



CEDR Accreditation:	2007
CEDR Panel:	2008
CEDR Faculty:	2012
CEDR Chambers:	2015
Foreign Languages:	French – C2 Spanish – B2
Location:	United Kingdom

“Eve was amazing at handling quite a difficult mediation for us and would highly recommend her to anyone looking for an experienced mediator with the perfect balance of a firm hand but with a kind touch”.

“Many thanks for agreeing to act as mediator in this matter, and your exhaustive efforts in reaching a resolution on the day. Our clients were very pleased with the result”.

Client Feedback

Eve Pienaar

Overview Workplace Mediation Experience

Eve is a highly regarded commercial and workplace mediator. She also has significant experience in shareholder disputes and Wills, Trust and Probate cases. Eve was promoted to Tier 2 in *Legal 500* and Band 3 with *Chambers & Partners*, in 2022. She has mediated over 300 commercial cases, many of which concerned workplace or employment disputes or relationship breakdown, as well as in the Probate and Trust sector.

Eve’s practice includes complex projects mediated over a longer period of time. Recent cases include mediating division of assets due to the breakdown in relations between very high net worth, multi-generational family members, beneficiaries of multimillion-dollar trust funds. She also recently worked on a complex inheritance case involving a dispute between 3 brothers, regarding the administration of their mother’s Estate, which took place over a period of 4 weeks and concluded in full settlement.



Eve regularly contributes articles in the field and speaks on mediation related topics at conferences and panels. She is a Fellow of the CMC and member of Faculty of CEDR. She also mediates for the ICC and LCIA.

Professional Background

Eve began her career in private practice, with Clifford Chance, a “magic circle” law firm in London. Preferring to work in industry, Eve has since held a number of senior in-house Counsel roles with global organisations, including Vice President Warner Bros., Senior In-House Counsel at RICS¹ and RIBA² and latterly with supply chain compliance technology platform, Sedex³.

Expertise

- General Commercial
- Partnership & Shareholder
- Professional Negligence
- Property & Construction
- Trust , Wills, Probate
- Workplace and employment

Dispute Experience – Workplace and Employment (including Trusts and shareholder)

Workplace and Employment

- Project mediation over 4m period, to re-build trust and communication between governors of high-profile English boarding school, against backdrop of reputationally damaging social media and press communications;
- Grievance within senior management of statutory police complaints oversight body: allegations of bullying, harassment and discrimination;
- Race discrimination, bullying and false imprisonment Claim by private individual, against Chief Constable of British Transport Police, before the CLCC. Case settled on a creative and respectful basis; unrepresented Claimant;
- Claim against prominent music Academy, allegations of bullying and marginalisation by Supervisor, self-harm and mental health issues; Claim for damages for inability to complete

¹ Royal Institution of Chartered Surveyors - <https://www.rics.org/uk/>

² Royal Institute of British Architects - <https://www.architecture.com/>

³ Sedex - <https://www.sedex.com/>

Master's degree. Settlement included policy changes within education establishment;

- Isle of Man (IoM) claim under Education Act 2001, brought by parent as litigation friend, for six figure damages, against Department of Education and Children (IoM); Claim for lack of identification and provision for special educational needs;
- Employment claim for £160k “Strain Payment” in respect of loss of pension rights, as a result of the transfer of employer Housing Group (registered as a Community Benefit Society⁴), to a limited liability entity;
- Claim for unfair dismissal, in circumstances where employee produced social media evidence of inappropriate communications from CEO; admissibility of evidence, structure of settlement sum, reputational damage;
- Claim for damages by ex-employee against prior employer, for vicarious liability for alleged sexual harassment and tort of battery, in relation to another employee; mediation process adapted to ensure duty of care towards Claimant preserved;
- Claim before the Employment Tribunal, against NUT⁵, for refusing appeal to fund litigation against previous employer, where Claimant alleged bullying and harassment following her whistleblowing to school's local authority;
- Dispute concerning computation of overtime pay, whether Claimant had misappropriated company records (including time sheets); satellite Data Protection and privacy claims;
- Breakdown in relationship between senior managers of a small charity, in Coventry, hampering delivery of public services;
- Claim for damages for unfair termination under Service Agreement, brought by previous Managing Director; Defendant allegations of concealment and repudiatory breach;
- Claim brought by previous director, following acquisition of employer by a third-party organisation which introduced changes to long term incentive scheme and bonus policy. Counterclaim alleging collusion by Senior Management, who had all since exited the business. Whether TUPE process properly followed;
- Many workplace cases, across a range of issues. Recent cases include:
 - Staff allegations of sexual harassment at prominent online Games developer;
 - Tension between team members and team facilitation, Royal Charter body;
 - Friction between manager and team member(s), resulting in staff taking excessive time off sick with stress;
 - Allegations of bullying against Senior Leadership Team member – various;
 - Disputes where Claimant is supported by Union Representative – extent of cover for legal fees as discreet issue within the mediation.

