



## BARIA AHMED LTD.

### Baria Ahmed - Mediation Biography 2019

#### **Overview**

A UK qualified barrister, mediator, arbitrator and alternative dispute resolution (ADR) consultant, Baria has worked in the field internationally since 2003. Previously the Head of CEDR Solve, the leading ADR services provider in Europe, and latterly having established her own consultancy firm in London, she has delivered high profile international projects for clients including the World Bank, the United Nations and the European Union. Most recently, and following completion of her remit to establish and launch the Arbitration and Mediation Court of the Caribbean (AMCC) in Barbados, Baria stepped down as the institution's founding Director General in December 2018.

As a full-time mediator, Baria's mediation experience is highly varied and she is attuned to the commercial and personal issues that can be present when businesses and individuals find themselves in conflict. From employment and workplace disagreements to construction and engineering disputes, and intellectual property claims to banking and finance matters, Baria has demonstrated experience and expertise across the board.

#### **Fields of Expertise**

Banking & Finance	ICT	Probate
Partnership/Shareholder	Insurance	Property
Construction & Engineering	Intellectual Property	Commercial Contract
	Matrimonial Finance	Sale of Goods
Employment & Workplace		

## **Style**

Baria is a firm believer in thorough preparation and places great emphasis on pre-mediation contact with the parties and their representatives. Able to build rapport easily during this time and the early stages of the mediation, she works actively to assist the parties in viewing their dispute as a shared obstacle, one that can be overcome by effective communication between them. Baria is not afraid to test the parties if needed, and is highly pragmatic in helping consider options for settlement.

## **Feedback**

*"She was plainly very well prepared and rapidly developed an excellent working relationship with both parties."*

*"Calm and constructive approach which oiled the wheels for the deal."*

*"She was engaged with the people and events ... supportive and confident."*

*"We admired the way she went about her work; she showed a good grasp of the issues and we felt she were being fair and impartial at all times."*

*"Her patience was to be admired throughout what was a very long day for us all."*

*"Good support on such a complicated and highly contentious case."*

*"Best mediator CEDR has!"*

*"Superb!"*

*"Her assistance at the mediation was invaluable."*

## **Recent Mediation Experience**

### **Banking & Finance**

- Commercial debt dispute regarding a financing agreement between private businessman and high street bank, involving distinct insolvency issues
- Corporate Finance dispute relating to outstanding PLUS (formerly OFEX) advisory fees

### **Partnership/Shareholder**

- Dispute relating to the dissolution of a business and the contributions to outstanding debts.
- Contractual dispute between medical services and reporting agency and a firm of Personal Injury solicitors, arising out of the dissolution of The Accident Group
- Claim on behalf of estate of the majority Director/Shareholder.

- Claim relating to unpaid invoices, with questions whether the contracting party was a partnership or a limited company (which had since ceased trading).

### **Construction & Engineering**

- Multi-million dollar construction dispute involving a government and international contractor relating to the completion of a hospital building, involving issues of delays, defects, costs and potential arbitration.
- Construction dispute relating to a commercial property build, with claims relating to defects, delays and payment.
- Engineering dispute relating to factory plant and machinery, and involving multinational pharmaceuticals firm. Claim for alleged loss and expected profits.
- Multiple construction claims by homeowners for alleged negligence and breach of contract by builders, with counterclaims for unpaid invoices.
- Claim for overpayment and alleged defective work following termination of a residential buildings contract. Counter claim for underpayment.

### **Employment & Workplace**

- Various employment and workplace related disputes with issues such as alleged discrimination, unfair dismissal and team conflict.
- Complex dispute regarding commission payments in pressurised financial institution.
- Alleged racial and sexual orientation discrimination claim against housing association.
- Alleged sexual orientation discrimination within large international legal practice.

### **Matrimonial Finance**

- Acrimonious divorce dispute involving division of matrimonial assets and ancillary relief proceedings.
- Division of assets dispute between common law partners following separation

### **Probate**

- Complex trust dispute involving trustees and various beneficiaries to a large estate
- Probate dispute following the intestate passing of a parent between acrimonious siblings

### **ICT**

- Dispute relating to services provided by national telecoms company to commercial client. Issues included allegations of fraud and loss of chance.
- Dispute regarding installation of audio and visual equipment in large public sector institution.

## **Insurance**

- Dispute relating to the recovery of stolen paintings valued over £2million - issues included alleged entrapment, fraud and proceeds of crime.
- Insurance dispute relating to a policy underwriting commercial property business.
- Alleged negligence dispute between large retail chain client and insurance broker regarding extent and nature of cover.

## **Property**

- Joint venture claim for profits on commercial property development project.
- Sale and purchase of a vineyard in Tuscany – dispute over value of stock and terms of agreement governed by Italian Law.
- Claim by commercial landlord for payment of rent and service charges pursuant to a lease.
- Claim by Local Authority as landlord for alleged use of commercial premises in a manner inconsistent with the contract.

## **Commercial Contract**

- Contractual dispute about the purchase and refurbishment of a helicopter
- Complex Trademark infringement/passing off dispute
- Complex contractual dispute regarding the provision of grounds maintenance services to a large supermarket for stores across the UK

## **Sale of Goods**

- Complicated shipping dispute involving elements of insolvency. Issues included ownership of goods, rights to exercise lien and payment of unpaid invoices.
- Unpaid invoices claim relating to supply of beauty products for distribution in the UK.

## **Other Dispute Resolution Experience**

Baria spends a substantial amount of time working to deliver international projects focussing either wholly or in part on mediation and ADR. In this capacity, she has worked as an Expert Consultant for large international donors including the World Bank Group (WBG), the International Finance Corporation (IFC), the European Union (EU), the United Nations (UN), the Inter-American Development Bank (IADB) and the UK Department for International Development (DfID), as well as private commercial organisations. With projects delivered across Europe, Central America, Middle East, South and East Asia, Baria has expertise in working with stakeholders from myriad cultural backgrounds.

In particular, she delivered a project to institutionalise mediation and ADR across Turkey, following the enactment of the Mediation Law, in partnership with the Turkish Ministry of Law and the United Nations Development Program (UNDP) in 2014/15. She continues to be involved in institutional capacity building and support projects across the globe. (Please request appendix with full details of current and recent projects if interested.)

In 2014, Baria undertook a feasibility review for the establishment of an ADR Centre to be established in Barbados to service the Eastern Caribbean region, in conjunction with the Barbados Chamber of Commerce and Compete Caribbean, an IADB fund. Following the completion of this study, Baria was based in Barbados from January 2016 to December 2018 in the role of the Founding Director General of the newly established Arbitration and Mediation Court of the Caribbean (AMCC), a regional ADR Centre launched to serve the dispute resolution needs of domestic, regional and international parties.

As a trainer, Baria continues to deliver mediation, negotiation and communication skills training worldwide, both as a member of the leading international CEDR faculty and independently. Together with these formal training programs, Baria has spoken about ADR and its development at various international conferences and events, as well as designing seminars for law firms and private clients. Finally, she delivers the 12-week Mediation: Concept, Evolution and Practice module (part of the LLM in International Law) at Westminster University on an annual basis.