



JOHN GOSLING

COMMERCIAL MEDIATOR

Welcome

I am an independent Civil and Commercial Dispute Mediator, helping individuals and organisations resolve their civil, commercial and professional disputes.

Typically I am appointed by lawyers on behalf of clients who are involved in - or about to be involved in - potentially expensive, time consuming and unpredictable litigation.

My approach to Mediation is to prepare thoroughly in advance in order to make sure I have a detailed understanding of the dispute and of the interests and needs of the parties, to really think about the issues involved and the potential challenges, then to work with energy and determination on the day itself to help steer the parties through to a successful conclusion.

My background is as a dispute resolution solicitor at one of the UK's leading commercial law firms, where I was a Partner for over 25 years, gaining a wealth of experience from working with organisations and individuals to resolve their disputes, often through mediated out-of-Court settlements.

A high proportion of the disputes I have mediated have been resolved successfully, either on the day of the mediation itself or within a short period afterwards. The coronavirus restrictions introduced in early 2020 led to mediations taking place remotely via platforms such as Zoom; with excellent results. I am happy to mediate either in person or remotely.

I am a Civil Mediation Council registered Mediator, an ADR Group Accredited Civil & Commercial Mediator and a Panel Mediator with the Association of Northern Mediators. I continue also to be a member of the Professional Negligence Lawyers' Association.

Get in touch with John

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EXPERIENCE ACROSS A RANGE OF
**COMMERCIAL AND
PROFESSIONAL DISPUTES**

35 years of dispute resolution experience

Graduating from Durham University in 1981 with a degree in Law & Economics, I subsequently joined law firm Addleshaw Sons & Latham (now Addleshaw Goddard LLP) as a trainee solicitor. After qualification I remained with the firm as a commercial litigation specialist and in 1990 was made a Partner. Over the years I gained extensive experience in advising and representing a variety of clients across a range of commercial and professional disputes, representing clients in the High Court, Court of Appeal and House of Lords (now Supreme Court) in tribunals and in both domestic and international arbitrations, as well as in numerous mediations. My experience included, for example, cases involving breach of contract, shareholder disputes, warranty claims, professional negligence claims, partnership disputes and property claims.

I was proud to be rated for many years in both the Legal 500 and Chambers & Partners legal directories as a leading individual in my field, ultimately receiving from Chambers the accolade of “Eminent Practitioner” in the region in commercial dispute resolution.

I retired as a Partner in Addleshaws in 2017. During my career with the firm I held a number of management positions including Head of Department and Board member.

Subsequently I have successfully developed a practice as an independent mediator, receiving appointments from a variety of law firms across a range of disputes. The work is challenging, but it is really rewarding to be able to help parties find solutions to the difficult situations in which they can find themselves.



SUCCESS IN MEDIATING CHALLENGING DISPUTES

Examples of my mediations

- A claim brought by the assignee of an Administrator's right of action against a company director in relation to the operation of a loan account.
- Disputes between two 50-50 shareholders of a long established and successful service business.
- A claim of professional negligence against a barrister in relation to the handling of High Court litigation.
- A three party dispute concerning a failed building underpinning scheme.
- A dispute between a landlord company and its tenant regarding the status and terms of the occupation of business premises.
- A claim by a minority shareholder of a company alleging unfairly prejudicial conduct by the majority.
- A dispute over claims for an indemnity under a SPA relating to tax liabilities arising in connection with an EFRBS.
- A claim regarding the installation of fire suppression systems at a number of properties.
- A multi-party dispute involving claims for rectification, breach of contract, breach of constructive trust and professional negligence.
- A claim for restitution of funds advanced in relation to a residential development scheme.
- Claims and counterclaims made between a company and its former CEO, involving allegations of misconduct and protected disclosures.
- A claim brought by a communications company against a technology business concerning the development of an App.
- A dispute involving the partitioning of a large piece of land.
- A building contract dispute, due to be tried in the High Court the following month.
- A multi-party dispute concerning alleged contamination of animal feed.
- A claim brought against a company by a former director in relation to the valuation of his shareholding and allegedly unfairly prejudicial conduct.
- Litigation over the terms and performance of a contract for the sale and purchase of an aircraft.
- A dispute over payments due and associated issues arising out of a long-standing business partnership arrangement.
- A shareholder dispute involving allegations of unfairly prejudicial conduct and valuation issues.
- A dispute between franchisor and franchisee as to alleged breaches of contract and amounts owed under the franchise agreement.



