

- Litigation, Arbitration & Mediation
- Shipping & Maritime
- Commodities & International Trade
- Energy & Natural Resources
- Road, Rail & Air Transport
- Insurance & Reinsurance
- Banking & Finance
- Civil Fraud
- Employment
- Company & Insolvency



Jonathan Lux *Associate Member*

Call: 2013

LLB Hons (Nottingham) + Exhibition
DES (French Masters), (University of Aix-Marseilles)
Solicitor (England & Wales) 1977
Solicitor (Hong Kong) 1986
Languages: French (fluent); German (fluent)

jonathan.lux@stonechambers.com

Jonathan Lux Mediator, Arbitrator and Barrister

Who's Who Legal:

'...the consistently positive feedback we received from our sources across the globe reflect Jonathan's exceptional talent and pre-eminence in the field.'

Stone Chambers is represented by Jonathan Lux, a 'highly skilled' and 'charismatic' practitioner with the ability to grasp the key issues very fast.

Jonathan Lux at Stone Chambers is best known for taking on cases requiring a 'personal approach'. He is described as 'full of wisdom'.

Jonathan is recommended as a leading mediator in the Legal 500 2014.

After an extremely successful career culminating as a Senior Partner at one of the City's leading Law firms (Ince & Co) Jonathan made a decision to specialise independently in Mediation, was subsequently called to the Bar and joined Chambers in 2013.

Jonathan is well placed to take on Mediation and Arbitration cases that require a highly skilled and personal approach. Jonathan has the ability to grasp the key issues of a case quickly. His vast experience and the range of Mediation and Arbitration cases that he has been involved with, have given him the tact and robustness that leads to a satisfactory conclusion, enabling all parties to cost-effectively put the case behind them and get on with their business.

Jonathan is one of the founder members of CEDR, and is well known for the use of the ADR (Alternate Dispute Resolution) principle in resolving cases. His wise guidance, flexible approach and excellent communications skills as a team player make him the right choice for contentious or straightforward mediation cases.

He has lectured widely and written numerous articles on the subject of mediation, and is co-author of ADR and Commercial Disputes.

Jonathan was awarded Global Shipping & Maritime Lawyer of the Year for both 2010 and 2011 by Who's Who Legal. In December 2011 he featured in Lloyd's List of Top Ten Legal Personalities and was a finalist for the Lloyd's List global Shipping & Maritime Lawyer of the Year award 2012.

Jonathan is also fully accredited by and a member of the International Mediation Institute (<http://imimediation.org/jonathan-lux>).

Jonathan has received regular appointments as Arbitrator and Mediator both in relation to maritime disputes and international commercial law disputes more widely. He is a fluent French and German speaker making him much in demand for national and international mediations.

Areas of Expertise:

- Maritime / Shipping
- Energy renewables and Off-shore

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- Aviation
- Commercial Contract and Tort Disputes
- Insurance
- Banking
- Sale of Goods and International Trade
- Professional Negligence
- Carriage of Goods and Passengers by Air, Sea and Land
- Construction
- Land and Property
- Personal Injury
- Motorsport

Specific Mediation Experience

Shipping, International Trade and Off-Shore Energy:

- Shipbuilding: defects appearing during the guarantee period repaired by a different shipyard and those repairs in turn giving rise to claims which were mediated between the original shipbuilders, repairers and buyers.
- Shipping/charterparty: vessel warranted “approved” by specified number of oil majors. Issues as to whether vessel was so approved and whether substantial delays/cancellation of charters running to US dollars many millions were attributable to non-approval or other reasons.
- Shipping/charterparty: vessel hijacked by pirates off the coast of E. Africa and ransom paid to secure vessel’s release. Were the vessel’s Charterers liable to pay hire during the period of detention and were the vessel’s insurers liable to indemnify Owners for the ransom paid?
- Shipping/charterparty: vessel under charter performing voyages between gulf of Aden and India/Japan pursuant to Charterers’ orders. Were Owners entitled to recover the cost of putting armed guards on board the vessel to minimise the risk of attack by pirates?
- Shipping/cargo claim: damage to cargo resulted in a substantial cargo claim and issues surrounding the vessel’s seaworthiness.
- Shipping/charterparty: the vessel was trading between W.Coast America and Japan and the Master elected to take the more Southerly/longer route rather than the more Northerly/shorter route – whereby each voyage took longer to perform.
- Were Charterers entitled to claim for the loss of time and extra expenses?
- Off-shore energy/support vessels: multi-million dollar disputes relating to suitability of chartered-in support vessels for off-shore oil operation. Was downtime attributable to defective state of vessels or other reasons?
- Shipping/professional negligence: ship sold by one-ship company. Buyers’ Solicitors failed to check whether there were pending in-rem proceedings in certain key jurisdictions. Following sale, vessel arrested due to pre-sale in-rem proceedings against former Owners (Sellers). Were the Buyers’ Solicitors professionally negligent and was this the cause of the losses?
- Vessel suffered class problems and was sub-chartered. Claims by the owner arose in respect of waiting time and by the charterer in respect of extra expense and loss. Amount of claim exceeded US\$250,000.
- Solar Energy: multi-national parties in a claim for over £250m relating to solar energy.

