



## Beverly-Ann Rogers - Mediator

Year of Call: 1978

*“One of the greats, who keeps a grip on the mediation process without bullying the parties, and has an unflustered and authoritative demeanour. Everyone comes out feeling that they have had the opportunity to thrash out their problems.” “She is so effective because she’s prepared to be quite firm with the warring parties, but always in a very courteous and polite way.”*

Chambers and Partners, 2021 Top Tier

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### Practice Overview

Beverly is a highly experienced mediator. Over the last 20 years, she has mediated hundreds of disputes across a broad spectrum, both within and beyond her expertise as a chancery barrister. Whilst commercial in nature, many disputes involve family members, or previously close associates and have a high emotional content. She has experience of multi-party and cross-cultural disputes and has lectured and mediated in the Far East and the Middle East. Beverly is recommended as a leading mediator in Chambers and Partners, the Legal 500 and Who's Who Legal. She is recognised by Legal 500 in its Hall of Fame as a mediator who has received constant praise from her clients and who is at the pinnacle of her profession and by Who's Who Legal as the Most Highly Regarded Junior for mediation.

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### Areas of Expertise

#### Mediation

##### Mediation style:

Beverly believes that mediation provides a unique opportunity for settlement and the mediator needs to be sensitive and imaginative in exploring all possible avenues towards resolution. In some cases this might involve rigorous exploration of the legal issues and detailed risk analysis. In others, the commercial or emotional considerations may hold the key to settlement. In all mediations Beverly attaches critical importance to thorough preparation and understanding of the issues, the development of a good rapport with the parties and their advisers

and the patience and persistence necessary to help the parties explore resolution fully and find an acceptable outcome.

### **Beverly receives consistently good feedback from clients including:**

*"Thank you so much for your help in steering the parties to a settlement. The clients felt right from the start that they could trust you. There were a few tense moments but your calm good sense got us there in the end. The clients expressed their admiration for the way in which you handled the mediation."*

*"Beverly's personal skills in calm persuasion, technical expertise and clear thinking were outstanding. We would highly recommend Beverly as a mediator".*

*"Please thank Beverly-Ann for the exemplary way in which she conducted the mediation yesterday. Her attention to the detail of the dispute was matched only by the care and subtlety with which she took the parties, step by painful step, to resolution"*

*"It was not just that you settled the dispute, it was how you settled it in a way that allowed both sides to walk away with dignity."*

*"Please do pass on our enormous gratitude for the herculean effort that Miss Rogers expended on the mediation. Her assistance and very practical advice on the day was more than appreciated by all members of our party. It is very evident that we would not have reached a settlement without her help."*

*"My client has asked me to express her extreme gratitude to Beverly-Ann for all her efforts on Friday. It was not an easy mediation!"*

*"Miss Rogers was focused, practical, clear on the issues from the beginning, listened to my client and empathised with him sufficiently for him to feel she understood his position and had got his points across, managed to get the parties talking about figures at a much earlier stage than usual, helped guide us on settlement proposals and managed to finish at 6.30 which was a first for me!"*

*"Miss Rogers quickly gained a grasp of the interrelated technical issues, was able to communicate clearly between the warring factions, gave a clear and dispassionate view of the opponent's position, was helpful in making practical suggestions we had not thought of, was approachable helping the clients feel less daunted by the procedure and held the whole process together very professionally."*

*"We felt we had to write to express our heartfelt thanks for your assistance last Tuesday. We are most grateful for the sensitive and understanding way in which you dealt with V's situation, particularly given his current health problems. Your guidance throughout the day helped us all to clearly follow the process and the various steps along the way."*

*"Your dedication and commitment went far beyond the call of duty and were key to resolution."*

*"You brought a wonderful calmness which resolved an impossible family situation and brought the family together again"*

### **Examples of Mediations**

#### **Probate Claims:**

Challenge to will on grounds of lack of testamentary capacity with alternative claim of undue influence and want of knowledge and approval.

Claim to farm by proprietary estoppel with Inheritance Act claim in the alternative and ancillary partnership dispute.

Competing claims by widow and children of previous marriages to high value estate with assets in England and South Africa and involving trust and company issues.

Inheritance Act claims by spouses, co-habitees, children and dependants.

### **Trust Claims:**

Claim against offshore trustees for breach of trust: failure to invest properly. Negotiations complicated by non-UK beneficiaries and third-party funder.

Claims against offshore trustee and between beneficiaries about distribution of income and capital of trust fund with dispute stretching over ten years and across three jurisdictions.

Breach of Trust claims in relation to estate of Middle Eastern individual with ancillary corporate claims involving three jurisdictions including USA.

Shareholder dispute with several related parties, involving multi-million property company and requiring consideration of share valuation, tax, corporate structure and trust issues.

### **Commercial/Company:**

Minority shareholders dispute in relation to hotel business.

Claim by buyer against vendor of business for misrepresentation/breach of warranty.

Breach of contract claim against key service provider with substantial losses claimed by customer.

### **Professional Negligence:**

Claim against solicitors' firm for failure to exercise option to purchase freehold in time. Main issue about quantification damage.

Claim against accountancy firm for tax advice which impacted adversely on group companies in Europe.

Multi-million pound claim against three firms of accountants in relation to tax advice on sale of business and reinvestment.

Claim against solicitors for negligent advice in relation to fraud claim.

### **Employment:**

Claim by employee against professional firm for long-term stress with allegations of discrimination.

Claim by employee against international bank with reliance on alleged whistle-blowing.

Claim by salaried partner against professional firm with allegation of race discrimination.

