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

Eve Pienaar

Index Ranking: Global Elite Thought Leader
Client Choice
Category: Client Choice – Mediation

"Calm, sensible and hard-working" Eve Pienaar "gets involved, she tells it as it is, and suggests a way forward to keep the negotiations going, so as to reach a conclusion. Eve can be creative and assertive as the situation demands, and she also has a very good understanding of the commercial realities of each case". Legal 500 2026

Overview

Eve is a highly regarded full-time commercial mediator, working across a range of commercial sectors including property and construction, professional negligence, intellectual property and general commercial such as shareholder disputes and insolvency. Eve has considerable experience of contentious probate cases, as well as workplace disputes and defamation claims. Eve is ranked as Tier 2 in *Legal 500* and Band 2 with *Chambers & Partners*. She has mediated over 350 commercial cases and is regularly sought after for complex, high value or multi-party cases. Eve's practice includes complex projects mediated over a longer period of time. For instance, mediating the division of assets between high net worth beneficiaries of a trust fund, where one beneficiary wished to make an early exit. Or working through difficult patterns of work amongst Governors of a private sector boarding school, whose dysfunctional working relationships compromised running the school, over a period of four months.

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 Lead Faculty member for CEDR. She also mediates for the ICC and LCIA. Eve is an IMI certified commercial mediator and a panel member of Equanim International.

Professional Background

Eve was educated in France and began her career as a solicitor in private practice, with Clifford Chance, in London. Preferring to work in industry, Eve then held a number of senior in-house Counsel roles with global organisations, including Warner Bros., RICS[1], RIBA[2] and supply chain compliance technology platform, Sedex[3]. Eve is currently a full time mediator with a busy practice.

Eve invests time thoroughly preparing for each case, with the parties and their advisers, ahead of the mediation. This helps the parties "hit the ground running" on the day, maintaining pace and momentum during the mediation. She combines keen legal analysis with strategic business insight and works with parties to identify commercial, viable solutions to their disputes. Noted for her calm and professional approach, Eve will challenge parties to help broker a deal, where appropriate. She will adapt her mediation style to best suit the parties, adopting a pro-active approach to help identify a solution or generate options.

Parties welcome her thorough preparation as well as her tenacity and pragmatism on the day.

Eve is used to working with public sector and international organisations, but is also comfortable working with litigants in person (including on CLCC cases).

Expertise

- Property & Construction
- Trusts, Wills & Probate
- Professional Negligence
- Intellectual Property
- Commercial Contracts
- Partnership & Shareholder
- Insolvency
- Defamation
- Employment, Workplace

Dispute Experience (recent)

Construction

- Subrogated insurance claim for damage to property, against Main Contractor and groundworks sub-contractor – claim value £1.1m;
- Indemnity-backed claim by one public authority against the other, for public procurement works. Counterclaim in negligence and dispute over final account – claim value £1.6m;

[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/

- 5 party construction dispute for damage to service infrastructure – claim value £8.4m;
- Numerous final account disputes concerning cost overruns, delay and variation to works issues – claim values between £50k to £4m;
- Claim against contractor for replacing gabion wall at foot of hill, and against structural engineer designing the works, for negligence causing subsidence and damage to property;
- Claim against manufacturer of roof material, and against architect designer, for damage to a number of properties due to water ingress.

Property

- Claim for breach of covenant following damage to property, by retailer against public utility Landlord, following multiple leaks from conduits above leased premises;
- Claim for diminution in value of property where extent of latent defects caused by developer not known or insurable against;
- Numerous boundary and planning disputes, including disputed expert evidence identifying the true boundary, encroachment claims, planning disputes , allegations of trespass and sometimes harassment;
- Injunction proceedings to require long leaseholder to reinstate roof to property subject to restrictive covenants, following construction of loft conversion without license;
- Enforcement proceedings in relation to Debenture over property provided under contractual Option agreement;
- Numerous commercial property claims for rent and service charge arrears, defects or service charge disputes.

Trusts, wills and probate

- Numerous claims under 1975 Inheritance (Provision for Family and Dependants) Act ("IPFDA"), where Claimants seek share of Settlor's estate, whether under Intestacy Rules or a Will is in dispute;
- Claims against Executors, for breach of trust or breach of fiduciary duties in relation to administration (or lack of progress in administration) of the Estate;
- Claim by estranged daughter, against siblings, in circumstances where deceased father had excluded her from his Will;
- Co-mediation of complex family trust dispute (assets worth in excess of $250m), allegations of mismanagement against Trustees. Mediation project ran for four months;

- Many TOLATA[4] cases involving disputes between children or close partners of deceased, regarding assets left under intestacy provisions;
- Claim brought by carer for declaratory relief as to a deed of severance and transfer of beneficial interest of property owned by deceased, where surviving family members contested the Will on grounds of duress and lack of capacity.

Professional negligence

- Numerous negligence claims against professionals, alleging breach of duty. Scope of duty as well as quantum and mitigation issues. These cases typically include involvement of PI insurers for Defendant(s);
- For instance:
    - Claim against accounting firm for incorrect VAT assessment and resultant penalties;
    - Claim against accounting firm for incorrect calculation of personal tax liabilities, as a result of which Claimant cancelled private health insurance and contracted cancer;
    - Claim by purchaser against firm of conveyancing solicitors, for failing to carry out searches and identify risk of erosion;
- Many professional negligence claims against construction companies, including:
    - Defects claim in relation to new roof, leaks and allegations poor workmanship;
    - Standard of care in construction of residential rear extension and conservatory;
    - Whether works in relation to new multi-occupancy development had been constructed in line with Schedule of Conditions;
- Professional negligence claims against architects – various. Defects in design and specification of works/ variations by clients.