⁴ Community Benefit Society under the Co-operative and Community Benefit Societies Act 2014

⁵ National Union of Teachers

Trusts, Wills and Probate

- Dispute between trustee governors of a secondary school, in respect of strategic plans for the school, including whether to acquire failing local primary school and how to allocate resources;
- Co-mediation of complex family trust (assets worth in excess of \$250m in multiple jurisdictions and across property and financial market sectors), in the context of allegations of mismanagement against Trustees. Multi-generational communication facilitation. Tax as well as legal complexity around trust holdings. Mediation project ran for 5 months;
- Application for Occupation Order under Family Law Act 1996, following death of long-term partner, Claim for equitable interest under oral trust allegedly established when partner sold her property to live with sole owner of property (deceased);
- Money claim under disputed Deed of Trust, where funding settlor Trustee alleged misappropriation of proceeds of sale following disposal of properties developed by co-Trustee;
- Wills and Probate cases, typically involving claims by beneficiaries against Executors, in relation to administration of the Estate; allegations of dissipation of assets;
- Many TOLATA⁶ cases, involving claims by friends or relatives of deceased alleging possession or other equity rights in relation to property left by the deceased, often where intestacy rules apply; division of assets of Estate with competing Claims by relatives.

Partnership and shareholder

- £750k Claim over terms on which member of LLP had been exited from the partnership, whether the employer had the right to vary Drawings and Profit Share during period of garden leave;
- Multimillion-pound claim over shareholder exit terms from partnership of sports TV rights joint venture; settlement including claim for loss of future earnings and scope of restrictive covenants; cross border tax structuring of settlement sum;
- Dispute between widow and deceased's siblings, in relation to administration of property portfolio partnership accounts and distributions (value in excess of £1m), under Partnership Act; Assets in the UK and India;
- Breakdown in relationship between shareholders of SME delivering financial software enabling procurement of public works. Valuation of the business and terms of buy-back by one shareholder, to exit others without disruption to the business; and

⁶ Trusts of Land and Appointment of Trustees Act 1996

- Shareholder Agreement dispute in France, management deadlock and contested valuation of the business, for purposes of negotiating the exit of one partner; restrictive covenants on exit.

Personal Style

Legal directories say of Eve that she *“excels on the commercial mediation stage and is commended for her “great talent in de-escalating tension and refocusing the parties on the matter at hand”.* She is also credited for *“her steely determination to get a deal done”.*

Eve is empathetic and builds trust and rapport easily with clients, including in emotionally charged disputes. She is calm and persistent and knows when to challenge parties to help them overcome deadlock. Her in-depth preparation and pre-mediation interaction with clients help ensure swift progress to offers on the day.

Feedback

“In essence [Eve] was fantastic. She has a natural calming manner and managed to help keep us all cool and focused even after 11 hours of mediation.

The amount of preparation she put in prior to the meeting wasn’t only impressive and showed her experience, but paid dividends for us all on the day.”

“Eve comes with the very highest recommendation. She invested considerable time (including the weekend) in getting to know the case and in creating a relationship with the parties involved. On the day she again committed more than the allocated time and in the closing minutes managed to bring the parties to an agreement.”

“Eve was amazing at handling quite a difficult mediation for us and would highly recommend her to anyone looking for an experienced mediator with the perfect balance of a firm hand but with a kind touch. We had shortlisted a few mediators that were recommended by our lawyers and really glad we selected her above the others.”

“Thanks for your perseverance. I was not convinced it was worthwhile and I am glad you proved me wrong.”

“Dear Eve, thank you for all your hard work and wonderful support through this case. You are one in a million.”



“Your contribution to the whole process was clearly very positive, and instrumental in securing a fair outcome for both parties.”

“Thank you so much for what you did yesterday. It seemed impossible, but now there is a way forward.”

“Eve was very good, absolutely top notch. The other side were very difficult and I was not expecting any resolution at all. She mediated very well and did extremely well to get the resolution she did in very difficult circumstances.”

“Eve has an ability to match endless patience and tact with a clear vision of what is actually going on.”

“How can we begin to thank you for your excellent, professional and calm mediating. We really could not see any light at the end of the tunnel before the mediation...”

