



## Lyndon Smith

Partner

lsmith@fenwickelliott.com

Lyndon specialises in the resolution of construction and engineering disputes through the courts, arbitration (both domestic and international) and adjudication proceedings. He is also experienced in resolving disputes using alternative dispute resolution procedures, in particular mediation.

### Specialist expertise

Lyndon has acted for clients from all sides of the construction and engineering industry, including developers, major contractors, specialist subcontractors and professionals, on projects in the UK and abroad. His experience covers a variety of issues including the interpretation of contracts, delay and disruption, loss and expense claims, defective works, professional negligence claims, termination and disputes relating to final account valuations.

*Examples of Lyndon's expertise include:*

- advising a Saudi power plant contractor in relation to a dispute with their joint venture partner for the construction of a 2,000 MW combined cycle power plant in Saudi Arabia;
- acting for a contractor in relation to a multi-party dispute concerning defects in the cladding system used in the refurbishment of an office block in Scotland;
- acting for a Chinese contractor in ICC arbitration proceedings concerning major infrastructure works in the Middle East. Central issues included delay, variations and local authority requirements. The sum in dispute was in excess of US\$1.0 billion;
- acting for a Danish contractor in High Court proceedings regarding the design of offshore wind turbine generator foundations and compliance with offshore standard DNV-OS-J101 (MT Højgaard a/s v E.ON Climate and Renewables UK Robin Rigg East Ltd and another [2014] EWHC 1088 (TCC));
- advising the contractor of a combined heat and power plant relating to disputes with the employer and the designer;
- acting on a multimillion-pound claim arising out of the Wembley Stadium construction project;
- acting for the successful respondents in an ICC arbitration relating to a pharmaceutical plant in India;
- representing the developer of a major shopping centre in its claim against the civil and structural engineers for late steelwork design information;

- acting on behalf of the employer of a European pipeline development defending arbitration proceedings brought by the contractor;
- advising a Japanese contractor in relation to the development of a waste-to-energy facility in south-west England;
- representing a concrete subcontractor in a claim brought in the Technology and Construction Court against the main contractor in relation to extensions of time and acceleration;
- defending a firm of consulting engineers in a claim for defects brought by a developer of two motor service station areas.

**Other activities**

Lyndon is a regular speaker on construction law issues and has written numerous articles on both construction law and dispute resolution.

**Lyndon's memberships/positions include:**

- member of the Society of Construction Law;
- member of the Technology and Construction Solicitors' Association (TeCSA);
- member of the British Insurance Law Association.