

- Partnership dispute involving a partner exercising his effective power of veto under partnership agreement clause to stop decisions being made and other internal issues.
- Unfair prejudice, constructive dismissal and fraudulent transfer of shares.
- Law firm partnership closing accounts and valuation of partnership capital.
- Large multi-party solicitors' firm partnership failure with complex issues related to personal guarantees, partnership property and rights of indemnity.
- Dissolution of a majority-minority banking partnership with disputes over the terms of voluntarily winding up the partnership.
- Claim of wrongful termination of a telecommunications partnership.
- Highly sensitive departure of a senior partner from a magic circle law firm.
- Commercial partnership- minority shareholder dispute involving accounting and taxation issues.
- Partnership dissolution- accounting / tax claims against former partner and new entities.
- Partnership claim for expulsion.
- Corporate shareholder dispute.
- Construction- dismissal / minority shareholder action.
- Family business breakdown.

Feedback - Partnership & Shareholder

- *"Her performance was really very impressive."* Client
- *"As always, she was excellent, friendly and informal."* Partner, Law Firm
- *"We were very impressed by Eileen. She did very well in the circumstances and did a good job getting the parties to talk."* Solicitor
- *"Pre-mediation contact was the best I have seen ... it enabled her to gauge expectations and formulate her strategy for the mediation."*
- *"Compliments don't come easily from my client so for him to say he was 'highly impressed' and ask me to 'convey his appreciation to her for a terrific job' is amazing."*
- *"She was very good; excellent. She was great at controlling so many senior people."*
- *"It was and is fantastic to have it resolved, you were quite brilliant...my only regret is that we did not undertake your services many years earlier, with my most sincere thanks to you for your superb efforts."*
Partnership/Accountancy; Off Shore Trust

- *"Brilliant ... the best mediator they [the client] have seen by far."* Partnership
- *"Eileen's pre-mediation contact was the best I have seen ... it enabled her to gauge expectations and formulate her strategy for the mediation."* Partnership
- *"A conciliatory approach, professional, properly prepared, knew the applicable law and how to handle the parties."* Minority Shareholders
- *"Eileen was very good given claimants were emotionally attached to issues."* Family Business

>> Professional Negligence

During her career as a lawyer she advised property, banking and professional services clients in relation to alleged professional negligence claims.

Recent mediation experience in this sector includes: international bankers' claims against developers and values; City regulator claims against IFA's and denial of coverage; Post corporate acquisition involving off-shore trusts, architects and alleged defective designs, designers and defective design of sports stadium. Overseas multi-party (44) property development failure.

- Coverage Dispute regarding property damage in connection with a fire at an oil installation.
- Claim involving failure to give finance advice in relation to film bridging finance. £16 million.
- Claim by private equity in relation to underlying insurance coverage relating to fire damage.
- Allegations of negligence in relation to advice pertaining to equalise retirement ages.
- Film financing case involving group actions against an advisor in liquidation and underlying insurance issues worth £12.5m.
- Claim for alleged negligence in managing a receivership and assets of an international leisure business.
- Professional Negligence against offshore trustees for alleged failure to implement certain transfers. High net worth individual.
- Alleged failure to advise on correct tax elections. Claim was £3 million.
- Multiparty claim in relation to alleged poor advice for buy to let investors.
- Professional negligence claim regarding service of notice under the leaseholder enfranchisement act. Claim £6.1m.
- A professional negligence claim by trustees of a pension fund against consultants and professional advisors in connection with equalisation of pension benefits.

