

CURRICULUM VITAE

MARK HACKETT
MA MSc FRICS ACI Arb

Senior Partner

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PERSONAL

Introduction: After graduating from Trinity College, Dublin, Mark qualified as a Chartered Quantity Surveyor in 1989. He joined Davis Langdon as an Assistant Surveyor in 1987, becoming an Associate in 1990 and then a Partner in 1992. Until he set up MHA in 2009, Mark was Managing Partner of Davis Langdon's Legal Support Group.

Qualifications: Diploma in Construction Economics (College of Technology, Dublin)
BSc(Hons) in Quantity Surveying, later superseded by the award of MA (Trinity College, Dublin)
MSc in Construction Law & Arbitration (King's College, London)
Fellow of the Royal Institution of Chartered Surveyors
Associate of the Chartered Institute of Arbitrators

Professional Associations: Member of the Society of Construction Law
Past Member of the RICS's Construction Contracts Group
Law Society "Checked" Expert Witness and accredited Single Joint Expert
Member of the Construction Industry Council's Liability Task Force
Member of ad hoc drafting groups assembled by the Construction Industry Council and the Joint Contracts Tribunal

RELEVANT PROJECTS

Legal Support: Appointments as Expert Witness (as per attached list)

Major contracts study for The Scottish Office which included a comparative analysis of the JCT, Government and NEC forms of contract. Major study of contract insurance and risk assessment for the same client

Report and Audit work, e.g. independent adviser to the Guy's and St. Thomas' Hospital Trust concerning a major hospital redevelopment and reporting to HM Treasury, NHS Estates, NHS Executive and the National Audit Office

General Advice on the procurement of construction projects and audit of "distressed" projects

Education: Primary Schools, Galway and Mayo
Secondary School, Dublin

Environmental Engineering: Radiological waste reduction project, Cardiff
Decommissioning of holding tanks for radioactive effluent
Containment structure for radioactive chamber
Containment buildings for storage of radioactive waste

MARK HACKETT (continued)

- Hospitals:* Scanner facility for Hammersmith Hospital
Modifications and fit-out works to 50,000m² hospital facility
- Industrial Facilities:* Multi-deck car park (500 spaces) for Amersham plc
Hi-tech laboratory facility, Amersham
Hi-tech laboratory facility, Cardiff
Upgrade and refurbishment of numerous laboratories and clean rooms
- Institutional:* Garda District Headquarters, Galway
Garda District Headquarters, Mayo
- Office and Retail:* Corporate office HQ of 4,800m² for GE Healthcare
John Lewis Department Store, High Wycombe
Office development of 17,000m² for Land Securities
Fitting-out 17,000m² office for KPMG
Fitting-out and refurbishment of various offices for KPMG
Fitting-out of 10,000m² of office space at Canary Wharf
Refurbishment of administration centre for Amersham plc
Fitting-out of new Headquarters building for the NHS Executive, Anglia & Oxford Regional Office
Refurbishment and fit-out of Head Office for Amersham plc and other administration buildings
- Residential:* Refurbishment of the Mansion House for the Lord Mayor of the City of London
- Sport and Leisure:* Recreational Facility, Dublin
Gymnasium and sports centre, Sligo
- Publications and Lectures:* Co-author with Geoffrey Trickey of *The Presentation and Settlement of Contractors' Claims (Second Edition)* published by E & F N Spon
- Co-editor with Ian Robinson of the Aqua Group's *Pre-Contract Practice and Contract Administration*, published by Blackwells
- Co-editor with Ian Robinson and Gary Statham of the Aqua Group's *Procurement, Tendering & Contract Administration*, published by Blackwells
- Co-editor with Gary Statham of the Aqua Group's *Procurement, Tendering & Contract Administration (Second Edition)*, published by Blackwells
- Co-author of *Practical Construction Guides – Construction Law and Management*, published by Informa
- Contributor to the Law Channel of The Einstein Network
- Speaker at the Construction Law Summer School
- Speaker at the IBC's Construction Law Masterclass

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EXPERT WITNESS APPOINTMENTS

Note: In the listings which follow, the instructing party is shown in bold type. The use of the symbol § before the case name denotes evidence given.