Commercial (and intellectual property)

- Claim under terms of management earn-out, where purchaser contended targets for customer migration to new platform not met;
- Claim against London Borough Council for unpaid invoices under historic Framework Agreements (eg: to deliver care services to vulnerable residents) – various;
- Claim against Vendor under Deed of Guarantee, for costs incurred by agency following acquisition, in circumstances where agency de-facto insolvent;
- Claim against director of privately owned company, for misuse of company assets and false accounting;

[4] Trusts of Land and Appointment of Trustees Act 1996

- Injunction proceedings brought by co-creator of prestigious couture designs firm, when previous partner sought to sell artworks at auction;
- Claim by service provider against client, where the latter sought to rescind an IT hardware, maintenance and software services contract.

Partnership and shareholder

- Claims between brothers, co-owners and directors of scaffolding business, over terms of exit by eldest sibling;
- Breakdown in trust between founding partners of boutique communications agency leading to mediation over commercial terms of buy-out by one of the other's shareholding;
- Breach of warranty allegations against Vendor, accounting treatment of cost of sales and profitability, from which valuation and sale price determined;
- Unfair prejudice claim brought by minority shareholder, demanding an account of profits and dividend distribution;
- Dispute 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;
- Unfair prejudice claim in relation to alleged collusion by majority shareholders to frustrate the business and force an exit of minority shareholder/director.

Insolvency

- Claim for £1.5m by company in administration, brought by insolvency practitioner against prior Managing Director. Allegations of fraudulent mismanagement;
- Claim for breach of warranty against (i) Seller and (ii) financial advisors, in relation to acquisition of local school transport business, where tax credits miscalculated;
- £1.5m insolvency claim against former Senior Partner of mid-size accountancy firm, after significant loss of business attributed to his mis-management leading to insolvency (claim assigned to litigation funder);

Defamation

- Claim for libel in relation to allegations of predatory behaviour, within educational sector, demands for public retraction and apology;
- Defamation claim between post-graduate and undergraduate students, including employment claims against University;
- Defamation between academics of prestigious University, in relation to grievance brought to the attention of Head of Department;

- Allegation of sexual harassment brought by teacher against her line manager, in secondary school;
- Injunction proceedings sought by individual whose private life was included in forthcoming "tell all" book, where author and Claimant had previously been romantically involved;
- Defamation proceedings brought by school Governor, against a group of other Governors, concerning disparaging allegations on social media.

Employment and workplace

- Facilitations within organisations, where grievances raised - various;
- Mediation-based facilitations to improve team cohesion and reach agreements as to "ways of working";
- Mediation between member of management team and his line manager and Head of Department, where trust had broken down – negotiation over terms for return to work;
- Grievance within senior management of statutory police oversight body: allegations of bullying, harassment and discrimination;
- Employment mediation in relation to exit terms of law firm partner, where an admitted mistake was categorised as a fundamental breach of her partnership contract (by firm);
- 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 Society), to a limited liability entity.

Personal Style

Legal directories say of Eve that she "*can be creative and assertive as the situation demands, and she also has a very good understanding of the commercial realities of each case*". Or that she *"has that rare ability to control a mediation through her robust, no-nonsense style, while at the same time lending a sympathetic ear to the parties' grievances, which allows her to gain the parties' confidence*".

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 to set the mediation up to a constructive start and encourage progress to offers on the day.

Feedback

- "Eve Pienaar is an excellent mediator and is very good at getting to the essence of complex issues and explaining the risks of these issues to the parties participating." Chambers & Partners 2024
- “You were an excellent mediator. I would say there were two main reasons for this. First, was your emotional intelligence and your authenticity in terms of the reading of, and reporting back, on the work undertaken in, and mood of, the opposing room and those in it. Also, in terms of when and when not to say and/or do certain things given the possible consequences.

  Second, was your approach to the day, including using the opening session as a lawyers only session, which I think really helped the understanding on both sides”
- “Many thanks for all your help yesterday in helping reach a deal. Meeting you the day before the actual mediation gave me confidence that if anyone would facilitate agreement, you would.

  I’m so relieved to be able to put this dispute behind me. It was a long and tiring day, but so good to cover all the various points in one day.”
- I found your mediation style to be excellent, with just the right level of intervention to help guide parties to an acceptable resolution.
- I will not hesitate to recommend you again, either in matters upon which I am engaged or to colleagues looking for a recommendation.
- “Eve demonstrated a friendly and attentive style, which made her easily approachable throughout the process. Her ability to speak French was a significant advantage, especially given that one of the parties was French. This contributed to better communication and a smoother process overall.

  The mediation involved three parties and was particularly challenging due to the complexity of the probate issues and the multicultural dimensions of the case. Eve’s patience and professionalism were key in reaching a successful settlement.”
- “Thank you for your help and support in guiding this particularly sticky claim to resolution. I don’t think that we would have got to a settlement without your determination to focus everyone’s attention on their respective risks.”
- “I am glad that everyone was sensible and prepared to agree a commercial settlement on the day. You made light work of what was a complex multi-party action and your input and patience was invaluable to the matter resolving within a decent timeframe.

The collaborative approach was key to the parties reaching an agreement - a tactical step mentioned by you at the pre-mediation meeting."

- "Eve, many thanks to you for the sensitive yet firm and driven approach you took yesterday - you made me feel at ease and in very safe hands indeed.

  Your adroit ways of knocking the edges off each sides most extreme views and emotions led to a smoother and expedient outcome for all."

- "That was one of the most co-operative mediations I have had. I think it is a tribute to your leadership through the mediation – working with the positives of each side to get them closer to a resolution. I think the method of getting one side to 'explain' and work through their methodology and spreadsheets was much a much less confrontational than the typical – our case is better than yours."