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Languages:	English
Location:	United Kingdom

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Client Feedback

Suzanne Tager

Overview

Suzanne Tager has over 20 years' experience of dealing with and resolving high-value, multi-jurisdictional, cross-border, commercial disputes both domestically and internationally; 14 years of which were spent working at a top global law firm.

Suzanne is a highly accomplished full-time commercial mediator and is well placed to assist with disputes in a range of commercial sectors including banking and finance, contentious insolvency, general commercial, corporate, commercial fraud, private client, intellectual property, insurance, employment, real estate, education, consumer, professional negligence and ESG.

Professional Background

Suzanne trained with Lovells (which became Hogan Lovells) in London, qualifying into its market leading commercial litigation practice, where she became a senior member of the team. During her time at the firm, she also completed secondments to the New York office and to the group litigation team at Standard Chartered Bank.



Suzanne is ranked as a Leading Mediator in Chambers & Partners and in Legal 500 which comments that Suzanne, ‘really gets to grips with each party’s motivations,’ reflecting her excellent client feedback.

Suzanne’s mediation appointments tend to relate to her experience as a litigator and she is regularly appointed to assist with disputes relating to banking and finance, contentious insolvency, shareholders, JVs, partnerships, companies, property and general commercial matters.

When mediating, Suzanne also draws on her deep understanding of negotiation, influence, psychology, decision-making and behavioural economics; gleaned from extensive research, seminars and a Certification in Negotiation from Yale University

Suzanne writes and speaks regularly on mediation and gives masterclasses on preparing for and navigating mediation to law firms and in-house teams throughout the UK.

Expertise

- Banking, Finance & Capital Markets
- Commercial Contracts
- Commercial Fraud
- Contentious Insolvency
- Company, Shareholders & Directors
- Employment & Workplace
- IP, IT, & Telecoms
- Landlord & Tenant
- Neighbour Disputes
- Professional Negligence
- Property & Construction
- Sales of Goods & Services

Dispute Experience

Suzanne is comfortable mediating a wide range of commercial disputes. Her dispute resolution experience is predominantly focused on banking and finance disputes, disputes arising out of contentious insolvency, commercial fraud, director and/or shareholder disputes and general commercial disputes. As a result, Suzanne has an impressive understanding of the key commercial and legal issues in those areas, providing a useful background when mediating disputes. Her breadth of experience extends from these areas to a number of other practice areas including, private equity, real estate, pensions, IT, Intellectual Property, professional negligence, education, consumer, workplace and neighbour disputes.

Banking and Financial Services

- Claim brought by an investment bank against its former customer over the obligation to pay a £multi-million fee.

- Dispute between two investment banks in respect of the assumption of £multi-million loan obligations under an LMA Agreement.
- Claim by a hotel entrepreneur against an asset management agency alleging the wrongful transfer of £multi-million debts from the asset management agency to a third party. (Leisure)
- Claim by an investment bank against its collateral managers in relation to US\$250 million worth of commodity exposure to an alleged metals financing fraud in two Chinese ports, involving complicated commodity finance arrangements. (Fraud)
- Dispute between a sovereign wealth fund and a former investment manager in relation to US\$80 million of misappropriated funds. (Fraud)
- Claim by a named beneficiary under a US\$multi-million letter of credit against the issuing bank citing the applicant's failure to comply with its payment obligations.
- Dispute between two investment banks regarding cancellation of £multi-million hard copy guarantees.
- Six months on secondment to Standard Chartered Bank's group litigation team with responsibility for the day to day management of the bank's claims in respect of a high value Middle Eastern bank fraud. (Fraud)
- Dispute between investment bank and major retailer regarding an alleged breach of covenant in a £multi-million loan agreement.
- Dispute between hire purchase finance company and a borrower over the non-payment of sums due under the agreement. The customer had not collected a bespoke piece of machinery, alleged that as a result there was no consideration and accused the finance company of selling the machinery at an undervalue.
- Dispute between company providing business services and a Healthtech start up, regarding the failure to identify an Authorised Push Payment Fraud which resulted in £millions being paid out of the start-up's accounts, the failure by the business provider to engage with the warnings given by the start-up's bank and allegations of negligence.
- Dispute between bank providing leasing solutions, company that signed lease agreements for the hire of machinery and the supplier of the machinery, involving allegations of misrepresentation and fraud.
- Claim by the beneficiary of an on-demand bond against the surety who refused to pay the beneficiary primarily on the basis that payments had not been made in accordance with an agreed schedule.
- Dispute between an asset finance provider and the guarantors of sums due under a hire purchase agreement involving allegations by the guarantors that the agreements were unenforceable.
- Dispute between mortgagor and the entity which had purported to have been assigned the mortgage in which the mortgagor claimed that a secret commission had been paid to the broker and they were entitled to rescind the mortgage.

