



CEDR Accreditation: 2017
CEDR Panel Admission: 2019
Languages: English
Location: United Kingdom

“Tenacious and driven, she finds a way to make things happen”

Abigail Day

Overview

Abigail Day is a full-time mediator and arbitrator, formerly a partner in an international corporate law firm. She is an arbitrator, adjudicator and conciliator for a range of ADR schemes including the Communications and Internet Adjudication Scheme (CISAS), the Independent Redress Scheme for Aviation Passengers, the Water Redress Scheme (WATRS), the Federation of Master Builders, the Cavity Insulation Guarantee Scheme (CIGA) and the Funeral Arbitration Scheme. She is a Fellow of the Chartered Institute of Arbitrators (FCIArb).

Professional Background

Having spent over 20 years as a transactional lawyer providing specialist input on a wide range of corporate transactions, Abigail understands what is needed for a successful negotiation. She creates a positive problem-solving atmosphere and is skilled at drawing out the key issues and creating momentum towards a successful resolution.

Expertise

- Aviation
- Banking and Finance
- Construction and Engineering
- Employment and workplace
- Information Communication and Technology
- Mergers & Acquisitions
- Professional negligence
- Property
- Sales of Goods and Services
- Shareholder/partnership
- Tax and accounting

Experience

(non-neutral work in italics)

Banking and Finance

- *Designing and implementing finance structures for inward investment and capital assets on behalf of lenders and borrowers over 20 years in City legal and Big 4 accounting firm practice*

Employment and Workplace

- Dispute between directors of a property management company regarding directors' duties
- Dispute between employer and employee regarding refusal of a reference
- Dispute between a corporate recovery specialist and a client on

Employment and workplace

- Workplace mediation between team members at an event management company
- Dispute between a financial advisory firm and a financial consultant regarding solicitation of clients and a non-compete agreement
- Dispute between the board of a US corporation and its ousted CEO

Information Communication and Technology

- Dispute between the provider of a Managed Internet Access system and his client regarding delays and increased charges.
- Dispute between a telecoms provider and a business client regarding responsibility for a software fault.



Insurance

- *Specialist legal input on transactions for insurance and reinsurance companies including mergers and acquisitions and corporate reorganisations.*
- *Acting for insurers defending and settling professional indemnity claims.*

Mergers and Acquisitions

- *Specialist advice on over 500 high value company and business sales and purchases, including multinational groups over 20 years in City legal and Big 4 accounting firm practice.*
- Dispute between an advisory boutique and a client regarding its role in a corporate restructuring

Professional Negligence

- *Risk management advice for a Big 4 accounting firm*
- *Negotiation of a solution with HMRC following professional negligence in tax advice*
- Dispute between an auction house and a client regarding the handling of a property sale
- Disputes between customers and funeral service providers regarding the quality of services provided

Property and Construction

- *Specialist Input on structuring high value property investment and development over 20 years in City legal and accounting firm practice*
- Dispute between a property developer and a supplier regarding the quality of specialist timber products
- Contractual disputes between design and build and construction companies and their clients

- Dispute between neighbouring shop owners regarding rights of way and rights to load and unload
- Dispute between residents over the installation and maintenance of a satellite TV system in an apartment block
- Dispute between residents of an apartment block regarding nuisance

Sale of Goods and Services

- Contractual disputes regarding debts, the adequacy of design and build services for a country house and the extent of snagging on the construction of an extension
- Contractual disputes regarding payment for and the adequacy of the conduct of funeral services
- Dispute between the buyer and seller of a show jumping horse over representations as to its soundness

Shareholder & Partnership

- Dispute between shareholders of a property management company regarding the direction of the company on health & safety issues

Tax

- *Specialist knowledge of the tax aspects of high value and complex corporate transactions, having been a partner/senior adviser in both major corporate law firms (Barlow Lyde & Gilbert (now Clyde & Co) and Howard Kennedy) and Big 4 accounting firms (including KPMG)*

Style

Abigail's approach is all about negotiation. She does not allow the mediation to become a mere rehearsal for the courtroom. She creates a positive and collaborative atmosphere for the parties to work

on moving forward to a negotiated resolution. She is easy to talk to and quickly gains the confidence of the parties. She is very tenacious, and will keep the process moving forward even when the going is difficult. Given her background as a business lawyer dealing with highly technical matters, she handles complexity with ease and communicates complex ideas clearly and simply.

Feedback

"Her style is relaxed and conversational. I felt at ease throughout the process"

"Abigail is the most tenacious and driven individual I have worked with"

"Nothing is too much trouble and everything is seamless"

"She finds a way to make things happen and then she makes things happen"

"An amazing source of energy"

"I have no doubt we would still be heading for court if Abigail Day had not worked her magic!"

"Thank you for your determination to bring this matter to a settlement, as I confess at the start of the day, we really didn't think it would be achieved. Your energy, determination and focus on the key issues were instrumental in securing the settlement".

Professional Skills

BA (Hons) Law, Downing College, Cambridge

Solicitor of the Supreme Court of the UK (now non-practising)

Practising arbitrator, Cavity Insulation Guarantee Scheme (CIGA), Fellow of the Chartered Institute of Arbitrators (FCIArb)

Practising adjudicator, Communication and Internet Adjudication Scheme (CISAS); Independent Redress Scheme for Air Passengers; Water Redress Scheme (WATRS)

Judge, CEDR Negotiation Competitions, 2018 to present

Community Mediator, Tower Hamlets Mediation Project



Better conflicts, Better outcomes, Better world

Interests

Having grown up near Silverstone, Abigail has had a lifelong passion for Formula 1 motor racing.