Litigation Experience

- **The Standard Life Assurance Company** -v- Costain Construction Limited, Alec French Partnership and Clarke Bond Partnership (1989 ORB No. 0344)
- Crown House Estates -v- **Thorn EMI UK Rental Limited** (1991 ORB No 1282)
- § Gable House Estates -v- **The Halpern Partnership** and Bovis Construction Limited (1991 ORB No. 1351)
- Michael James Bickmore -v- **Feilden & Mawson** (1991 ORB No. 1071)
- § **Norwich Union** -v- Schal International. Alternative Dispute Resolution
- **Wythe Holland Partnership** -v- Steven Avery Gee QC (1992 ORB No. 1135)
- **Don Valley Engineering** -v- AMEC Design & Management (1993 ORB No. 388)
- The University of Reading -v- **Robert Somerville Associates** and Miller Construction and HLM Architects (1993 ORB No. 872)
- Chiltern Street Investments Limited -v- **Fletcher Ross and Hickling** and Costain Construction Limited and James Scott Limited (1993 ORB No. 664)
- IBM UK Limited -v- Taylor Woodrow Construction Holdings Limited and **Sir Denys Louis Lasdun**, Frederick Peter Softley and Alexander Redhouse (1993 ORB No. 510)
- Railtrack plc -v- **Pearl Maintenance Services Limited** (1994 ORB No. 610)
- Tottenham Hotspur plc -v- **WRL Jenkins** (1993 ORB No. 1114)
- **Nykredit A/S & Nykredit Mortgage Bank plc** -v- Richard Ellis (CH 1994-N-No. 2098)
- Lady Anson v **Peter Young** (1994 ORB No. 966)
- Kilby & Gayford (Building) Limited -v- **1A Queen's Gate Management Company Limited** (1994 ORB 722)
- **Mitsubishi Electric UK Limited** -v- Royal Insurance & Others (1994 ORB No. 764)
- Aquarius Hotels Limited -v- **Thames Water Utilities Limited** (1991 A No. 101)
- Joplings Limited -v- **Couves & Jarvis** (1994 ORB No. 737)
- Birse Construction Limited -v- **Haiste Limited & Others** (1993 ORB No. 890)
- § 100 Old Broad Street Limited, Friends' Provident Life Office, Wates City of London Properties plc and Wates City Property Management Limited -v- **Elizabeth de Burgh Sidley** and **Drivers Jonas** (1993 ORB No. 945)