- Dispute between an investment fund and the recipient of sums the fund paid out by mistake.
- Dispute between a bank and the guarantor of an insolvent company's loan.

Capital Markets

- Claims and counterclaims by an investment bank and its Taiwanese customer in relation to alleged breaches of US\$multi-million ISDA Agreements.
- Dispute under a multi-billion dollar synthetic CDO programme involving parallel claims in London and New York concerning the validity of widely used priority provisions within CDO documentation. (Contentious insolvency)
- Claims concerning creditor entitlements following the collapse and restructuring of the first structured investment vehicle (SIV) to call in receivers following the credit crunch, focusing on the different interpretations of complex governing documentation. (Contentious insolvency)
- Dispute between the administrators of a major bank and a counter party to a contract for difference, in connection with a claim under an ISDA Agreement. (Contentious insolvency)
- Claims by creditors at all levels of the 'waterfall' as to priorities in relation to the largest of the SIVs which collapsed into receivership in October 2008. (Contentious insolvency)
- Contractual dispute between an independent provider of foreign exchange risk management and trading services and a former client regarding the appropriate close out rates for deliverable currency spot trades, the losses incurred and the sums due.

Contentious Insolvency

- Dispute between the administrators of a retail wholesaler and the company's former customers in respect of £multi-millions of unpaid invoices said to be due to the estate. The case involved the lending banks, the insurers and the creditors of the insolvent wholesaler. (Retail)
- Claims by a Cypriot company in liquidation against Ukrainian former directors regarding alleged misappropriation of US\$400 million. (Fraud)
- Disputes between the administrators of a UK retail company and the company's former suppliers in relation to retention of title issues. (Retail)
- Claim by a German company against a UK company in administration in respect of retention of title claims.
- Dispute between Joint Trustees in Bankruptcy and the holder of shares in a company which were transferred by the bankrupts between the date of the presentation of the bankruptcy petitions and the bankruptcy orders. The JTIBs argued that the transfer of shares was a void disposition pursuant to s.284 IA 1986 and sought compensation for loss and damage.

- Claim by Liquidators against the former directors, alleging unlawful distributions to shareholders and a failure to notify insurers of a pre-existing claim, and against parties that the Liquidators claimed had received preference payments.
- Dispute between the liquidators of a company and the entity which had bought the business of the company in liquidation. The company that was now in liquidation had loaned funds to the purchaser to help to fund the purchase. The liquidators asserted that the entire facility was now due and payable following the failure to make an interest payment which the purchaser disputed.

General Commercial

- £multi-million breach of contract claim between a FTSE 250 coach company and a former operator, involving allegations of wrongful termination and complex breaches of transport law. (Leisure)
- Dispute between an English airplane engine repair company and a Russian company regarding £multi-million unpaid invoices and the right to the power of sale of retained engine parts.
- Dispute between senior secondees of a multi-national consortium, including a FTSE 100 company, regarding compliance with internal policy and procedures. (Workplace)
- Dispute between two companies regarding the payment of the expenses incurred during the performance of the contract, the dispute was ostensibly about contractual interpretation but also involved allegations of wrongdoing.
- Dispute between a marketing company and its client regarding the non-payment of invoices and counterclaim citing negligence.
- Breach of contract dispute between a multinational company and its UK distribution agent, relating to the termination of the agreement alleging breach of the best-efforts proviso, a claim for damages for repudiatory breach and intimations of a counterclaim.
- Dispute between clothing manufacturer and fabric importer regarding fabric which the clothing manufacturer alleged was damaged and not fit for purpose.
- Dispute between manufacturer of packaging and the importer who purchased packaging materials for their client. The ultimate client had claimed that the packaging was not fit for purpose and refused to pay the importer. The matters in dispute also included which terms had been incorporated which impacted the claim value.