- Claim for capital performance in relation to super prime London asset management in excess £75 million.
- Professional negligence claim against architecture firm for being over budget resulting in both the client and the client's parents losing their homes.
- Court of Appeal, professional negligence claim arising from a loan transaction.
- Professional negligence claim against a barrister in relation to advice given to a charitable trust.
- Financial services, professional negligence claim in connection with alleged negligent advice on a final salary scheme.
- Claim of an alleged failure on the part of an investment management firm to properly manage the portfolio of a high net worth individual resulting in losses of £25million. Key issue of whether the asset manager was under obligation to rebalance the portfolio.
- A Financial Services claim for professional negligence involving off shore trusts in connection with investments in hedge funds and other illiquid assets.
- Claim involving a £50 million property development which failed and subsequently went into liquidation. The claims were made International investors, and involved off shore trusts.
- Professional negligence, multi-party, banking, mortgage fraud in excess £5 million.
- Mortgage fraud, multi-party.
- Bank claim against international valuers.
- Professional negligence, high net worth individual against asset management claim £37 million.
- Several bank claims for fraud and professional negligence against a number of finance professionals.
- Allegations of professional negligence related to a partnership dissolution.
- Negligence claim against solicitors advising on finance and property development.
- Regulator- professional indemnity coverage dispute.
- Claim involving design failure of a sports stadium and associated facilities.
- Claim for alleged professional negligence in corporate acquisition involving offshore trusts- £2 million.
- Claim for non-disclosure under corporate acquisition and third party claims.
- Claim against architects for alleged failure of design in major infrastructure projects.
- Claim for alleged loss of chance involving maritime claims. £20 million.

Feedback - Professional Negligence

- *"It was complicated and she dealt with it well. Strong point was the way she dealt with personalities - interpersonal skills understood the commercial drivers."* Solicitor,
- *"She was great, very good. We were very happy with the result and were very grateful."* Partner, Law Firm
- *"Thanks Eileen - well done for persevering!"* Partner, Law Firm
- *"I attend lots of mediations and yesterday's was one of the best I've been involved in for a while primarily because of your approach."* In-House Counsel
- *"The mediator was "brilliant", she handled everything very well."* Partner, Law Firm
- *"Your heroic efforts were appreciated."* Partner, Law Firm
- *"I am 100% certain that this settlement simply could and would not have been achieved without you. I and my clients are extremely grateful."*
- *"Just a line to say I thought your approach to the mediation on Tuesday was notably different and more valuable than all of the mediators I have seen at work before."*
- *"She also picked up our concerns about the emotional aspects of the other side and handled that well. We would be happy to use her again."*
- *"We all really liked the way you approached the day, the plenary session and the actual negotiations. So a big thumbs up from all of us."*
- *"I thought your approach to the mediation was notably different and more valuable than all of the mediators I have seen at work before."*

>> Property

During the early part of her career Eileen specialised in property litigation and represented many FTSE clients and developers on matters such as rent reviews, dilapidations, landlord and tenant issues, rights of way, easements, trespass.

Recent mediation experience includes major claim involving over 100 central London prime real estate and high net worth international investors, prestige property developments, rights of way, environmental damage by a major oil company, property development financing disputes and related professional negligence, surveyors' negligence, hotel ownership transfer, bank's claim against developers for a failed joint venture, renewal of lease for Eastern European Embassy.

- A claim involving a tenant of a substantial commercial premises and the break in a lease agreement.
- A matter involving liquidation and disclaimer under the terms of a commercial lease for a property being used for leisure and hotels.
- Claim concerning a break clause in a lease and whether it has been properly exercised.
- Professional negligence claim regarding service of notice under the leaseholder enfranchisement act. Claim £6.1m.
- Claim involving a £50 million property development which failed and subsequently went into liquidation. The claims were made by International investors.
- Claim involving chain of hotels and transferred ownership of long-term lease and loan note financing.
- Claim involving allegations of failed property development joint venture- misappropriations of funds involving offshore trusts.
- Claim made by a Middle East based asset management company for a capital performance bonus related to a portfolio of nearly 100 properties.
- Cross border multi-party property claim (44 claimants) related a large multi-use property development that failed following an extreme property price slump in the region resulting in loss of investment.
- Dispute between two high net worth individuals over the wrongful termination of licence to occupy premises in London's most exclusive address. Related Divorce proceedings and media interest.
- Bank claim against developers under joint venture.
- Renewal of Lease of an Eastern European embassy property.
- Property Development – over alleged breaches of 6 joint venture vehicles.
- Property development/joint venture dispute.
- Environmental Property dispute.
- Right of Way dispute involving high net worth individuals.
- Property - disputes arising from commercial property transactions.
- Property Development and E/O insurers – PL coverage.
- Property Development – joint venture.
- High profile London property development by overseas investors.
- Planning dispute with a local authority.

