



Dr Karl Mackie

CEDR Solve Mediator, Founding CEO of CEDR/CEDR Solve

Direct line: +44 (0) 20 7536 6090

Email: direct@cedrsolve.com

"A great wealth of experience and knowledge ... calm, pragmatic, sensible and not shy of suggesting where there could be more possibilities"

Mediation Background

As founding CEO of CEDR and CEDR Solve, Karl Mackie has extensive experience of mediation and independent intervention. His mediation practice has a strong commercial and international perspective, including work with Sovereign governments and major public institutions.

Karl is one of the best known names in commercial mediation practice and brings legal, business and psychological training to his core practice.

As CEO of CEDR he has also been involved in mediation and process design for an extensive mix of complex multi-party cases, as well as regularly chairing negotiation sessions. Clients include Maxwell Pension Trusts, Atlantic Computers, BCCI, Alder Hey. Case values have ranged from £100,000 to £1bn plus.

Karl also directs CEDR's Certificate in Advanced Negotiation, coaching senior professionals and executives on how to apply effective negotiation skills in their everyday work.

Karl has extensive experience in the following sectors:

- Commercial
- Employment
- Engineering/Energy
- Entertainment
- Family Businesses
- Finance/Banking
- Insurance/Reinsurance
- International

- IP/IT
- Joint Ventures
- Partnerships
- Private Clients
- Professional Negligence
- Property
- Public Sector
- Media
- Telecommunications
- Transport

For full details of Karl's mediation experience please refer to the attached schedule of cases.

Sample of recent cases 2008-2009

- Long-term global telecoms contract, multiple disputes
- Off-shore Channel Island Trust - trustee investment default
- Procurement of healthcare services
- Oil engineering contract breach
- Investment negligence claims
- Breach of contract, major city property development plans
- Sports competition breach of IP/Sponsorship rights
- Airport shareholder strategy
- Insurance coverage denial of death insurance cover for international singer
- Bank executive stress claim
- Minority shareholder action
- International distribution agreement, termination rights
- Regulatory mediation.

Karl also mediates under various schemes - FSA, Court of Appeal and is a member of the CPR Institute Panel of Distinguished Neutrals in New York, Singapore International Commercial

Mediator Panel, ACAS. He is also Chief Adjudicator of the OFSTED Independent Adjudication Service.

Professional Background

Karl qualified as a psychologist (business psychology) before qualifying as a barrister and MBA. He has been a negotiation and business strategy consultant, an academic and worked across a diverse range of business sectors in all his professional roles.

In some 20 years as CEDR's CEO, Karl has actively engaged with numerous multinational corporations, Governments and public bodies, and celebrity clients in Europe, the US, the Middle East and Far East and Australia.

Mediation Style

"...clearly had the trust and respect of all the many parties participating and against the odds maintained momentum throughout the mediation".

"repeatedly but subtly reality tests"

Karl's feedback regularly comments on his ability to balance toughness with diplomacy. He relates well to clients of diverse backgrounds and cultures and easily conveys confidence in the process.

His approach is facilitative and evaluative. He is numerate and particularly skilled in working with psychological nuances of negotiation, and with respecting team dynamics. Clients appreciate his fast thinking, and his ability to master complex briefs in a short time.

Feedback 2008-09

- "A certain toughness balanced by diplomacy" (Chemical Company in-house counsel)
- "Patience, good humour and diplomacy" (Baker & McKenzie Partner)
- "Repeatedly but subtly reality tests" (Property Dispute lawyer)
- "..Clearly had the trust and respect of all the many parties participating and against the odds maintained momentum throughout the mediation" (Product Liability claim)
- "Fantastic" (CMS Cameron McKenna lawyer, utilities commercial contract dispute)
- "When you have what I would class as the leading mediator in the country then you know you will have no cause for complaint" (London-based US law firm partner, telecommunications leasing case)
- "Calm and confident. Inspired trust."
- "...firm and effective." (Freshfields Bruckhaus Deringer)
- "By far a light but firm hand, being fairly laid back and relaxed yet totally abreast of what was on the parties' minds." (International pharmaceuticals contract claim)

Publications

Author of numerous articles on mediation in the business and professional press, Karl has also co-authored leading texts in the field including *The EU Mediation Atlas*, *The ADR Practice Guide* (3rd Ed.) and *International Mediation - the art of business diplomacy* (2nd ed.) as well as contribution two chapters in *Butterworth's Mediators on Mediation*.