Company, Shareholder & Director

- Dispute between the chairman and the CEO of a FTSE 250 hotel company, focusing on the extent of the CEO's control and the Chairman's level of influence over the company. (Leisure)

- Multi-jurisdictional claims between two individuals regarding the ownership and control of a hedge fund and other assets worth approximately US\$500m held through a complex structure of offshore corporations and trust vehicles.
- Dispute between directors/shareholders of a company regarding a proposed merger with a competitor.
- Claims and counterclaims between a prominent Russian businessman and a major AIM listed company (in which he was a major shareholder) alleging improper use of company funds, involving worldwide freezing orders and serious allegations of fraud. This was a complex and multi-jurisdictional matter involving proceedings in England, the BVI, the Isle of Man, Jersey, Cyprus and Russia. (Fraud)
- Dispute between the directors/shareholders of a £multi-million property company regarding the future ownership of the company.
- Dispute between the directors/shareholders of a recruitment company regarding the departure of two of the directors/shareholders.
- Dispute between Joint Venture partners in a high-end cosmetic surgery business, following the dissolution of the partnership regarding the allocation of profits made by the business.
- Dispute between shareholders/directors of a pharma company and two former directors (one of whom was related to a shareholder) citing breach of fiduciary duty and claims for loss and damage.
- Dispute between a shareholder of an IT company who had previously been a director and the current directors, one of whom was also a shareholder. The matter involved allegations of breach of fiduciary duty and bullying and assertions of incompetence.
- Dispute over the control of a company between the two directors, representing the interests of the two blocks of shareholders, involving allegations of acting without authority.

Private Equity

- Claim by a purchaser of a fibre optic company against the former management, involving allegations of multiple breaches of the warranties in the SPA regarding the accuracy of the target companies' accounts which were said to have resulted in £multi-million losses.
- Dispute between a private equity house and the purchaser of a business regarding the scope of complex indemnity provisions in an SPA with respect to a potential £multi-million exposure.

Intellectual Property and IT

- Dispute between a German company and a UK company regarding ownership of a carbon fibre related patent.

- Claim by a bank against its former IT contractors regarding breach of contract and allegations of fraud.
- Dispute between a bank and its Korean IT contractor with respect to allegations of breach of contract and failure to adhere to agreed technical specifications said to have led to US\$multi-million losses.
- Dispute between group of restaurants and their former IT contractor alleging breach of contract and counterclaims for loss and damage resulting from the withholding of access codes.
- Dispute between higher education institution and its telecommunications provider, involving allegations of breach of contract and counterclaims for losses resulting from inadequate provision.
- Breach of contract dispute between payforit single click platform and its former customer care and merchant reporting portal, regarding the sums invoiced and the compliance requirements imposed.

Pensions

- Dispute between pension trustees and an investor in a pension fund regarding alleged incorrect tax advice given by the pension fund, said to have resulted in significant tax losses.
- Claims between the US, Canadian and EMEA bankruptcy entities of a former multinational telecoms group regarding the division of the \$4.5bn proceeds of the sale of assets of the group and the obligations to the UK pension scheme.

Real estate

- Dispute between builder and homeowner involving allegations of inadequate workmanship and breach of contract. (Professional Negligence)
- Dispute between homeowner and two surveyors, each of whom was insured, regarding allegations of professional negligence. (Professional Negligence)
- Dispute between an architect and a property developer involving allegations of inadequate workmanship, professional negligence and losses resulting from delay. (Professional Negligence)
- Dispute between the vendor and purchaser of commercial property regarding the impact of Covid-19 pandemic on both the purchase price and the completion date.
- Dispute between landlord and tenant regarding non-payment of rent and allegations of a failure to adequately maintain the property.
- Dispute between a contractor and a property developer regarding allegations of inadequate workmanship and breach of contract. (Professional Negligence)
- Dispute between the purchaser of a property and the vendor involving allegations of misrepresentation and fraud and a claim for loss including the diminution in value of the property.

- Dispute between Landlord and Tenant regarding the non-payment of rent and allegations of a failure to adequately maintain the property and a counterclaim for loss and damage.
- Dispute between homeowner and surveyors, who were insured, regarding allegations of professional negligence and illegality.
- Dispute between guarantor of a lease and the entity to which the lease was assigned. The guarantor had settled with the landlord and was pursuing the lessee with a view to being compensated for the settlement sums paid. The lessee had settled on a separate basis with the landlord leading to allegations of collusion.
- Claim by the directors of a freehold and management company against the former director of the freehold company alleging misappropriation of funds and non-payment of service charges.
- Dispute between former leaseholder and the charity landlord. The former leaseholder alleged that threatening behaviour caused his departure from the building, claiming all foreseeable losses, in response to which the landlord asserted that as the former leaseholder did not have security of tenure and accordingly there was no liability for losses claimed.
- Claim by the freeholders of a property against the leaseholder for nuisance and unpaid service charges and ground rent to which the leaseholder counterclaimed alleging negligence.
- Dispute between care home provider and the freeholder and the company which was engaged to design and build the property. Defects had been found in the property and claims were advanced for the costs of remedial works and extensive losses said to be caused by the defects and the associated remedial work.

