



ANA VIRGINIA BAUDER

MEDIATOR AND TRAINER

International Commercial Dispute Resolution Expert with 10 years of experience as a Mediator & Trainer.

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ACCREDITATION

CEDR Accredited Mediator
2010

CEDR Panel Admission
2011

LANGUAGES

- Spanish
- English
- Italian
- French

OVERVIEW

Ana Virginia is an international female young full-time CEDR mediator with more than 10 years of experience. She is an independent ADR Consultant, CEDR trainer, conciliator and adjudicator, dual-qualified lawyer, who works on commercial and consumer disputes as a member of CEDR's UK Mediator Panel. Ana is a lead member of the CEDR Training Faculty and has experience delivering a diverse range of training courses for organisations and individuals to become trainers and mediators locally and internationally from a variety of cultural and professional backgrounds. Ana works on specific projects to develop mediators and the ADR industry, with a special interest on Diversity and Inclusion.

PROFESSIONAL BACKGROUND

Ana Virginia is a lawyer by background, qualified in both Venezuela and Spain. She has experience working at both national and international law firms, in their Commercial, Intellectual Property and Tax Departments. She worked for CEDR for many years in a variety of roles, as Business Development Manager, Client Relations, as well as Senior Dispute Resolution Adviser.

DISPUTE EXPERIENCE

Banking and Finance

- Dispute regarding an alleged breach of a restrictive covenant between a financial advisory firm and a former employee who worked for them and the clients of an associate accounting firm on a self-employed basis.
- A claim in relation to the repayment with interests of a sum lent to one of the defendants by the claimant.
- Dispute involving constructive and resulting trusts in relation to funds transferred between the parties in relation to property transactions in India.
- Dispute in relation to the repayment of what was allegedly money advanced to the other side by way of payment pursuant 12 separate loan agreements, but it was contended as payments for alternative medical services provided by the defendant to the claimant and his family.
- Dispute between shareholders on payment of interest under a judgement debt involving Russian nationals.

Education

- Dispute between a College/University and a Professor Fellow Tutor for the repayment of an overpayment made in error of housing allowances, which involved USS pension, National Insurance (NI) and Income Tax issues.

"Excellent in all respects. She had a robust style; yet approachable, and very aware of financial and legal issues"

City Law Firm,
Client Feedback

EXPERTISE

- Banking and Finance
- Education
- Employment and Workplace
- Energy and Natural Resources
- ICT
- Insurance and Reinsurance
- Intellectual Property
- Partnership and Shareholders
- Personal Injury and Clinical Neg.
- Professional Negligence
- Property
- Public Sector
- Sales of Goods and Services
- Trusts, Wills and Property
- Neighbourhood



ANA VIRGINIA BAUDER

PROFESSIONAL SKILLS

Master of Laws LLM (2:1)

LSE, London - UK

2006-2007

Law Degree (LLB Equivalent)

UCAB, Caracas - VE

2001-2006

Norton Rose Fulbright LLP

IP & Tax Law

Escritorio Bauder & Asociados

Corporate Law

ACHIEVEMENTS

INADR Vice-President

2013 - 2019

United World Venezuelan

National Committee- President

2001- 2005

Diversity / International

Worked in the countries below



MEMBERSHIPS

Madrid Bar Association

International Bar Association

Distrito Capital of Venezuela's Bar Association

Board of Directors of INADR, (former) VP - International

CEDR Young & International

United World Colleges

DISPUTE EXPERIENCE

Employment and Workplace

○ Dispute between a charity (service user) and a ready for work service provider and their workplace partner about their practices and how complaints were handled.

Energy & Natural Resources

○ Dispute over the terms of a contract regarding the sale of solar panels in relation to the fitting and installation of an electrical system; manufacturer's warranty (shorter than originally stated); and unpaid invoices for supply of services.

ICT – Information, Communication & Technology

○ Implementation of bespoke software.

○ Breach of contract by technology company in relation to delays delivering software needed for managing criminal cases.

○ Dispute in relation to the incorrect application of discounts on an internet quoting system caused by the failure of quoting the correct premium.

