

## James Tumbridge LLB. (Hons.), MCI Arb., Barrister

IS A QUALIFIED MEDIATOR (Senior Mediator)

### General Information

Recognised as a leader in ADR by Chambers and Partners, and the International Mediation Institute: James has wide jurisdictional experience having practiced as a litigation lawyer in England & Wales, the United States and Canada. He also spent 2 years as Chairman of the International Trade Mark Association's ADR Committee, overseeing the panel of mediators and all ADR programming.

James' mediation experience is extensive both as a mediator and for parties, he has also made several applications as a barrister seeking Mediation directions from the English High Court and Patents County/Enterprise Court, and for costs sanctions for failure to use ADR. Additionally whilst in Canada he took part in numerous mediations under the compulsory mediation scheme in operation in Ontario.

Mediation experience has included disputes for – record labels; musicians; pharmaceutical companies; electronics companies; construction companies; divorce proceedings; probate; boundary disputes and solicitors negligence. James' legal practice and working for a Member of Parliament has given him experience of negotiating and mediating in both a business and people focused environment. In addition James has taken WIPO's Arbitration course and acted as an arbitrator in mixed ADR formats, he has also been an arbitration assistant on an International Construction Arbitration with its seat in Canada, and has experience of advisory work relating to arbitrations in the USA and Europe.

He has experience in a range of subject areas:

- Boundary Disputes
- Commercial
- Construction
- Contract
- Data protection
- Employment
- Family
- Intellectual Property
- Licensing
- Property
- Sports

### Feedback on James:

*"I was very impressed with your preparation, even-handed approach, skills in terms of bringing forward the important issues, and, in the latter half of the mediation, using your knowledge to be devil's advocate and "reality check" the positions of all the participants. Congratulations in facilitating an agreement in the time allocated which all participants appeared to find satisfactory."*

*"James' understanding was excellent, as was his communication, his comments were concise and given with clarity"*

*"He tested the cases very well and kept good pace"*

*"I thought the service you provided was excellent, very professional and reasonably priced. You were polite and courteous at all times and I could tell you had a real "feel" about the case considering that you hadn't had the papers for very long. I have already recommended you to my principal and colleagues. I have to admit to going into that mediation convinced that a settlement would not be reached given the difficulties I had arranging it with the other side" [Mediation did settle]*

*"I am totally satisfied with the professional service delivered by James Tumbridge. ... It was very clear that James had read and understood the information provided to him. This resulted in a fair outcome to both parties. I personally felt confident that I had every opportunity to state my case. It was reassuring to know that James, with his wealth of experience in his field was able to provide examples of how Court decisions are reached. This helped focus our minds in terms of avoiding unnecessary and costly litigation by helping us to understand the rationale behind the decision making process involved. I would urge anyone who is contemplating a direct route to Court, to think again. For a modest fee, both individually and as a couple we have saved thousands of pounds by using this professional service"*

*"Mediation can be a stressful experience, but we found on the day that [Mr. Tumbridge] put us at our ease and explained exactly what mediation entailed. This helped us to understand what was required for it to be successful"*

*"We felt that you were neutral, approachable and trustworthy and that you brokered a deal that was in the best interests of both parties with the information that was available to you. You showed your commitment and determination to conclude this matter and you did not give up when negotiations became difficult, you stayed until the matter was finally concluded bringing an end to all the stress and worry we had endured over the past 2 years. We are grateful for your efforts on the day and although we hope never to need your services again, we would defiantly use mediation in the future as a form of resolving a dispute"*

*"I thought [James'] handling of the situation was excellent, communication was very clear and [his] grasp of the key issues was great, especially given the short preparation time."*

*"...James is engaging, intelligent and enthusiastic as a person, hardworking expert and sensible as a lawyer..." - Lord Neuberger Retired Supreme Court President, 2017*

#### **Judicial experience**

A Tribunal Chairman for the Police forces of the Eastern Region and Metropolitan Police.

Licensing Panellist for the City of London.

James Marshalled to: Lord Justice Aldous, Senior Appeal Justice of the Court of Appeal; Mr. Justice Laddie, Judge of the Chancery Division of the High Court of England & Wales; and to Mark Ockleton Chairman of the Immigration Appeal Tribunal.

#### **Dispute Experience**

James has worked on disputes in several jurisdictions: Appearing in the English High Court, the English Court of Appeal, the House of Lords and Supreme Court. In addition he has worked on several cases that went to the Canadian Supreme Court and appeared before the Ontario Court of Appeal, and various lower level Courts in Ontario and Ohio, as well as appearing before the Supreme Court of the Falkland Islands and the Falkland Islands Court of Appeal.

In addition he has participated in mediations and arbitrations in both the Americas and Europe, and through his work in trade bodies and global ADR providers such as WIPO, INTA and IMI, he maintains a broad understanding of the best practices and developments in the UK and beyond.

His cases have covered: Real property, boundaries, mortgages, commercial contracts and loans, disputes over sports players and associated agreements, sponsorship, publications dealing with defamation and copyright, shipping and carriage of goods disputes, intellectual property, employment and data protection matters. James is best known for his Intellectual Property practice and he is an author of several books on the subject.

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