Neighbour

- Various disputes between neighbouring families relating to noise disturbance and anti-social behaviour.
- Various disputes between neighbours involving allegations of intentional harassment made to the police, abusive remarks and threatening behaviour.
- Various disputes between neighbouring families involving allegations of anti-social and aggressive behaviour where reports had been made to social services.

Workplace

- Dispute between senior employees and CEO regarding allegations of bullying and undermining behaviour which was having a negative impact on team dynamics and relationships.
- Dispute between CFO and senior employees regarding allegations of inappropriately aggressive behaviour and gas lighting which was impacting the organisation's ability to agree budgets and work collaboratively.

- Dispute between senior employee and CEO regarding accusations of inappropriate and undermining workplace behaviour which was causing the employee stress and anxiety and was making their role in the organisation untenable.
- Dispute between company and former employee involving allegations of breach of restrictive covenants in employment contract and settlement agreement and assertions of bullying.
- Dispute between Barristers' Chambers and former member regarding payment of sums alleged to be due to Chambers.
- Dispute between former consultant and company regarding non-payment of fees and failure to issue shares, including allegations of gross misconduct.
- Dispute between former consultant and company involving allegations of breach of contract and non-payment of fees.
- Dispute between former employee and Bank regarding the repayment of an Upfront Cash Award (UCA) following the former employee's departure.
- Dispute between former consultant and the partners of a firm of accountants regarding the sale of the business and the apportionment of historic profits.

Consumer

- Various disputes between funeral providers and customers involving allegations of misconduct and professional negligence. (Professional Negligence)
- Multiple disputes between funeral providers and customers regarding allegations of gross negligence. (Professional Negligence)
- Various disputes between funeral providers and customers regarding allegations of misrepresentation.
- Dispute between a business and a customer regarding products which were allegedly not fit for purpose.
- Dispute between a business and a customer regarding allegations of gross negligence. (Professional Negligence)
- Dispute between a business and customer regarding allegations of breach of statutory guidance and misrepresentation.

War crimes/humanitarian

- Dispute between an international oil company and the Swedish Prosecution Authority as to whether present or former directors, officers, or employees aided and abetted an African government in committing war crimes and other violations of humanitarian law.
- Claims before the US federal court advanced by Sudanese individuals and entities alleging an international oil company's complicity in the Sudanese Government's human rights abuses in the area of the oil company's oil concession in southern Sudan.

Personal Style

Suzanne is routinely commended on the speed at which she assimilates the background information surrounding a dispute and gets to grips with the commercial complexities and legal issues involved. During the mediation process she draws on this knowledge to provide commercial and strategic observations and direction.

“Suzanne has a very approachable manner combining friendliness, confidence and where appropriate professional toughness.” She “has excellent interpersonal skills” and prides herself on her ability to build rapport with lawyers and lay clients at all levels within an organisation. Her clients value her strong analytical and negotiation skills and her creative approach to thinking through difficult issues.

Suzanne quickly gains her clients’ trust and confidence, “is entirely pragmatic and good at understanding a client’s ultimate goal.” She has a relaxed manner, is calm, composed and organised, bringing a positive energy and good humour to the mediation process.

Feedback

- “Suzanne has a very approachable manner combining friendliness, confidence and where appropriate professional toughness.”
- “Suzanne is entirely pragmatic and good at understanding a client’s ultimate goal.”
- “Suzanne has excellent interpersonal skills and demonstrates good judgment, competence and confidence.”
- “Suzanne gets on top of the issues commendably quickly.”
- “Suzanne is a natural at mediation.”
- "Really enjoyed working with Suzanne on this tricky case. I think we worked really well together, breaking the case down and agreeing a route forward... to reach a resolution. I found Suzanne really easy to work with, very organised and I was very impressed with the way she conducted herself with my counterparts.....to help bring some closure. I will look forward to working with Suzanne again."
- “Outstanding service and would like to thanks Suzanne personally as she was very empathetic.”
- “I’ve already written to Suzanne Tager congratulating her on her grasp of the case and our situation. She was professional and helpful.”
- “Suzanne dealt with a mediation recently for a client. Suzanne got to the crux of the dispute quickly. She was able to mediate with a particularly adversarial opponent to achieve a resolution the client was happy with. The only way to describe Suzanne is cool, calm and collected. She is patient and methodical. I hope I get to work with her again in the future!”

