



Martin Ewen

Senior Associate

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Martin has extensive experience in acting for main contractors, subcontractors, employers and consultants in the construction and energy sectors. He advises on all aspects of dispute avoidance and resolution. Typical issues dealt with include: certification and payment, variations, defects, prolongation, loss and/or expense, disruption and contract termination.

Prior to qualifying as a solicitor in 2006, Martin practiced as a chartered quantity surveyor for 6 years with a particular emphasis on the preparation and defence of construction claims and acting for parties in adjudications under the Construction Act.

Specialist expertise

Martin specialises in all major forms of dispute resolution including litigation, arbitration, adjudication, mediation and expert determination.

Examples of Martin's expertise include:

- acting for a South Korean EPC contractor in the expert determination of a dispute valued at approximately US\$50 million relating to the construction of a power generation plant in the Middle East;
- acting for an international dredging and offshore contractor defending a £1.2 million Part 20 claim under the Civil Liability (Contribution) Act in the Technology and Construction Court relating to the dredging for extensive underwater pipelines for a new power station;
- acting for a designer defending a £6.4 million negligence claim in the Technology and Construction Court brought by a major supermarket chain relating to the design and construction of a specialist car parking facility at one of its superstores;
- advising a main contractor in a €6 million final account dispute with the employer on a substantial private residential project in Dublin;
- acting for joint liquidators in an £800,000 breach of contract claim in the Technology and Construction Court against a national DIY chain for failure to pay sums due to the contractor under a framework agreement following termination of the agreement. Matter settled at mediation;
- acting for a main contractor in three sequential adjudications against an international hotel chain relating to valuation and payment issues regarding a central London hotel refurbishment project;
- acting for a contractor in an arbitration against the employer in connection with extensions of time and loss and expense matters arising

from a multi million-pound mixed office/residential development in central London;

- acting for a contractor against an employer in an adjudication regarding a failure by the employer to issue a valid notice of withholding, and then acting in the subsequent adjudication enforcement proceedings in the Technology and Construction Court;
- acting for a national housing developer defending an £850,000 adjudication brought by a groundworks subcontractor regarding disputed valuations on a residential development project.

Other activities

Martin has written articles and case notes for *Building* magazine, *RICS Construction Journal*, *Building Products* magazine and the *Construction Industry Law Letter*.

Martin's memberships/positions include:

- member of the Society of Construction Law;
- member of the Adjudication Society;
- associate of the Chartered Institute of Arbitrators;
- member of the Royal Institution of Chartered Surveyors.