Insurance & Reinsurance

○ Multi-party dispute between a widow, a crematorium, and Funeral Services, in relation to a personal injury caused by Parties B & C to Party A due to handing back the ashes of Party A's deceased husband together with a metallic prosthetic hip which didn't belong to him, creating real uncertainty of the identity of those ashes. This case involved 2 different insurers and a litigant in person.

○ Breach of contract by an insurer against its agent for failure to quote correct premium due to the incorrect application of discounts on an internet quoting system.

○ Dispute between a group of individual investors in a series of partnerships formed for the purposes of investing in British TV productions, the liquidators and their insurers, to recover part of their investments amounting many millions of pounds.

○ Dispute between Insurers in relation to flood damage.

Intellectual Property

Ana specialised as a lawyer for an international law firm in intellectual property disputes, including patents, trademarks, copyrights, licensing, privacy and data protection. She has mediated IP disputes with a wide variety of international clients and complexities - from registration of new brands or inventions to contentious of conflicting IP copyrights, such as:

○ Frustration of contract between an inventor and a design team with regards to a prototype manufacture in China, involving patents, IPR and trademark issues.



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DISPUTE EXPERIENCE

Partnerships and Shareholders

- Shareholders dispute between Russian nationals regarding the payment of interests under a judgement debt.
- Dispute between a German financial entrepreneur and a builder in relation to the breach of a loan agreement for the purchase of shares in a company.
- Dispute between a group of individual investors in a series of partnerships formed for the purposes of investing in British TV productions, the liquidators and their insurers, to recover part of their investments amounting many millions of pounds.

Personal Injury & Clinical Negligence

- Dispute between two individuals and the police over claims for wrongful arrest, assault and false imprisonment including damages for personal injury.
- Clinical negligence dispute between a patient (District Nurse) and an NHS Foundation Trust in relation to an allegedly negligent treatment of an ulcers leg wound by a nurse.
- Clinical negligence dispute between a patient and an NHS Foundation Trust in relation to negligent care for the patient who was found to have fallen of his bed, having sustained injuries and thereafter suffered pain until his death.
- Dispute between major retailer and former employee of foreign origin (Syrian) concerning personal injuries sustained at work involving psychological and physical trauma leading to an appeal to the Court of Appeal.

Professional Negligence

- Dispute between a firm of Surveyors and a couple who asked them to sell their equestrian property, about the commission fee payable to the estate agent based on their performance which was allegedly negligent and in breach of its duty of confidence.
- Professional negligence claim against a surveyor for damages for a diminution in value on the basis of an alleged negligent valuation of a property.
- 3-party dispute claim for damages regarding the allegedly negligent conduct of a clinical negligence claim by solicitors, expert and counsel.

Property

- Dispute between a leaseholder and former tenant regarding costs of unpaid works and repairs done to the property. Dilapidations claims with arguments of supersession.
- Breach of covenant agreement between a major cement company and a property tenant in relation to lease of property and repairs.
- Dispute over reassignment of lease involving allegations of harassment by both parties and discrimination against children with learning disabilities.
- Landlord and tenant – commercial and residential, including rent disputes.
- Dispute between tenant and a landlord regarding change to personal property, failure to remedy defects, and general damages for distress.
- Dispute between tenants in common about proportionate entitlement to property value where one party had left property 5 years ago.



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OTHER SKILLS

Funeral Conciliation Panel
Providing conciliation services for disputes between the members of the National Association of Funeral Directors

Renewable Energy Assurance
Limited Conciliation Panel
Conducting conciliations for consumers and firms who have agreed to comply with the REAL Consumer Code.

Red Cross, Italy
Volunteering to relocate and rescue injured persons in ambulances in Italy.

Colombian Refugees' Human Rights in Venezuela

INTERESTS

Flying - Pilot
Certificate in Aviation
2015

Flamenco Dancing
Siudy Academy
1999

CLIENT TESTIMONIALS

"Ana was excellent. She became quite involved. I would certainly use her again."

