



CEDR Accreditation:	1996
CEDR Panel	1998
Languages:	English
Location:	United Kingdom

"... combines gravitas with a calm personality ..."
"... far superior to any mediator we had seen before ..."

Client Feedback

Andrew Manning

Cox

Overview

A highly experienced lead mediator, Andrew is instructed in disputes spanning a wide cross section of sectors in the UK and internationally, often involving multi parties. In addition, as a Chartered Arbitrator Andrew regularly sits as an arbitrator in commercial disputes.

He has been appointed to the Court of Appeal Mediation Scheme, is a Civil Mediation Council Panel Mediator and a member of the CI Arb Panel of Arbitrators.

Professional Background

Prior to his retirement from full time professional practice Andrew was Senior Litigation Partner at law firm Gowling WLG (UK) LLP (formerly Wragge Lawrence Graham). Throughout his career he has been immersed in the full spectrum of ADR including mediation, expert determination, adjudication and early neutral evaluation. He brings cutting-edge knowledge of litigation and arbitration processes. A Solicitor Advocate with full Higher Court Rights in all Courts in England and Wales, a Fellow of the Chartered Institute of Arbitrators, and a Chartered Arbitrator (FCI Arb), Andrew acts regularly as a mediator and is appointed as arbitrator by a range of national and international arbitral bodies.



Prior to his role as Senior Litigation Partner Andrew headed the Gowlings Employment and Construction and Engineering teams.

He was a member of the CEDR Commission on the Settlement of International Arbitration, chaired by Lord Woolf and Professor Gabrielle Kaufmann-Kohler.

Andrew is also a past non-executive director of CEDR.

He holds a number of non-executive directorships.

Expertise

- Aviation
- Sale of Goods and Services
- Banking & Finance
- Commercial contracts
- Construction and Engineering
- Public Sector
- Employment and Workplace
- Shareholder disputes
- ICT
- Partnership disputes
- Professional negligence
- Commercial Property
- Commercial Landlord and Tenant
- Rights of way and boundaries
- Defence Sector

Dispute/Mediation Experience

Commercial Contracts

- Breach of fiduciary duty claim against directors of a private company: in excess of £150 million
- Disputes involving contract terms interpretation, limitation issues and allegations of unenforceable provisions terms having a direct and significant effect on quantum
- Multi million pound warranty claims and indemnity claims under share sale agreements
- £120m claim for conspiracy arising from losses in a share sale; alleged repudiatory breach and complex mitigation and D&O coverage issues
- £4m claim and counterclaim arising out of provision of medical testing services
- £2m claim arising from a contract for provision of accommodation and support services
- A £100m D&O insurance claim arising from alleged misrepresentation, breach of warranty and breach of fiduciary duty
- Public sector dispute involving a Stock Transfer Agreement.
- Group litigation alleging unlawful means conspiracy and breach of the Data Protection Act



- Railway litigation involving operators, manufacturers, component manufacturers and suppliers in relation to substantial claims for project delay and loss of profit
- A claim of £600,000 in respect of a lost development opportunity
- Claims for £350,000 arising out of paint spillage damage to new cars
- Misrepresentation claims
- Fraud arising from pricing, and allegedly suspect supplier/ customer relationships
- Contract interpretation issues
- Confidential information and confidentiality rings; procurement.
- Joint Ventures

Employment & Workplace

- Claims for breach of directors' fiduciary duty
- A very sensitive employment dispute (at a pre-employment tribunal stage) between senior managers where the complex issues resolved after a day's mediation, leading to withdrawal of complaints and an agreed method of working together for the future
- Sensitive race and sex discrimination claims before the Employment Tribunal
- Equal pay litigation
- Claims for breaches of restrictive covenants and duties of confidence; search and seize and springboard injunctions
- A claim arising out of an alleged breach of a goodwill agreement and a contract of employment

Construction & Engineering

As the former head of Gowlings' (then Wragge & Co) Construction and Engineering team Andrew is a highly respected construction law specialist. In practice he acted for employers, contractors, sub-contractors, and the professional team, experiences he brings to bear when acting as a mediator.