### **Property:**

Dispute as to validity of contract for sale; allegation that necessary formalities not complied with.

Disputes as to beneficial ownership of property with sale sought.

Boundary disputes.

Easement disputes.

Dispute between tenants of shopping precinct and landlord about redevelopment.

Disputes between landlord and tenants as to extent of landlord's obligations to maintain services and repair.

Dispute between tenant and management company as to noise and nuisance.

## Partnership:

Dispute as to extent of farming land owned by partnership with claim to account in respect of income.

Dispute as to termination of partnership and rights arising on it; catering business.

Solicitors' partnership; rights and obligations on partner leaving.

Doctors' partnership; termination rights.

Partnership dissolution involving allegations of fraud combined with resolution of joint property venture between the same parties and others.

## Charity:

Dispute as to ownership of assets and internal governance of charity. Probate cases involving charities as residuary beneficiaries.

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## Recommendations

Consistently recognised by the leading legal guides as being in the top tier of mediators including Most Highly Regarded Junior in Who's Who Legal UK Bar - Mediation 2018, 2019, 2020 and 2021.

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## Quotes

*"Beverly-Ann Rogers at Serle Court is without doubt the very best commercial mediator I've worked with"* enthuses a client while adding, *"She is incredibly quick to get to grips with the facts and always sees the route through."* (Who's Who Legal 2021).

Full-time and highly sought-after mediator Beverly-Ann Rogers is *"really excellent in her grasp of detail and quick assessment of a case – she works out the essential and weeds out the irrelevant"*. Her main areas of practice reflect her expertise as a chancery barrister, notably trust and estates, property, partnership, company, and professional negligence, but her work further extends to general commercial and employment disputes. Recent cases include breach of trust claims involving offshore trusts and the eligibility of persons (as beneficiaries) in a high-value trust". (Legal 500 2022).

*"The obvious first choice for mediation in this field," and "the obvious go-to for this kind of work." "The immediate first choice for trusts mediation," she helps push people in the right direction because she is so practical."* (Chambers HNW, 2021)

*"Sources recognise Beverly-Ann Rogers of Serle Court as "an exceptionally talented mediator". She has over 20 years of experience in multiparty and cross-cultural disputes."* (Who's Who UK Bar Mediation 2021)

*"One of the greats, who keeps a grip on the mediation process without bullying the parties, and has an unflustered and authoritative demeanour. Everyone comes out feeling that they have had the opportunity to thrash out their problems." "She is so effective because she's prepared to be quite firm with the warring parties, but always in a very courteous and polite way."* (Chambers and Partners, 2021)

*"Has a deservedly high reputation, particularly in private client, trust and family provision cases. She is very adept at making clients trust her and is highly sensitive to what the parties' real concerns are".* (Legal 500, Top Tier, Hall of Fame 2021)

Beverly-Ann Rogers is “*very effective mediation style*” and ability to “*quietly and effectively edge the parties together.*” Her esteemed mediation practice adeptly handles disputes involving trust and estate, partnership and professional negligence issues, among others. (Chambers and Partners HNW, 2020)

The “exceptional” Beverly-Ann Rogers “provides consistently good service”. Her “personable approach” makes her “an established and well-rated figure” across the board. (Who's Who UK Bar Mediation 2020)

The “*highly intelligent*” Beverly-Ann Rogers of Serle Court is “*queen of the chancery mediation world*”. One source comments: “*she never lets you down- she is firm and clear in an understated but very fair and effective way.*” (Who's Who UK Bar Mediation 2020)

Beverly-Ann Rogers has a “*very effective mediation style, she goes about matters quietly and effectively, edging the parties together.*” She is especially adept at handling mediations involving probate, partnership and professional negligence disputes.” (Chambers and Partners, 2020)

Beverly-Ann Rogers is an esteemed and highly accomplished mediator. She is especially experienced in disputes involving probate, partnership and professional negligence issues. (Chambers and Partners, 2019)

Beverly-Ann Rogers is the foremost junior at the Bar for mediation and boasts “*a great international reputation*” in the field. She is “*particularly good on trusts and family matters*” according to sources, who further describe her as a “*tough and very experienced*” practitioner. (Who's Who UK Bar Mediation 2018: Most Highly Regarded Junior.)

Beverly-Ann Rogers is “*innovative, intelligent and thoughtful in moving parties towards settlement*” (Legal 500, top tier, Hall of Fame 2018)

Beverly-Ann Rogers is “*an experienced and highly accomplished mediator who specialises in chancery disputes, including those concerning probate, company, partnership and trust issues.*” (Chambers and Partners 2018 top tier)

Beverly-Ann Rogers is a highly regarded commercial mediator who is recognised in the industry for her cross-cultural expertise. One client says of her, “*She is excellent, really hands-on and very client-friendly. A skilled and thoughtful mediator*”. (Who's Who Legal Mediation 2017)

“*Lawyer of choice*” for those seeking a combination of “*gentle and approachable*” manner with “*clear, concise and analytical*” advice. (Who's Who Legal 2016)

## In the Press

['Remote mediation: Is it the future?'](#) Litigation Futures, 29 April 2020

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## Education & Qualifications

Called to the Bar 1978

Wide ranging chancery litigation practice including general commercial disputes with particular emphasis on all aspects of property litigation and advice, professional negligence, partnership, trusts, estates and charities.

## Memberships

Chancery Bar Association

Association of Contentious Trust and Probate Specialists

PIM (Senior Mediators)

Distinguished Fellow of International Academy of Mediators

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