



Nick Parker

Partner and Head of Dispute Resolution,
Berry Smith LLP, Haywood House,
Dumfries Place, Cardiff, CF10 3GA

Telephone: 029 2034 5511

Email: nparker@berrysmith.com

Mediator Profile

Nick is a good communicator, has a personable manner and aims to develop a good, positive working rapport with parties involved in the mediation process.

His professional experience enables him to bring a rounded view of the dispute process and is not afraid of challenging perceptions robustly where necessary, and to play Devil's Advocate with the parties in private session.

Nick is focused on the outcome that parties want to achieve and will work hard to get them there. His wide practical commercial experience can be especially useful in creative problem solving in the mediation process.

Nick is well regarded for the legal and practical approach he brings to disputes.

A committed advocate of the benefits of mediation, Nick is a member of the ADR Group panel of mediators and is also a non-executive director of ADR Net Limited, one of the leading mediation providers in the UK.

Nick is also a founder member of Mediation Wales, a joint initiative formed in 2010 by several leading commercial firms in Wales to promote the use of mediation as a dispute resolution process. and is also a member of the Civil Mediation Council.

Professional Background

Nick has headed the Dispute Resolution Department at Berry Smith LLP since 1996 conducting a busy case load, dealing with civil disputes for businesses.

As a consequence, Nick's experience is wide ranging including contractual disputes, goods and services disputes (including product liability), construction disputes, employment issues (particularly restrictive covenant cases), shareholder and partnership disputes, insolvency disputes and intellectual property disputes.

As well as holding a law degree, Nick also holds a Master's Degree in Advanced Litigation and sits as a Deputy District Judge on the Wales circuit.

This experience enables him to bring a rounded perspective to what happens if a dispute continues to Court.

Mediation experience

Nick has conducted a number of mediations since first training as a mediator 10 years ago. Of the mediations conducted over 90% have either settled on the day itself or shortly thereafter:

Recent mediations include:

Claim by company against former Shareholder and Director regarding claims brought against him for alleged wrongdoing. High Court proceedings underway. Case resolved at mediation.

Complex three party dispute relating to nuisance claim brought by individual against two large companies. Settled at mediation shortly before trial.

Various intellectual property disputes concerning patents, design rights and confidential information, including a mediation where one party based overseas attended via Skype.

Technical dispute regarding the provision of high value audio visual conferencing facilities to a leading conference venue leading to High Court proceedings. Case resolved shortly after mediation day, following further involvement by mediator.

Dispute between a group of residential tenants against landlord's agent regarding service charge applied in relation to their properties. Case part resolved at mediation, with an agreed process to determine remaining issues leading to overall resolution.

Dispute between occupiers of neighbouring properties regarding property. Long running dispute. Case resolved at mediation.

Dispute between individual, local authority and insurance company regarding issues arising from individual's Council property. Court proceedings underway. Case resolved at mediation.

Other mediations include:

Dispute in relation to commercial contract dispute relating to the alleged defective supply of goods worth £3million between two companies. Case resolved at mediation.

Several mediations between private companies and sales agents in relation to claims for unpaid commission and compensation payments. Cases all resolved at mediation.

Dispute between insurance company and private company in relation to commercial contract relating to provision of insurance to third party. Case resolved at mediation.

Technical and construction dispute regarding the fitting out of nightclub and leisure facilities in London.

Several mediations relating to claims by employers against former employees for breach of restrictive covenants and allegations of breach of implied terms of employment.