Commercial Contract and Tort Disputes:

- Dispute over whether registration enquiries for the Get Off product had been properly made and registration obtained with a view to lawful sale in international jurisdictions.
- Claim related to alleged breaches of restrictive covenants by the defendant, and was for monetary damages only. Further dispute over a counterclaim by the defendant.

- Dispute over whether digging, surfacing and tarmacking work was carried out with reasonable care and skill and whether materials were of a satisfactory quality.
- Claimant sought to recover in excess of £100,000 for non-payment of invoices in the matter.
- Disputes over property, partnership and employment between a company operating GP surgeries under contracts from NHS Primary Care Trusts and former partners in another medical practice.
- Where there was a lease agreement for a number of photocopiers and a service agreement the claimant claimed misrepresentation as to the first agreement and breach of duty to obtain client's authority to sell photocopiers to two different companies.
- Breach of an Agency Agreement led to the innocent party terminating the agreement and claiming substantial damages.
- Claim by accountants for substantial unpaid fees and a counterclaim by their clients for an even larger sum.
- A radio company claimed in respect of unpaid airtime. Defendants claimed that the Claimant jumped the gun in allotting airtime to others and so counterclaimed for the loss suffered by being kicked off air.

Banking:

- Dispute over the non-repayment of a loan.

Construction and Engineering:

- Dispute arose in relation to the construction of affordable housing that a partnership was building for its client. Issues in the case involved the expert opinion of a structural engineer.
- Large claim by sub-contractor against a contractor. Defendants counterclaimed because the invoices in question were allegedly disputed by HMRC.

Shareholder Disputes:

- Dispute over shares in a family property and hotel business where the claimant was claiming entitlement to 40% of the valuation of the properties owned by the family company.
- Dispute over the shares of a deceased in respect of commercial property.
- Multimillion pound breach of warranty dispute regarding sales of shares in a PLC.
- Claimant claimed they were wrongly excluded from acquiring shares in the Defendant. Multiple issues including valuation of the shares.
- Claimant claimed as minority shareholder that the Defendant company should buy his shares. Claimant also claimed for unfair dismissal.

Land and Property:

- An acrimonious dispute between neighbours, where the sums in issue were small but tempers were high over a variety of issues including the use of a driveway.
- Main issues in the matter included agreeing who was to have control over arranging works to the electric gate and whether the claimant should be granted unrestricted and unobstructed use of the right of way over the passageway at all times.
- Family dispute arose as to the nature and status of the claimant's right of way.
- Parties sought socially viable solutions to preserve family relationships.
- Dispute over whether a break clause had been validly exercised in accordance with the lease. Defendant sought a declaration that the lease had not been terminated and claimed rent and interest under the same.
- Failure to complete the purchase of a multimillion pound commercial property led to claims arising for specific performance of a contract.
- Claimant claimed for possession of land on the basis that he had a substantial level of security of tenure under the Mobile Homes Act 1983.

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- A large sum in dispute where a father had transferred property to his son without informing the council and thereby avoiding charges for accommodation and services.
- Dispute in connection with extension to the claimant's property where work was not completed but had been paid for on account.
- Non-payment of invoices for building work. Dispute arose because of incomplete snagging work.
- Dispute regarding allegations as to the extent and quality of work carried out by the Claimant and so Defendants were resisting payment.
- Claim for breach of restrictive covenants. Claim in respect of failure to complete the purchase of a property following exchange of contracts. Thereafter loss of monies due to the collapse of the housing market.
- Alleged breach of contract for the sale of property to joint purchasers involving substantial claims and counterclaims.

Motorsport & Yachting:

- Commercial dispute over non-payment of services contracted and supplied to a high profile F3 racing driver over the European F3 Open Championship.
- Dispute over amounts due following the sale of a jointly owned yacht.

Professional Negligence:

- Claim for non-payment of professional fees resisted by Defendant on the grounds of professional negligence.
- Builders claimed substantial sums regarding alleged incompetence of structural engineers.