- “Thank you very much for your patience, time and skill in this process. I recognise an expert when I see one.”
- “At a recent on-line mediation, Ms Tager effected a settlement in a dispute which had seemed irresolvable. She quickly and incisively identified the spectrum of motivations behind each party’s position which enable her to challenge each party effectively to reach a compromise. Ms Tager applied not only sound commercial awareness to the issues in dispute, but real emotional intelligence which was the key to achieving the successful result. We would recommend Ms Tager without hesitation as a pro-active mediator, who is very easy to work with.”
- “We had excellent solicitors, but our legal dispute looked like it would only be resolved by taking the case to court. When mediation was suggested, we were keen to take the opportunity to avoid a potentially costly and time-consuming court case. We had had no experience of using a mediation service and were anxious about the process. Suzanne Tager immediately allayed our fears and was refreshingly clear and honest with us throughout. Suzanne enabled us to put forward our perspective of the dispute whilst also helping us to understand the position and motivation of the other party. Suzanne took time to understand our narrative and experiences and made us reflect on our perspective which was helpful. By the time we got to the point of meeting with the other party, we felt confident that Suzanne was fully conversant with our case, and we were clear how the process worked. She then skilfully facilitated a mutually satisfactory conclusion to our case. Throughout the process Suzanne was supportive, impartial, and able to help us resolve issues which had previously been barriers. We highly recommend the service provided by Suzanne Tager.”
- “We were extremely happy with the way in which Suzanne conducted the mediation, she created confidence and provided support in the process, and it was a sensible outcome in all the circumstances. We will not hesitate to engage Suzanne’s services in the future.”
- "Suzanne had a good understanding of the legal issues in play and concisely outlined those issues at the outset of the mediation. Suzanne was attentive to the respective parties' grievances and focused on ensuring the parties understood the commercial reality of their position. This approach prompted positive settlement discussions of the claim early in the day. Our client was very satisfied with Suzanne, and we will look to recommend her services on similar claims going forwards."
- “I wanted to thank Suzanne again for her efforts yesterday. Her expertise was invaluable, and I would be happy to recommend her to colleagues.”
- “We were extremely happy with the way in which you conducted the mediation, you created confidence and provided support in the process and it was a sensible outcome in all the circumstances. We will not hesitate to engage your services in the future.”
- “I had the privilege of working with Suzanne Tager to resolve a complex and emotionally charged legal issue with my previous business partners. Suzanne's exceptional skills,

professionalism, and experience were instrumental throughout the mediation process. Her ability to remain impartial, empathetic, and patient enabled her to facilitate productive communication and negotiation, even amidst heightened emotions from both parties. Suzanne demonstrated deep expertise in the relevant laws and possessed great commercial awareness, providing invaluable guidance and insights. She skilfully identified the core concerns of each party and adeptly found common ground. Thanks to her expertise and guidance, we achieved a satisfactory resolution. I highly recommend Suzanne to anyone in need of a skilled and effective mediator. Without her assistance, I genuinely believe that I would not have achieved the clarity and relief that came from resolving a situation that had been dragging on for over 18 months.”

- “We are most appreciative of your time and efforts yesterday. Your approach to analysing the other side’s position was most helpful (particularly when faced with moving goal posts and offers which were not at times, at least in our view, discounted in the spirit of negotiation).”

Professional Skills

- 2005: Joined Lovells as a trainee, completing seats in Capital Markets, Dispute Resolution, M&A (NY) & Banking.
- 2007: Admitted as a solicitor in England & Wales and qualified into commercial litigation at Lovells.
- 2010: Obtained higher rights of audience.
- 2018: Accredited as a Commercial mediator with CEDR.
- 2019: Accredited as Community Mediator with CALM.
- 2021: Yale University Certificate in Negotiation.

Memberships

- CEDR Panel Mediator
- CMC Registered Commercial Mediator