

Jane Player - Mediator

“Jane is not afraid to get stuck in and work with the parties towards a settlement.”

Mediation Feedback

Overview

Jane was a partner at King & Spalding, co-head of the International Dispute Resolution Group at Bird & Bird, 10 years with DLA as head of their London Disputes team and 7 years with Turner Kenneth Brown having qualified as a solicitor in 1987. Jane focuses on general corporate and contractual claims, fraud, and project disputes to include pharma, energy, technology, IP claims and media disputes.

Jane is recommended for mediations where there are strong personalities within the parties' groups and where there may be some cynicism towards the potential for dispute resolution through mediation. She has an engaging style and is often praised for her proactive approach.

As a full-time mediator Jane actively promotes mediation and is regularly asked to speak on the subject in a number of jurisdictions. This includes promoting “in life” mediation (and she has been appointed as an “in life” mediator), which is a new trend in English dispute resolution. The use of mediation techniques earlier in the business relationship, using mediators working with parties to help them maintain their commitment to the venture as opposed to focusing on rights and obligations once things go wrong, has proved very successful. This approach supports businesses in their desire to form long term strategic relationships.

Mediator Style and Approach

Jane has a very proactive mediation style. Whilst Jane is flexible with her approach, depending on the client need for facilitation or evaluation, external feedback for Jane states that she is “determined to explore every possible option rather than give up and is good on coming up with ideas and reality testing existing positions”. Other external referees have said “Jane mixes a tenacious and involved style with a warm personality that brings all the parties together”. Finally the popular accolade Jane has received is that “despite being a lawyer she is good at steering clear of the law during mediations and ensuring that commercial interests are best served”

Expertise

- Banking & Finance
- Commercial Contracts
- Construction & Engineering
- Corporate Fraud
- Employment & Workplace
- Energy & Natural Resources
- ICT
- Intellectual Property
- Media & Entertainment
- Professional Negligence
- Reputation Management

Experience

General

- Breaches of contracts/contract interpretation.
- Misrepresentation/failure to disclose.
- Breaches of confidentiality and fiduciary duty.
- Termination/repudiation of agreements.
- Disputes regarding outstanding debts.
- Breaches of compliance rules and FSA regulations.

International

- International dispute between a Nigerian and Russian counterpart in relation to a trade dispute.
- Distribution agreements in accordance with Israel and US law mediated in the UK.
- International project disputes to include multi jurisdiction and cross cultural issues within Europe.
- Fraud investigations involving two or more jurisdictions (to include USA).
- Competition law disputes with competitor businesses.
- Joint venture disputes between two large multinationals with regard to investments in the Indian market.
- Dispute between Korean and Egyptian car manufacturers on breach of joint venture agreement.

Project Disputes

- Disputes on IT Telecoms projects where disputes have arisen over failed milestones and breach of contract/negligence actions for not fit for purpose systems.
- PPP/PPI projects to include the construction industry.
- Finance projects where the bank or insurer has acted as the lost payee under an insurance policy backing a project which then fails.
- International, Turkish and Asian communication projects dispute.
- Spanish and South American development scheme dispute

Banking & Finance

- Trust fund dispute with offshore management company.
- Breach of contract disputes and breach of mandate.
- Consortium disputes where there are multi-party banks involved and disputes arise out of priorities on loan repayment distributions.
- Disputes between IFA businesses.
- Introductory fee disputes
- Joint venture disputes between two large multinationals with regard to investments in the Indian market.
- Finance projects where the bank or insurer has acted as the lost payee under an insurance policy backing a project which then fails.
- Breaches of compliance rules and FSA regulations.

Commercial Contracts

- Breaches of contracts/contract interpretation.
- Misrepresentation/failure to disclose.
- Breaches of confidentiality and fiduciary duty.
- Termination/repudiation of agreements.
- Disputes regarding outstanding debts.
- Competition/Procurement: Disputes with competitor businesses.