Feedback - Property

- *"She was very effective and we were very happy with her. This is the first time I've used her and I would definitely use her again."*
- *"The mediation was certainly one of my highlights in 2015!"* [Partner, Law Firm](#)
- *"I would like to thank you for all the hard work that you put into the mediation on Monday. You must have been exhausted as we were. You were absolutely brilliant in conducting the mediation. Your approach and manner did encourage us to look at the bigger picture"* [Client](#)
- *"Eileen was very capable, well-prepared, grasped the legal issues almost as well as the lawyers representing the parties and also understood the commercial elements of the dispute."*
- *"Eileen is my no. 1 mediator."*
- *"I cannot compliment Eileen enough on her approach to the matter. She was thorough and well informed and had an extremely helpful manner. She was instrumental in a settlement deal having been brokered."*
- *"I thought Eileen was very capable, well-prepared, grasped the legal issues almost as well as the lawyers representing the parties and also understood the commercial elements of the dispute."* [High Value Property Portfolio](#)
- *"An excellent facilitator. She made sure that the mediation kept moving at a fast pace."* [Property/Renewal of Embassy Lease in Eastern Europe](#)
- *"This dispute was expertly handled. She also picked up our concerns about the emotional aspects of the other side and handled that well."*

>> Public Sector

- A claim within the rail industry involving the categorising of franchisees and labour costs.
- Dispute between the Department of Transport and Rail Franchisee in connection with run off costs at the end of a Franchise agreement. Over £10 million
- Public Procurement in the Health Sector in relation to allegations of breach of public contract regulations 2015 (PCR).
- Claim arising out of a joint venture agreement involving public sector and private enterprise involving allegations of breach of contract, unfair exclusion and breach of procurement law
- A claim of alleged Breach of Public Contracts Regulations within the Health Sector.
- Claim £2.7m in connection with corporate information and communications technology.

Eileen Carroll QC (Hon)

- Outsourcing contract dispute involving a security company providing electronic tagging equipment and management services to the Ministry of Justice.
- Claim involving a Government Department (£50m) related to the design and build of a national database over failures in performance and delays in deployment.
- Allegations of fraud by an employee of a local authority in relation to a change of planning application to increase the scope.
- Claim by charity against local authority for alleged breach of contract - £200,000.
- Claim by international company against government department - claim £3 million.
- PFI projects in the Education Sector.
- Dispute over health sector satellite communications contract.
- Two multi-million PFI contract disputes related to the outsourcing of soft services for a Hospital Trust.
- Public sector, IT contract dispute with significant value with over 23 attendees and multiple stakeholders.

Feedback - Public Sector

- *"Many thanks for your input on helping the parties get to an agreed position. I believe that the mediation, and your management of input to it, was extremely worthwhile, and has allowed the parties to agree a position from which to move forwards."* [Partner, Law Firm](#)
- *"At times I thought that we were not going to be able to reach a resolution but I am sure that it is testament to your skills that you kept the parties working."* [Partner](#)
- *"Thank you. I thought you were fabulous!"* [MD, Rail Industry](#)
- *"This mediation needed someone of your calibre and authority which you mixed perfectly with sensitivity and humour."*
- *"Eileen was excellent. She was very effective and we were very happy with her."*
- *"My client and I feel that you made a very valuable contribution, and we particularly appreciated the close analysis you had undertaken of the materials, and the helpful suggestions and challenges you provided."*
- *"She smoothed some of the tension and picked up issues quickly. She assessed the situation and took a view about the approach. We chose Eileen because she has a lot of experience of mediating."*

>> Regulatory

- A number of mediations under Regulatory Sector for the Financial Services Authority and (FSA) and the Office of Fair Trading (OFT).

