



## Martin Ewen

Partner

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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: interpretation of contracts, certification and payment, variations, defects, prolongation, loss and/or expense, disruption, termination and disputes relating to final account valuations.

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.

### Specialist expertise

Martin specialises in all major forms of dispute resolution including litigation, arbitration, adjudication (including enforcement of decisions), mediation and expert determination. He is familiar with the JCT, NEC, FIDIC standard form contracts and has advised on many bespoke forms.

*Examples of Martin's expertise include:*

- acting for a major contractor in an adjudication concerning entitlement to substantial extensions of time arising from a £22 million contract for the upgrade of three London rail stations;
- acting for a mechanical and electrical contractor in a claim for £13 million concerning entitlement to an extension of time and loss and/or expense arising from a £32 million subcontract for the design and installation of mechanical and electrical works to a high profile mixed use project in central London. Attended mediation;
- acting for a specialist European contractor in an adjudication seeking payment of £1.7 million of changes under a £10.3 million subcontract to provide mechanical and piping works for a new pharmaceutical plant in England;
- acting for a European contractor in a multi-party dispute defending an £11 million negligence and breach of contract claim in the Technology and Construction Court arising from the construction of a new aquatic centre in England. Matter settled following mediation;
- acting for a Far Eastern entity in an international arbitration defending a claim seeking a restraint on the calling of a US\$48 million special performance guarantee in connection with the provision of gas turbines for a substantial new power plant in South Asia;

- acting for a 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 UK 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;
- 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.

**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;
- associate of the Chartered Institute of Arbitrators;
- member of the Royal Institution of Chartered Surveyors; and
- member of the Adjudication Society.