Construction & Engineering:

- Major PPP/PPI projects in the construction industry.
- Spanish and South American development scheme dispute.
- Renewable energy joint venture in South America with Swedish counterparty.
- Spanish contractor dispute with Finish designer of water plant project.
- Asian power plant dispute with US NGO.
- African charity project with Canadian, African and UK government agencies involved.
- Manufacturing: Dispute between Korean and Egyptian car manufacturers on breach of joint venture agreement.
- Corporate Fraud: Fraud investigations involving two or more jurisdictions (to include

USA).

Energy & Natural Resources

- Water project dispute in Asia.
- Defence and energy dispute in Middle East.
- Energy dispute between African and Russian entities.
- Dispute regarding drilling licences in Africa.
- Mediation following fall out between engineering company and contractor following investigation into explosion at mining installation.

ICT: Information, Communication & Technology

- Breach of contract. Acting for the supplier and customer on turn-key projects as well as design only and/or maintenance only projects in the telecommunications and IT sectors.
- Regulatory disputes involving licence fees.
- Professional negligence against other professionals to include solicitors and accountants and IT/Telecoms experts.
- UCTA case for communications parties to include allegations of EU dominant position in the market.
- Software licence disputes and the valid transfer of software licences.
- Disputes on IT Telecoms projects where disputes have arisen over failed milestones and breach of contract/negligence actions for not fit for purpose systems.
- International project disputes to include multi jurisdiction and cross cultural issues within Europe.
- International, Turkish and Asian communication projects dispute.
- Acted for a manufacturer on a product liability case where there were allegations of negligence in the process.
- Acted for a semiconductor business on a Joint venture fall out involving allegations of breach of contract.
- Acted for 2 large IT conglomerates where there were allegations of process chain issues involving a semiconductor business.

Insurance

- Dispute between an accountancy firm and a client where the client's allegations were that negligent tax advice had been given which caused a loss to the Claimant's business. The insurers and the insured were relevant parties to the mediation and this had an effect on the outcome.
- Acting as co-mediator for a large financial services dispute where there were multiple banks involved against two debtors and the insurers were in a third room interested in the outcome and playing a small part in the solution.
- Mediated disputes for parties where there was insurance backing relevant to the mediation settlement. In the most part, the insurers did not attend the mediations but were available by telephone.

- Mediation advocate in a dispute for a large disaster recovery claim against an insurance company. Jane acted for the insured in a mediation which was ultimately resolved.

IP Disputes

- Copyright and licensing disputes in the publishing, telecoms and IT industries.
- Media IP/IPR disputes.
- Banking disputes which involve the security taken over IPR rights..

Media & Entertainment

- High profile defamation claim against senior executive at a worldwide broadcasting organisation.
- Film finance disputes to include distributor disputes and producer/financier disputes, also to include professional negligence against film solicitors who had incorrectly protected their client's position.
- Defamation actions to include breach of confidence within media and publishing industries as well as corporate defamation actions.

Professional Negligence

- Various disputes in relation to solicitor, accountant, surveyor and specialist expert negligence.
- Medical practice disputes to involve professional negligence and partnership law issues.
- Architects negligence.
- Patent agents negligence.
- Claim against film solicitors who had incorrectly protected their client's position.
- Dispute between entrepreneur of multi businesses and accountants and advice given re dividend ability.
- Reputation Management: Defamation actions to include breach of confidence within media and publishing industries as well as corporate defamation actions.

Career History and Recognition and Awards

- 2016: Appointed as a Distinguished Fellow to the International Academy of Mediators
- Winner of the Corporate Livewire 2015 Legal Awards in the category Commercial Mediator of the Year – UK
- 2014 Women in Business Law, Litigation category, published by Legal Media Group in their Experts Guide
- Named as one of the top 100 lawyers in London and one of the top 50 women lawyers in London in the Super
- Lawyers UK survey, conducted by Thomson Reuters in March 2013 and published in

the Daily Telegraph

- Winner of the International Law Office (ILO) Client Choice Awards 2012 – Litigation Category for the UK
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Accreditation

- Centre for Effective Dispute Resolution (CEDR) Chambers
- Member of International Mediation Institute
- Honorary fellow of IAM
- Member of the Business Woman of the Year Group
- MATA Advanced Mediator Certificate
- Member of the Follet Group (senior females mediators group)