>> Shipping

- Claims under charter party for alleged delay and loss of cargo.
- Claim for alleged loss of choice involving maritime claim- £20 million.
- Commercial matter involving intellectual property and design of a satellite for ocean bound vessels. Claim for technology rights and options. Claim £13 million.
- Salvage – claims including allegations of fraud.

>> Sports

- Grand Prix sponsorship.
- Football and sports subscription rights.

Feedback - Sports

- *“She’s brilliant and she never ceases to amaze me... I was impressed by how fully she grasped the case and the apparent ease with which she brought the parties together.”*
- *“She does not have one style she is very adaptable and shifts attitude and tactics quickly and effectively.”*

>> Tax & Pensions

- Claim for professional negligence in connection with the equalisation of normal retirement dates (NRDs) between male and female members of a staff pension scheme and the requirements of section 37 of the pension schemes act 1993.
- Mediation involving recycling industry and landfill tax.
- Film financing and tax schemes involving group actions against an advisor in liquidation.
- Alleged failure to advise on correct tax elections. Claim was £3m.
- A post acquisition dispute in connection with a tax deed/Insolvency.

- A claim for professional negligence from trustees of a pension fund against the administrative lawyers and consultants of the fund.
- A professional negligence claim by trustees of a pension fund against consultants and professional advisors in connection with equalisation of pension benefits.

Feedback – Tax/Pensions

- *“You did a superb job”* Partner, Law Firm
- *“Thank you very much indeed for your important and valuable role in getting to the resolution. It was a long overall process, but great to arrive at a conclusion.”* Director, Insurance Company

>> Transport

Eileen has been on the RIDR railway industry disputes mediators panel for the last ten years and disputes mediated in this sector include alleged breaches of long term leasing arrangements, repair and maintenance of power units for high speed trains, alleged breaches of warranty and wrongful death claims. In the last few years she was appointed to mediate a major transport infrastructure project for a capital city.

- A commercial dispute involving a contractual dispute over the manufacturing and late delivery of products.
- Dispute between the Department of Transport and Rail Franchisee in connection with run off costs at the end of a Franchise agreement. Over £10 million
- Claim arising out of a joint venture agreement involving public sector and private enterprise involving allegations of breach of contract, unfair exclusion and breach of procurement law
- Dispute surrounding a post-completion audit involving the aviation industry.
- Lead project mediator on a multi-billion Euro rail infrastructure project in a European Capital City. Eileen spent 40 days successfully enabling difficult negotiations between all the stakeholders in order to put the project back on course.
- Claim for alleged breach of railway leasing contracts - £2 million.
- Claim for breach of warranty – rail industry, £4 million.
- Rail industry claims under the Rail Industry Dispute Resolution scheme (RIDR).
- Wrongful termination of a railway operation franchise.

Feedback - Transport

- *"Thank you. I thought you were fabulous!"* MD, Rail Operator
- *"At times I thought that we were not going to be able to reach a resolution but I am sure that it is testament to your skills that you kept the parties working."* Partner, Law Firm
- *"I think your approach was instrumental in bridging the gap."* Corporate Vice-President
- *"She is very capable and experienced. Her knowledge and understanding of our case rivals that of anyone involved."*
- *"An excellent, no nonsense approach, bringing out, at an early stage, the main issues for resolution."*

>> Trusts, Wills & Probate / Family Business Disputes

- High net worth family dispute in connection with very large property portfolio. £100m.
- High net worth division of family trust assets. Over £400 million.
- Claim involving offshore trusts-claims against trustees in connection with investments advice including a number of hedge funds.
- Claim against offshore trustees in connection with the management of property development portfolio.
- Claim for alleged professional negligence in corporate acquisition involving offshore trusts- £2 million.
- Family probate disputes over division of assets.
- Inheritance rights claim under Human Rights Act.
- Human Rights/Inheritance Rights (Sovereign State).
- Mortgages – individuals facing financial disaster in dispute with lending organisations.
- Life policy – emotionally charged claim involving young family.
- Professional Negligence against offshore trustees for alleged failure to implement certain transfers. High net worth individual.
- Financial Services claim for high net worth Australian and family off shore trust.