- A multi-day multi-party multi-million mediation in Moscow related to a major construction project involving Russian and Asian parties
- Six-month construction arbitration acting for a Local Authority
- Claim by subcontractor against main contractor and counterclaim, regarding air conditioning work
- A number of mediations related to building projects under the JCT forms of contract



- Multi-party cross-jurisdiction dispute in relation to extension of time claims for commercial premises in Scandinavia
- Acting for a non UK cladding contractor in a High Court claim for breach of competition law
- Part 20 proceedings in relation to the design and construction of a new build hotel
- Negligence claims against architects, engineers and surveyors

Sale of Goods & Services

- A £10m dispute in relation to the quality of goods supplied
- Product liability claims
- Claims involving customers and suppliers arising from failure of engineered components
- Claims and counterclaims in the automotive and railway industries arising from design, late delivery, defective manufacture, and effect on just-in-time supply chains and manufacture
- Claims for recall costs
- Injunctions to compel continued supply
- Multijurisdictional claim arising out of the design and supply of components (USA, China and Italy)
- Domestic and international arbitrations for customers, manufacturers and component suppliers; Defence sector
- Sensitive procurement disputes; challenges; confidentiality rings
- Claim for £280,000 under a business sale agreement with a pleaded statute barred defence.

Share Sale and Purchase Agreements

- Warranty claims under SPAs
- Claims against individuals in private company sales
- Pricing disputes
- Disputes concerning deferred consideration and set-off/counterclaims
- Fraud allegations arising from alleged negligence by auditors, investigating accountants and valuers

Aviation

- Over 20 years of claims experience acting for airlines, manufacturers and suppliers.
- Intellectual property disputes



- Detailed knowledge of airlines', suppliers', subcontractors' and airports' business models
- Acting in many international arbitrations and mediations

Partnership and Shareholder Disputes

- Substantial multi-party unfair prejudice petition and cross petition in relation to a valuable land development company
- Unfair prejudice petition following a company sale and allegations of misrepresentation
- Breach of a farming partnership agreement with an underlying major land asset
- Family company disputes: eg private property group with complex historic family shareholdings, a commercial need to cooperate in future trading but a fall out of personalities; necessitating a sensitive negotiation of the terms of a split of the businesses, with widely differing views on valuation, equalisation and tax treatment
- Share valuation disputes; expert determination, litigation and mediation; use of Family Council mechanism

Professional Negligence

- Claims against accountants, solicitors, barristers, architects and quantity surveyors
- Tax specialist negligence claim
- Multi-party mediations with insurer involvement

Defence Sector

- Procurement challenges
- Delay and cost overruns
- Prime and subcontractor disputes
- Defective design and manufacturing disputes
- Late delivery

Banking and Finance

- £24m claim for conversion and conspiracy
- Corporate insolvency issues in a variety of sectors; wrongful trading; misfeasance
- Substantial mis-selling and breach of mandate claims by corporate customers



Defamation and Reputation Management

- Libel claims involving educational establishments
- Defamation issues arising in a civil conspiracy claim

ICT - Information, Communication & Technology

- A significant number of telecoms litigation and arbitration cases
- Highly technical claims arising out of the provision of mobile telephony services
- International software licence disputes

Commercial Property

- 10 party construction claim in the Technology and Construction Court
- £30m claim for fraudulent misrepresentation related to a property transaction
- Dilapidation and breach of covenant disputes
- Lease dilapidation claims

Public Sector

- Repudiatory breach of contract claim involving a contract for 2 substantial housing estates
- Claims for breach of the Public Contracts Regulations
- Whistleblowing.
- Resolution of sensitive senior officer disputes
- Mediating employment tribunal claims, usually with wider ramifications for employers and employees

Warranties

- Claim for breach of warranty, breach of contract and misrepresentation with a value in excess of £20 million
- Warranty claims against a vendor of a private limited company with a plc guarantor
- Warranty claims arising from the sale/purchase of companies with allegations of conflict of interest.



Other Dispute Resolution Experience

Andrew has experience of Executive Tribunal, Expert Determination, and Early Neutral Evaluation.

He has provided ADR services to a number of non-profit making/non-commercial organisations including Government bodies..

Personal Style

His broad experience in all forms of dispute resolution enables Andrew to bring varied skills to bear when helping parties in mediation. Parties have referred to his meticulous preparation, proactivity, his impressive skill, energy, commitment to help and purpose. At the express request of all parties he is prepared to give his views on likely outcome. In the right case this can facilitate an unblocking of otherwise insoluble log jams.

Feedback – Clients

- *"Once again, many thanks for all your help with this matter. I don't think we would have got over the finish line without you!"*
- *"I genuinely thought it was an excellent performance."*
- *"Thank you again for your expertise and strategic commitment to the mediation process. Please feel free to cite me as a referee. I will be singing your praises within the firm."*
- *"You did a fine job yesterday under difficult circumstances. Your professional approach no doubt saved considerable costs and anxiety, and we are very grateful. Needless to say the next time I need a mediator you are top of the list."*
- *"You managed the mediation well and it achieved a positive outcome for the parties. My client was pleased with the result. In so doing, you demonstrated good background knowledge. It was clear that you had read the bundles in the limited time you had available and had an awareness of the main issues in dispute. You listened well and as far as my client was concerned allowed its representatives to tell you what they wanted from the mediation. You exercised effective control over the mediation process giving clear instructions to the parties and setting realistic time limits. Your handling of the opening session was excellent in its summary of the logistics/objectives for the day together with the legal concepts involved."*
- *"You were happy to use your legal expertise and knowledge where necessary, for example, in the drafting of documents. The mediation proved to be a cost effective and productive way of resolving the dispute."*

