



Karen Gidwani

Senior Partner

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Karen specialises in dispute resolution and avoidance for a wide range of domestic and international clients, advising on effective risk management in the course of complex construction and engineering projects. Karen regularly advises and represents clients in litigation, international arbitration, mediation and adjudication.

Karen's experience covers a broad spectrum including contract formation and interpretation, amendments to existing contracts, claims for additional cost, loss and expense and extensions of time, liquidated damages liability, defects liability, termination and repudiation, and the nature of and rights arising out of bonds and guarantees.

Karen has developed specialist expertise in relation to offshore projects and has been advising on dispute resolution on offshore wind farm projects since the offshore wind industry was still in its infancy in the UK. Karen's primary area of expertise, however, lies in the successful management of large-scale, multi-directional, complex disputes and she has led numerous cases of this character both in the TCC and in international arbitration, spanning from a large multi-party dispute in relation to allegations of widespread defects in an office building to the termination of an EPC contractor on a complex energy plant to the deployment of adjudication strategies on domestic projects.

Karen is well versed in the principal standard forms of construction and engineering contract, including JCT, NEC, IChemE and FIDIC. Karen has also advised on disputes arising from PFI contracts and has dealt with a variety of bespoke construction, engineering and energy contracts.

The *Legal 500* UK lists Karen as a Leading Individual and key lawyer at Fenwick Elliott, noting in particular her work in the offshore wind and energy-from-waste sectors. Testimonials in the *Legal 500*, *Chambers and Partners* and *Who's Who Legal: Construction* have included:

- "an exceptional and dedicated lawyer" with "a wealth of experience within the offshore energy industry";
- "There appears to be no complex technical issue arising in the energy sector that [she] has not seen before or which she does not already fully understand";
- winning recognition from peers as a "fantastic lawyer" who is "very effective in the field"; and
- "Karen provides practical solutions to legal issues. She has the ability to see the bigger picture as well as the immediate issue".

Specialist expertise

Karen has a particular expertise in power projects, including offshore wind. In dispute resolution Karen has significant international arbitration experience.

Examples of Karen's experience include:

- advising on claims for different clients concerning time, cost, termination and defects in relation to foundations and cables arising from a number of UK offshore wind farm projects, including High Court, Court of Appeal and Supreme Court litigation and international arbitration;
- advising offshore transmission owners on issues arising from the operation of offshore transmission assets on a number of UK offshore wind farms including in relation to cables and onshore and offshore substations;
- acting for the owner of a complex waste-to-energy facility in North England in multi-faceted litigation in the Technology and Construction Court in disputes worth over £100 million;
- acting for a contractor in relation to a complex multi-party dispute concerning an office building in Scotland;
- advising on disputes concerning dredging; and
- representing parties in various disputes arising from PFI agreements, including in relation to the negotiation and agreement of the exit of a project company from a PFI project.

Other activities

Karen is the editor of the *Construction Industry Law Letter (CILL)*, a role that she has undertaken for over 15 years, and has contributed to *Practical Law Company (PLC)*. She has spoken at various industry-related conferences and events including at Fenwick Elliott seminars. Karen is also a co-opted member of the TECSA Committee, leading their ED&I activity.

Karen's memberships/positions include:

- fellow of the Chartered Institute of Arbitrators (CI Arb);
- member of the King's College Construction Law Association (KCCLA);
- member of the Society of Construction Law (SCL);
- member of the Technology and Construction Solicitors' Association (TECSA).