



## James Mullen

### Senior Associate

[jmullen@fenwickelliott.com](mailto:jmullen@fenwickelliott.com)

James has a wide range of experience across the construction and engineering sectors, advising clients on both UK and international construction and engineering projects. James has experience of all the major standard forms of contract, including JCT, NEC and FIDIC, as well as advising on bespoke contracts used in international and domestic projects.

#### Specialist expertise

James specialises in dispute avoidance, including strategic advice during the course of a project, and dispute resolution, and has acted for employers, contractors and subcontractors in all forms of dispute resolution, including mediation, adjudication (including successfully enforcing adjudication decisions in the Technology and Construction Court), arbitration (UK and international) and litigation.

James also advises clients on non-contentious matters including contract reviews and contract drafting.

*Examples of James' expertise include:*

- acting for a US contractor against the employer in ICC arbitration proceedings in connection with a gas pipeline in the Caribbean. Value of dispute in excess of US\$100m;
- assisting on an ICC arbitration in a dispute between a German contractor and the employer in connection with a new waste processing plant in Romania;
- assisting on ICC arbitration proceedings by one of China's largest construction companies against the employer in connection with a major infrastructure works in the Middle East. Value of dispute in excess of US\$1 billion;
- acting for a Pentecostal church in TCC proceedings against a structural engineer and steel works subcontractor following the collapse of the church during construction. Value of dispute £2.8m;
- acting for a roofing and cladding contractor in TCC proceedings against a supplier;
- acting for a pipeline contractor against the employer in multiple adjudication proceedings in connection with a gas pipeline project in Wales. Successfully defending the employer's CPR Part 8 proceedings in the TCC;
- acting for a national contractor in adjudication proceedings against an employer in connection with works for student accommodation in Colchester. Successfully enforcing the decision in the TCC;

- acting for a contractor in adjudication proceedings against the employer regarding a major UK airport. Value of dispute £7.7m;
- acting for a contractor in adjudication proceedings against the M & E subcontractor regarding the construction and refurbishment of a hotel and offices in London. Value of dispute £2.2m;
- acting for a contractor in multiple adjudication proceedings against subcontractors in connection with power plants in the north of England and Scotland;
- acting for an M & E subcontractor in a final account adjudication against a national contractor;
- acting for a specialist refurbishment subcontractor in final account adjudications against national contractors;
- acting for a contractor in a major dispute with a subcontractor on a large infrastructure project in the UK;
- acting for a contractor in a dispute with the employer regarding the construction of a new UK research institute.

#### **Other activities and memberships**

James writes case reports for the Adjudication Society and contributes to the *Construction Industry Law Letter* (CILL). He is also a member of the Society of Construction Law.