SUCCESS IN MEDIATING CHALLENGING DISPUTES

Examples of my mediations^(CONT)

- Co-mediating a multi-million pound claim by a corporate customer of a bank, alleging against the bank economic duress in relation to changes in lending terms and interest rate hedging arrangements.
- A claim, due to be heard at trial the following week, regarding the positioning of foundations for a building in relation to the site boundary.
- An action for professional negligence against an insurance broker concerning alleged failures to correctly identify and pass on information relevant to insurers, leading to denial of cover following a fire at a commercial property.
- Financial claims arising out of an admitted breach of data protection legislation.
- A dispute between two parties as to the existence of a business partnership, the identity of partnership assets and the terms of the alleged partnership agreement.
- A case concerning alleged breaches of restrictive covenants and confidentiality provisions in a consultancy agreement.
- A claim brought by a bank against its appointed surveyors for alleged professional negligence in the valuation of a commercial property.
- A dispute regarding investment and tax advice given to an individual.
- Allegations of professional negligence against the auditors of a company concerning a fraud perpetrated on the company.
- A range of issues between shareholders of a family retail business.
- A dispute between a company and its insurers concerning alleged late notification of a third party claim made against the company following a factory fire.
- A dispute between a partnership and one of its partners following the giving of a termination notice.
- A claim for professional negligence against a firm of solicitors in relation to the handling of Court proceedings.
- A dispute concerning the supply of a transport facility to the organisers of a city centre event.
- Litigation between the seller and the purchaser of a high value performance vehicle.
- A dispute between a payment card business and a multi-site retailer regarding amounts due under a commercial contract.
- Claims and counterclaims between 50-50 shareholders of a successful manufacturing business.



PRAGMATIC
HANDS ON APPROACH

Recent Mediation Endorsements

“ As a commercial litigation solicitor in practice for over 20 years and for the last 6 of those as head of litigation in a commercial law firm, I have attended numerous mediations with a variety of mediators. I had not come across John until he was appointed as mediator on a case I was handling earlier this year (in fact John had been recommended by the opposition). John presented as a highly experienced lawyer and a pragmatic mediator who quickly got to grips with the issues, which in that case involved the construction of a Letter of Intent and a disputed factual matrix. He had a pleasant, calm yet firm manner and was prepared to challenge entrenched views, which makes him stand out from the crowd in my experience. I do not hesitate to recommend him to act as mediator. ”

**Partner and Head of Department,
Newcastle law firm**

“ I have appointed John twice as mediator in respect of commercial disputes. He prepares thoroughly and gets to grips with the issues, builds a good rapport with the parties and works hard to achieve a resolution. I shall certainly put his name forward for future mediations. ”

**Owner/Director,
Manchester law firm**

“ Our company has engaged John Gosling, with agreement of the relevant opposing party, as mediator of disputes at both the pre and post issue stage of litigation proceedings. The matters that John has overseen at mediation have each been complex, sensitive and with quantum values of six and seven figure sums.....John takes a pragmatic, hands-on approach to working through the issues in dispute between the parties..... his skilled approach and resolve during the mediation delivered agreeable outcomes to all parties; with amicable settlement terms reached on the same day on each occasion. We would strongly recommend John as mediator to any parties seeking to engage an experienced and accomplished professional who will be able to successfully guide them through a positive mediation process. ”

**Senior Commercial
in-house Solicitor,**



PRAGMATIC HANDS ON APPROACH

Recent Mediation Endorsements

“It was the first time I’d done a remote mediation, and with all the advantages of the technology, this worked well. It allowed some participants, who would not have been able to attend a whole day in a different city, to participate helpfully and in a cost-effective and proportionate way... John did an excellent job for us in helping resolve what was a commercial dispute but with some very bitter personal dynamics involved. The day progressed smoothly and we managed to reach an appropriate settlement. John was calm and helpful throughout, and was a great asset to the parties in helping to resolve their differences.”

**Partner,
National law firm**

“I am very happy to recommend John’s mediation services. John is extremely easy to work with, has a straight forward and no-nonsense approach and an impressive handling of difficult situations. He reads people very well and does an excellent job of facilitating a settlement. He is definitely on my list of recommended mediators.”

**Head of Legal Practice,
London specialist insurance law firms**

“ I would highly recommend John as a Mediator. The arrangements for the Mediation were put in place with minimal fuss allowing us to focus on preparing our clients and our case. John was thoroughly prepared ahead of the Mediation and on top of the complex issues enabling progress to begin immediately on the day. He is clearly a very experience commercial lawyer allowing him to quickly gain the confidence of the parties. John was calm and professional throughout but also willing to challenge the parties and remind the parties of the realities of the litigation process as well as the commercial considerations.”

**Partner, Dispute Resolution
North-West Law Firm**