- *“My sincere thanks again for so ably guiding the parties in this case towards a sensible and reasonable settlement. You have your own very special style of dealing with these things, which was crucial to achieving the result. My clients were not unexpectedly suitably impressed as was my opponent.”*
- *“Even though no settlement was reached, I hope to be able to guide some other disputes your way in the future. Preferably some with a better prospect of actually settling”*
- *“Feedback from my clients was very positive. You developed a nice rapport with them.”*
- *Our client was pleased with the outcome and as you say hopefully a binding agreement will shortly be signed. Thanks for your offer of future help.”*
- *We have attended many mediations and without flattering you too much were very impressed by how you performed as mediator – we particularly thought the opening session common ground speech was helpful – something we had not experienced in other mediations! You certainly quickly gained our client’s trust and confidence and again that helped in moving the parties towards a settlement.”*
- *“The way Andrew handled the process was far superior to any mediator we had seen before.”*
- *“He was proactive and handled the day impressively.”*
- *“I am still not sure if any of my three clients realised what trouble they were in. Suffice to say I am quite sure they would still be in it if it had not been for your powers of mediation.”*
- *“His attitude and approach greatly aided the mediation process and was one of the major factors in reaching a successful conclusion.”*
- *“He was very good, sensible, business-like, with good explanations and handling of the case.”*
- *“His assistance and guidance combined with unfailing optimism was appreciated.”*
- *“His tone was very good, he oozed mediation.”*
- *“We were impressed with the energy and skill he put into the process, which created precisely the kind of atmosphere that gives mediation the best prospects of success.”*
- *“Thank you for your help and for staying on so late to bring this difficult case to a close – I am now converted to the merits of mediation and will bear you in mind for future cases. I must admit I was expecting the process to fail as we seemed so far apart so I am delighted to be able to close our file.”*
- *“It is (surprisingly) rare to find a mediator who has put the work in before the mediation in order to really understand the issues. It was very clear that you had done that, with the result that the process was worthwhile.”*
- *“Many thanks again for your most valued input into the mediation yesterday and for your help in getting the final settlement.”*



- *"We were all very impressed by your knowledge of the papers and the issues in the cases and by the structured way in which you conducted the Mediation."*
- *"You may be assured that I will nominate you to conduct my next Mediation."*

Feedback – Directories

In practice, Andrew featured in the Chambers Guide to the Legal Profession, Legal 500 and the Legal Experts Directory as a Leading Individual.

- *Chambers UK: "A robust, no-nonsense mediator whose experience gives him gravitas."*
- *"Andrew has a stellar reputation ..."*
- *Ranked in Band 1 for commercial litigation.*
- *"An outstanding individual." Band 1.*
- *"Extremely professional litigator and a strong performer."*
- *Legal 500: "Excellent practitioner ... Band 1 ... is singled out as one of Birmingham's most distinguished litigators. Sources admire his impressive intellect."*
- *"Andrew is very well regarded and a Leading Individual."*
- *"Calm under pressure" and praised for "keen commercial awareness".*
- *Chambers: "He handles mediations sensibly and in a commercial manner".*
- *"combines gravitas with a calm personality"*
- *"One of the pre-eminent litigation names"*
- *"a forceful and intelligent litigator"*
- *"firmly established as a leading presence in the litigation market and possesses considerable expertise in complex corporate and commercial disputes"*

Career History

Andrew has a First Class Degree in Law and an MA, both from Cambridge University. He qualified as a Solicitor of the Senior Court in 1980.

Awards

- Appears in the list of Best Lawyers in the United Kingdom for every year from 2012 to date (2024).
- Appointed to the Congress of Fellows of the Center for International Legal Studies



Non-Executive Directorships and panel memberships

- CEDR faculty
- CIArb Panel of Arbitrators
- Panel Mediator, Civil Mediation Council
- Chair, Sanctuary Group
- Chair, Worcestershire County Council Independent Remuneration Panel
- Chair, Advisory Board Deminor Ltd
- Chair, Hereford Enterprise Zone (past)
- Worcestershire County Cricket Club (past)
- Malvern Hills Science Park (past)
- NED, Centre for Effective Dispute Resolution (past)

Andrew was a non-executive Board member of CEDR for 10 years and a member of CEDR Commission on Settlement in International Arbitration chaired by Lord Woolf and Professor Gabrielle Kaufman-Kohler.