



David Goldberg

Civil & Commercial and Online Mediator



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Practice Overview

David is a full time litigator and accredited mediator as well as undertaking conciliations under the Federation of Master Builders and Funeral Arbitration Schemes. David is recognised as a leading mediator in the current Legal 500 directory.

He acts for household names, SME's, small businesses, entrepreneurs, sole traders and individuals.

His approach to mediation is hands on, building a rapport then focussing on the more difficult areas requiring attention rather than avoiding them to bridge barriers and find commercial common ground.

David's webinar on the benefits of mediation can be viewed by clicking [here](#).

Professional Background

Over 25 years, David has been involved in a wide variety of commercial disputes for Claimants and Defendants in assorted industry sectors, of different sizes in the County Court, the High Court, the TCC and the Court of Appeal.

David has experience of 40+ mediation and conciliations. David has mediated the following matters: a substantial multinational licence agreement dispute in the biotechnology sector, an equipment leasing dispute between a funder and national gym group, a 30 year long property/trust dispute contested in more than one jurisdiction, a large/international web solution and associated Commercial Agents Regulations dispute, a long running B2B dispute concerning a gas supply, a partnership dispute relating to the dissolution of a dental practice, a dispute concerning unfair prejudice Petitions and Cross Petitions and associated proceedings in Germany concerning a Joint Venture.

An ADR Group Accredited Online Mediator since May 2020.

Endorsements

"David is sensible, pragmatic and direct. He kept the mediation moving, was commercial in his approach and ensured that the parties focussed on the key issues." (Solicitor - Freeths LLP)

"We used David as an independent mediator for a breach of contract matter. David was extremely professional, and the parties were able to reach settlement. David managed to put a lighthearted spin on the day which was welcoming after a long day in mediation." (Solicitor - Carter Bond)

"David is a robust mediator. He is able to focus the parties on the central issues and risks and keep them away from the detracting circumstances and mud throwing so as to ensure they settle on what is actually in dispute. (Representing Counsel)"

"Thanks David - the clients were very pleased with the outcome and for your overall handling of the mediation. Your approach was spot on." (Representing Counsel)

"There are so many mediators out there, and it is incredibly difficult to choose one. I went for David because of the endorsements he had from previous clients and counsel, and I would echo those. Mediation is often a difficult process with both parties being entrenched in their views. David is willing to push each side to understand the risks involved and the benefits of settling despite it not seeming fair. He is a no nonsense straight to the point mediator who is willing to give an opinion which is oddly rather rare but clearly what parties need. At 10am I honestly thought we were going to be settled by lunch. It took most of the day in the end and despite losing confidence around midday he got us there with confidence. This will be the first time I have recommended a mediator despite having attended over 30." (Client)

"David's approach to our mediation was excellent. He quickly cut through the issues and kept the parties focused on the issues that really mattered" Edward Cooper, Howard Kennedy LLP

"David's approach is robust but fair. He does not waste time and achieves results even when it seems impossible." Antonida Kocharova

"David was our mediator in a very hostile dispute with both parties having firm views of what was a satisfactory outcome. Over a long day through some pragmatic advice to both sides and a lot of patience both parties came to an acceptable settlement. David was both firm and helpful giving frank opinions about what was realistic and not. Both parties were happy with his contribution to a successful outcome during a difficult day of negotiations and I would have no hesitation in recommending David." Alexander Heylin - Barrister No5 Chambers

"I would highly recommend David as a Mediator. David was thoroughly prepared ahead of the Mediation and extremely helpful on the mediation day. He is clearly a very experienced commercial mediator allowing him to quickly gain the confidence of the parties. David was calm and professional throughout but also willing to challenge the parties as well as the commercial considerations."

"David's persistence and energetic engagement with both parties during the mediation was a major factor in our achieving a difficult settlement on the day. He helped the parties focus on settlement throughout and I recommend him wholeheartedly." (Partner, Wedlake Bell)

"I won't hesitate to recommend you to colleagues as I was really impressed with your no-nonsense approach to conducting a somewhat fraught mediation, particularly given that it was late on a Friday afternoon ... I am sure that lesser mediators would have given up by 5pm and simply gone through the motions but you went above and beyond and even stayed on well after the agreed finish time in order to get things over the line." (Counsel)

"David has a blunt, friendly, no-nonsense style of mediating, and is very straightforward, which is an approach I much appreciate. Whilst we only saw one side of him, it was clear he had the same approach to the other side which led to an early settlement. I would highly recommend him, and if I found myself in the same position again, would certainly ask for his services."

David Goldberg "exemplifies all the qualities of an excellent mediator and conciliator, and is always able to have the parties come to an amicable and final agreement". Legal 500, 2022.

"I was impressed, the mediation was conducted in a way that was both professional, relaxed and very practical, and this engendered an atmosphere that really helped promote a settlement in a long running and hotly contested dispute".

"It needed David's pragmatic approach and his determination to force through a settlement which all parties needed in this complex and highly personal commercial dispute to bring this matter to an end".

"Highly effective. I was impressed with his relentless commercial approach, and achieving a settlement in a complex case where the allegations by all parties were of the most serious kind and the level of distrust remained high." (Counsel).

"David did an excellent job of bridging a wide gap between the parties to my mediation: he handled some difficult characters very effectively, and got a sensible practical deal over the line. Thank you, David!" (Counsel).

"David, thank you for your skilled guidance through this process." (lay participant)

"I am happy for you to share with others that I thought your straightforward approach to the matter was spot on. You knew enough about the matter to talk through issues with the clients, and to do so sensitively given the issues at stake, but you commendably kept a keen eye on how progress could be achieved. It was useful that you had your own thoughts on what might work to make progress and were thinking laterally about what could be part of any settlement. Pushing my client from time to time gave me some comfort that you were pushing our opponent too. It was not a mediation which was going to turn, or required analysis on, legal issues and it was useful that you steered clear of the minutiae of the case for that reason. I am rarely impressed with mediators, but would happily recommend you to others where that sort of straight talking approach is required." (Partner, DWF)

"I should like to take this opportunity to thank David for his expertise, persuasive and commercial experience in handling the meditation at which the parties settled."

"I will of course be speaking with colleagues informally as cases arise, and will certainly bear you in mind." Partner, New York International Law Firm.

"David is a highly experienced mediator whose pragmatic and direct style brought the skills needed to get the mediation concluded when it looked like an agreement was unachievable. David controlled proceedings from the start and ensured clarity of process and message throughout the day. Happy to highly recommend."

"David took the practical and firm line that was needed to achieve a hard-won settlement. He was hands-on - not afraid to take a view on the legal issues and to push the parties to keep a focus on commercial discussions. As a result, a compromise was reached where it appeared unlikely and we left with that rare thing after a mediation - a happy client."

"David's controlled and structured approach to the mediation really helped maximise the time available and David's experience as a litigator was apparent and very useful."

"David did an excellent job of handling some difficult characters very effectively, with excellent time management skills exercised throughout. Sensible and practical solutions in the process of mediating the dispute were provided and his straightforward approach helped parties better engage with the process."

"You clearly had a well-conceived strategy to get the parties to a well-considered settlement, you should be commended for achieving a resolution and settlement in short order on what could have been a protracted day for all concerned."



Blog Post

If You Don't Ask, You Don't Get

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