Personal Injury:

- Claim for an accident suffered whilst on school property leading to personal injury.
- Personal injury claim after tripping over a cargo net and sustaining injury to shoulder whilst in the course of employment.
- Claimant's wife died as a result of the impact of a bollard which had sheared.
- Claimant sued defendant and insurers for substantial sums.

Memberships

- Accredited with the Academy of Experts, ADR Net and CEDR
- Fellow: Chartered Institute of Arbitrators
- Member: British Academy of Experts
- Member: City UK Dispute Resolution Group
- Member: LMAA/Baltic Exchange Panel of Mediators
- Panel: JAMS International
- Panels of Arbitrators and Mediators:
 - » China Maritime Arbitration Commission (CMAC)
 - » China International Economic and Trade Arbitration Commission (CIETAC)
 - » German Maritime Arbitration Association (GMAA)
 - » Hong Kong International Arbitration Centre (HKIAC)
 - » Hungarian Chamber of Commerce and Industry
 - » Malaysia - Member of Panel of Kuala Lumpur Regional Centre for Arbitration
 - » Shanghai Arbitration Commission
 - » Shanghai International Shipping Arbitration Court
 - » Singapore International Arbitration Centre

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- » Singapore Chamber of Maritime Arbitration
- » Singapore Mediation Centre
- Member: International Bar Association
 - » Past Chairman of Committees Maritime and Transport Law, and Human Rights Institute's Committee on Legal Systems
 - » Co-Chairman of Corporate Social Responsibility Committee
- Former Co-Chairman: UK branch of British Chamber of Commerce, Germany
- Former Council member: British Chamber of Commerce in Germany
- Liveryman: Worshipful Company of Solicitors
- Awards judge: Lloyd's List Global Shipping Awards
- Freeman of City of London
- Honorary Consul to Cape Verde in London
- Chair of International Bar Association's Transport Law Committee in the 1990s
- Director of the London Shipping Law Centre
- Appointed rapporteur of CMI International Working Group on Judicial Sales of Ships

Publications

Jonathan has particular expertise in bunkers and is the co-author of the leading legal text-book on bunkers - Fisher & Lux on "Bunkers" (now in its third edition).

Other publications Jonathan has co-authored include:

- The Law of Tug, Tow and Pilotage
- The Law and Practice of Marine Insurance and Average
- Bunkers
- Classification Societies
- Maritime Law Handbook
- Corporate Social Responsibility
- Getting the Deal Through - Shipping

Podcasts

- Mediation - An Introduction for Insurance Parties Part One, CPD Cast, May 2014 (www.cpdcast.com/podcasts/mediation-an-introduction-for-insurance-parties-part-one)
- Mediation - An Introduction for Insurance Parties Part Two, CPD Cast, May 2014 (www.cpdcast.com/podcasts/mediation-an-introduction-for-insurance-parties-part-two)

Qualifications:

1973: LLB Law Degree, Nottingham University - Honours + Exhibition

1974: DES (French Masters), University of Aix-Marseilles

1977: Solicitor, England & Wales

1986: Solicitor, Hong Kong

Fellowship of Chartered Institute of Arbitrators

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Accredited as Mediator by CEDR, ADR Net & Academy of Experts, International Mediation Institute

2013: Called to Bar, Gray's Inn

Testimonials

"Jonathan has been consistently rated at the highest level for his ability as a mediator in the mediations that have provided feedback. There is a consistent willingness expressed by all users to recommend and/or reuse him in the future. He was reported to be patient and understanding and able to deal with difficult mediation well."

"Jonathan Lux leads the voting worldwide, with unanimous praise coming from all corners of the globe. Head of the firm's (Ince & Co) logistics team, he is recognised for his alternative dispute resolution capabilities. His skills and integrity mark him out as one of the best I've ever come across."

- Who's Who Legal

"Jonathan has a calm and gracious manner which instils confidence in those with whom he works. He is intelligent and perceptive with an instinct for settlement."

Feedback Digest

This digest has been prepared by David Richbell, a commercial Mediator and trainer working out of the UK. It is based upon ten feedbacks received by the International Mediation Institute, spread over 2009, 2010 and 2011.

Jonathan has a calm and gracious manner which instils confidence in those with whom he works. He is intelligent and perceptive with an instinct for settlement.

Jonathan has been consistently rated at the highest level (9 /10) for his ability as a mediator in the mediations that have provided feedback. There is a consistent willingness expressed by all users to recommend and / or reuse him in the future. He was reported to be patient and understanding and able to deal with difficult mediations well.

The overall response was that Jonathan is perceived to be a hard working and skillful mediator.

On one occasion an administrative error caused a rooming problem which disrupted the start of the mediation but no other negative comments have been made.

This summary represents a fair and balanced view of the responses received and of my own personal knowledge.