Feedback - Trusts, Wills & Probate / Family Business Disputes

- *"A very big thank you for your skill, patience and perseverance. We certainly wouldn't have got there without you."* Partner

Eileen Carroll QC (Hon)

- *“Eileen was approachable, she had very clear strategies, she cut through the nonsense, she moved things along to the extent that she could. She was completely in control of the process”* [Partner, Family Trust Case](#)
- *“I’m being absolutely candid when I say that Eileen was the best mediator I’ve ever encountered.”* [Partner, Family Trust Case](#)
- *“Took commercial approach rather than getting side-tracked in detail.”* [Offshore Trusts](#)
- *“Strong grasp of issues, lots of energy... would certainly use her again.”* [Offshore share asset purchase](#)
- *“Very professional and efficient mediation given short notice ... she had excellent grasp of salient details, following these through to a successful outcome.”* [Offshore Trusts](#)

Professional Skills

Eileen also founded the Follett Group of leading international women mediators. She is a member of various panels including the CPR Mediator Panel in New York and was also appointed as the Vice-Chair of the International Mediation Institute Independent Standards Commission in the Hague.

Coaching

Eileen holds a Coaching Qualification from Henley Management College and has provided coaching to senior executives from a range of industries. Eileen is lead faculty on the CEDR Advanced Negotiation Course and has been asked on several occasions to advise clients on preparing for complex negotiations and has chaired and facilitated a number of complex negotiations. She has also been engaged by multi-nationals to advise on Conflict Management to their senior Executive teams in both the advertising and media industries.

Panel Memberships

- Court of Appeal
- Railway Industry Disputes Panel
- CPR Institute Panel of Distinguished Neutrals (New York)

Clients – Law Firms

Law firms Eileen has been appointed by in the last 18 months include:

Addleshaw Goddard	Field Fisher Waterhouse	Payne Hicks Beach
Allen & Overy	Fox Williams	Pinsent Mason
Babbe	Grosvenor Law	RadcliffesLeBrasseur
Baker Mackenzie	Gunner Cooke LLP	Reed Smith
Berwin Leighton Paisner	Harbottle & Lewis	Rosenblatt Solicitors
Bird & Bird	Herbert Smith Freehills	RPC
Brabners Chaffe Street	Hogan Lovells	Sackers
Brodies	Howard Kennedy	SGH Martineau
Capsticks	Kennedys	Sharpe Pritchard
Carey Olsen	King & Spalding Int.	Shoosmiths
Charles Russell	Lawrence Graham	Simmons & Simmons
CMS Cameron McKenna	Lewis Silkin	Slater Gordon
Clifford Chance	Linklaters	SNR Denton
Clyde & Co	Macfarlanes	Stephenson Harwood
Collas Crill	Matthew Arnold & Baldwin	Taylor Wessing
Collyer Bristow	LLP	Thomas Eggar
DAC Beachcroft	Mayer Brown	TLT Solicitors
Dechert LLP	Mills & Reeve	Wallace LLP
DHM Stallard	Mishcon de Reya	Wilmer Hale
DLA Piper	Mourant Ozannes	Winckworth Sherwood
DMH Stallard	Mundays	Withers
Eversheds	Norton Rose Fulbright LLP	Wragge Lawrence Graham & Co LLP
Fenwick Elliott LLP		

Publications

- Co-author of “International Mediation – Breaking Business Deadlock” (Bloomsbury, 2016)
- Contributor to Butterworth’s’ Mediators on Mediation (Tottel, 2005).

Public Platforms

- Invited to speak at many international events, including Fordham University, Harvard Business School, OECD, World Bank and has made guest appearances on various Radio 4 programmes.
- Author of many articles on ADR and has spoken on numerous platforms in Europe and North America.

Other

- Member of the Advisory panel of the Conflict Analysis Research Centre (CARC) at the University of Kent.
- Member of the Council of Distinguished Advisors of the Straus Institute for Dispute Resolution at Pepperdine University, California.
- Chair of Mary Parker Follett Group of International Female Mediators.
- Former Governor of Surbiton High School, London.