"Very easy to talk to, approachable. She created a non-hostile comfortable atmosphere"

DISPUTE EXPERIENCE

Property

- Dispute between a firm of Surveyors and a couple, about the commission fee payable to the estate agent based on their performance. Rights of way – including issues of trespass and access.
- Housing associations and Building access dispute.

Public Sector

- Dispute between two individuals and the police over claims for wrongful arrest, assault and false imprisonment including damages for personal injury.
- Dispute between County Council and suppliers of Health Care Services. Included issues of breach of contract based on non-completion of Service Level agreement.
- Dispute between a College/University and a Professor Fellow Tutor for the repayment of an overpayment made in error of housing allowances, which involved USS pension, National Insurance (NI) and Income Tax issues.
- Dispute between NHS and an innovator regarding a consultancy agreement for the delivery of the spread and adoption of an innovative health treatment and model of care to different authorities throughout the UK, terms, deliverables, reporting, timelines and designing mechanisms to resolve their potential disputes going forward directly.

Sale of Goods & Services

- Multi-party dispute between a widow, a crematorium, and Funeral Services, in relation to a personal injury caused by Parties B & C to Party A due to handing back the ashes of Party A's deceased husband together with a metallic prosthetic hip which didn't belong to him, creating real uncertainty of the identity of those ashes. This case involved 2 different insurers and a litigant in person.
- Dispute between a home owner and a builder in relation to an alleged breach of contract for faulty house roof repairs involving flooding issues; unpaid invoices for supply of services.
- Dispute between a commercial refurbishment contractor and a builder/plumber in relation to a loan agreement and vehicles hire agreement.
- Claim for unpaid invoices and counterclaim for lack of duty of care and potential damage to business.
- Dispute between parties who entered into a contract for the supply and installation of a conservatory and replacement of the existing structure.
- Dispute between a contractor and subcontractor about the payment of invoices for the installation services of hydraulic pumps and tanks to tractors/trailers.
- Non-payment of outstanding invoices relating to the fitting and installation of double-glazing windows and claim for damages for emotional distress occasioned by one of the workmen.
- Unpaid invoices for supply of funerary services.



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CLIENT TESTIMONIALS

"She had a robust style, challenging and probing parties."

"She did a really good job liaising and helping both parties move to a resolution".

"Excellent in all respects."

"Very aware of financial and legal issues and gained a good picture of factors that had contributed to the dispute in the past."

"Ana Bauder was very sensitive to the body language in the rooms and quickly grasped the nature of the legal issues which were complex."

"Ana didn't interfere, she gave appropriate feedback and she paid attention to both parties' positions".

DISPUTE EXPERIENCE

Sale of Goods & Services

- Mis-sale of solar panel system; Failure in the fitting and installation of an electrical system; manufacturer's warranty (shorter than originally stated); unpaid invoices for supply of services

- Dispute between County Council and suppliers of Health Care Services.

- Dispute between a UK major retailer and a customer in relation to a claim for being verbally directly discriminated against, victimised and harassed based on her race and nationality by a member of staff.

Trusts, Wills & Probate

- Dispute involving constructive and resulting trusts in relation to funds transferred between the parties in relation to property transactions in India.

Utilities

- Dispute over the terms of a contract regarding the sale of solar panels in relation to the fitting and installation of an electrical system; manufacturer's warranty (shorter than originally stated); and unpaid invoices for supply of services.

- Dispute involving two mobile phones posted to Bangladesh, and faulty products.

- Mis-sale of solar panel system; Failure in the fitting and installation of an electrical system; manufacturer's warranty (shorter than originally stated); unpaid invoices for supply of services

Community Mediation & Neighbourhood Disputes

- Noise nuisance and appropriate behaviour in communal areas.

- Security and cleanliness of communal areas

- Noise nuisance, communal areas and pet management (dog)

- Racial discrimination claim.

- Claim involving physical and verbal abuse.

- Verbal abuse; Confrontational harassment; Children with disabilities (NF1, autism); Aggressive behaviour between neighbours

- A pre-ASBO negotiation between Housing Association and Community Leaders.

- Dispute involving social gatherings inconvenience, pet management (cat & turkeys) & private privacy issues with photos being taken to children by children.