Public Platforms

Regularly requested to deliver major strategic presentations on conflict resolution. Has spoken at Law Society and Bar Council annual conferences, CBI, World Bank, and been interviewed for several radio and TV programmes including Today and Radio 5 live (on football manager club disputes).

Distinctions

Identified by *The Lawyer* as one of the top 100 most influential lawyers, and by *The Times* as "Mr Mediation!". Invited to give special lecture on Conflict to celebrate University of Edinburgh Psychology Department's 100th Anniversary. Invited to join Advisory Council of the All Party Parliamentary Group on Conflict; On the Advisory Council of Singapore Management University's Conflict Studies Centre. Special Professor at Universities of Birmingham and Westminster; Eminent Overseas Judge for 1st South Africa ADR Awards; Who's Who and Debretts entries.

Other

Chief Adjudicator; OFSTED Independent Adjudication Service; Member, Panel of Independent Mediators and Arbitrators; ACAS; Member, panel of Distinguished Neutrals, Singapore Commercial Mediation Centre and CPR Institute New York. Vice Chairman, Civil Mediation Council.

Interests

Film and Photography.

Schedule of Cases

Karl has successfully mediated cases across a range of sectors, of which the following are some examples:

Commercial (up to £1bn)

- Alleged bank fraud
- Chemicals - supply agreement breach of terms
- Claims arising from termination of international distribution agreements - telecoms equipment, pharmaceuticals etc
- Family business - strategy dispute
- International Banking - investment negligence
- Joint venture - breakdown of working relations and risk allocation of agreements; renegotiation of mineral extraction pricing agreements

- Loan default
- Numerous supply and distribution contract breach claims
- Post-acquisition disputes - mortgage finance, travel companies, motor vehicles and telecoms
- Provision of sports clothing to Premiership Football Club
- Sports Sponsorship dispute
- Termination and breach of contract claims.

Employment

- Breakdown of relations in international arts venue
- Global bank corporate 'raid' - poaching of staff team under restrictive covenant protections
- International bank - trader bonus claim
- Personal injury from bullying
- Sex and race discrimination and harassment claims
- Termination of derivatives trader
- Unfair redundancy selection claims - collective dismissals.

Engineering

- Defective equipment claims - oil and gas, manufacturing, food processing, breach of European Competition Law and motor vehicles
- Design failure claims.

Entertainment, Sports and Media

- Cancellation of film contract
- Defamation claims
- Denial of insurance coverage for fatality of rapper
- Dismissal of coach of premier sports team
- Intellectual property rights, international football competition
- Privacy rights
- Publication breaching privacy of European royal family member.

Insurance/Reinsurance

- Coverage claims
- Domestic and international claims involving primary insurance and reinsurance, contracts, including allegations of fraud and material non-disclosure
- Fatality and personal injury claims
- Financial leasing contracts claims
- Fraudulent reinsurance - lawyers, auditors, financial services
- Group actions - housing, insolvency and employment.

IT/IP

- Breach of IP Rights by University Consultancy Business
- Cost recovery on leading brand infringement claim
- Failures of performance of IT systems on range of sector contracts
- Breach and termination, government IT contracts.

International

- Commercial/distribution agreements, European Competition Law - chemicals, telecoms, motor manufacturing
- Construction and engineering
- Insurance and reinsurance
- Oil company joint venture
- Aircraft leasing
- Sports sponsorship.

Partnership/Shareholder

- Family business disputes
- Minority shareholder actions
- Partnership breakdown/terminations.

Private Client

- Bank loan mortgage defaults

- Clinical negligence
- Inheritance investigator breach of contract
- Personal injury
- Privacy and celebrity status
- Probate and family estates.

Professional Indemnity

- Auditor standards of care
- Legal advice
- Medical care
- Sex abuse group action.

Property

- Breach of contract by anchor tenant
- Breach of contract, local government authority and property developer
- Management of leases; foundation failure - group action
- Property and ransom strip claims
- Property developers' agreement breakdown.

Public Sector

- Funding and statutory duties, further education
- Major IT contract breaches
- Universities and intellectual property rights
- Procurement contract regime, National Health Service
- Senior employee management grievances
- Local government contract breaches; local authority joint ventures
- Licensing and animal rights protection.

Transport

- Aviation - engineering failure and breach of contract maintenance regimes
- Car manufacturing - competition law claims on parts

- Leasing disputes
- Maritime claims
- Railways - engineering claims
- Responsibility for fire damage
- Transport infrastructure contract interpretation and scheduling disputes.

Updated: July 2009