

# Dispute Management



## Case Appraisal

**Fundamental to the effective resolution of any dispute is an objective appraisal of your case.**

From the outset of any commission, we will provide you with a **clear and concise** opinion on the strengths and weaknesses of your position.

We will guide you through the options available to resolve the dispute and recommend the method of dispute resolution which will achieve your particular objectives as quickly and as economically as possible.

## Presentation and Settlement

**A professionally presented case will in many cases avoid protracted and expensive legal proceedings.**

We will demonstrate your legal entitlement and wherever possible negotiate an advantageous settlement on your behalf without resorting to legal proceedings.



## Mediation

**In line with the approach now demanded by the courts we will, wherever possible, attempt to achieve a settlement of your case without invoking legal proceedings.**

Mediation is one of the alternative dispute resolution procedures we can instigate on your behalf to achieve this objective.

Where mediation is agreed as the way forward, we will prepare your position statement and act as your advocate in the mediation, pursuing a resolution of your dispute through forceful presentation and convincing argument.

## Adjudication

**Statutory adjudication introduced by The Housing Grants Construction and Regeneration Act 1996 has transformed the face of dispute resolution in the construction industry since its implementation on 1 May 2008.**

The majority of construction cases can now be resolved by adjudication.

Whether we are acting for you as the Referring Party or as the Responding Party the full complement of our expertise will be used throughout the management of your case. We will ensure that the adjudication time scales and contractual procedures are adhered to and that your case is presented in a forceful and effective manner.

# Dispute Management (cont'd)



## Arbitration

If a negotiated settlement of your dispute can not be achieved, it may be possible to refer the matter to arbitration.

In such circumstances, we will advise you on the appointment of a suitably experienced solicitor to deal with the care and conduct of the arbitration or we will work with your existing legal team.

We will maintain our involvement in your case, acting as your case manager. One of our Directors or Senior Consultants will accept instructions from your legal team to provide expert testimony whenever this is required.

## Litigation Support

In extreme situations, when negotiations have failed, it may become necessary to have your dispute decided by the courts.

Should this eventuality arise we will recommend a firm of solicitors and counsel to act on your behalf or work with your existing legal team throughout the proceedings.

If expert testimony is required, one of our Directors or Senior Consultants will accept instructions from your legal team in order to assist the court in deciding the matter.



## For further information:

If you require further information on any of our services, or if you wish to discuss your requirements with us, please do not hesitate to contact us:

### Northern Office

T: 01204 362 888

F: 01204 362 808

E: [inonorth@vinden.co.uk](mailto:inonorth@vinden.co.uk)

### Southern Office

T: 0115 947 5334

F: 0115 947 5335

E: [infosouth@vinden.co.uk](mailto:infosouth@vinden.co.uk)