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- WHS Limited -v- **Savacentre Limited** (1994 ORB No. 830)
- Hosier & Dickinson Limited -v- East Midlands Electricity Electrical Installation Service Limited and **G&I Streeter** (1995 ORB No. 1236)
- Stanhope Gardens (Pte) Limited and Bovis Construction Limited -v- **Thames Water Utilities Limited** (1996 ORB No. 1596)
- P&O Developments Limited -v- **The Guy's and St Thomas' National Health Service Trust** and **The Guy's and St Thomas' National Health Service Trust** -v- P&O Developments Limited, Austen Associates (a firm) and Austen Associates Limited (1996 ORB No: 1491).
- Bernhard's Rugby Landscapes Limited -v- **Stockley Park Consortium Limited** (1995 ORB No.1406)
- **Broadgate Square plc** -v- York International Limited, Ove Arup Associates, Ove Arup & Partners and York International Corporation (1995 ORB Nr. 659)
- Harmon CFEM Facades (UK) Limited -v- **The Corporate Office of the House of Commons** (1996 ORB No 1151)
- Rod Hackney PPRIBA -v- **Lord Lloyd-Webber of Sydmonton** (2000 HQ 0003155)
- **Summers & Partners** -v- Collingwood Properties Limited and Collingwood Developments Limited (NE 190067)
- Seagram Distillers plc -v- Commtech Limited and **GP Elliott Electronic Systems Limited** (HT02350)
- Deka Immobilien Investment GmbH -v- Commtech Limited and **GP Elliott Electronic Systems Limited** (HT02326)
- **Richardson Roofing Limited** -v- Ballast plc; Ballast plc -v- Compco Holdings plc; and Compco Holdings plc -v- The Colman Partnership (consolidated action) (HT-01-246)
- Dr Ali Taefi -v- **Nicholas Robert Boardman (as Representative of Syndicate 1191 at Lloyds), HSBC Select (UK) Limited and HSBC Bank plc** (1998 T No. 825)
- JW Lees & Co (Brewers) Limited -v- **Secretary of State for Transport, Local Government and the Regions**, the Highways Agency and others
- Spirit Group -v- **Optima (Cambridge) Limited** (HC 03C03 725)
- § **J Sainsbury Plc and Sainsbury's Supermarkets Limited** -v- WSP Consulting Engineers Plc (formerly WSP Kenchington Ford Plc)
- **Tops Shop Centres Limited** -v- Mercer & Miller and JB Partnership
- Peter Hansen and Elaine Hansen -v- **TMD Building Consultancy Limited** (HT04318)
- § **Mirant Asia-Pacific Construction (Hong Kong) Limited -v- Ove Arup and Partners International Limited and Ove Arup and Partners Hong Kong Limited**

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- Milton Keynes Borough Council -v- **Andrzej Blonski and Michael Heard (trading as Blonski & Heard)** and **Bourne Steel Limited** (HT-04-277)
- Greenore Port Limited -v- **Technical & General Guarantee Company Limited** (HT-04-377)
- **Mr and Mrs Emile Isaac** -v- Ridett Limited and **The TLJ Partnership (a Firm)** (HT-05-293). Single Joint Expert
- Alfred McAlpine Capital Projects Ltd -v- (1) SIAC Construction (UK) Ltd (2) SIAC Construction Ltd and (1) **Norman & Dawbarn Ltd** (2) Powell Tolner Associates (3) White Young Green Consulting Ltd (4) Parker Design Associates
- **Claymore Services Limited** -v- Nautilus Properties Limited (HT-04-266 & HT-06-193)
- Luminar Leisure Ltd -v- **Portland Interior Design Ltd** and Doyle Partnership (6MB 50023)
- Devonshire Green Holdings Ltd -v- **M J Gleeson Group plc** (HT- 07-73)
- § **McLaughlin & Harvey** -v- Department of Finance and Personnel (HT-2008-5070)
- Multiplex Constructions (UK) Ltd -v- **PC Harrington (Contractors) Ltd** (HT-07-358) (in connection with Wembley National Stadium)
- Regent Quarter Ltd -v- **Tropus and Spicer Ltd** (HT-08-40)
- **Bovis Lend Lease Ltd** -v- Cadbury Ltd, Trebor Bassett Ltd and The Old Leo Company Ltd (formerly The Lion Confectionery Company Ltd) (HT-09-230)
- § Carillion JM Ltd -v- **Robert West Consulting Ltd** (HT-10-111)
- § **SSE Generation Limited** -v- Hochtief Solutions AG (formerly Hochtief Construction) & Hochtief (UK) Construction Limited (CA162/12)
- § Groveholt -v- **Hughes** (HC04C00899)
- Metnor Group plc (t/a Norstead) -v- **Wates Construction Ltd**
- Caldero Trading Ltd -v- Leibson Corporation Ltd & Others (Assisting Court Appointed Chartered Accountant – Chancery Division No. 3680 of 2012).
- Stannah Lift Services Ltd –v- **Network Rail Infrastructure Ltd** (HT-13-438)
- **Costain Limited and Ferrovia Agroman (UK) Limited trading in a JV as Educo (UK)** -v- City of Bradford Metropolitan District Council (HT-2014-000075)
- Mayor and Burgesses of the London Borough of Haringey -v- **NPS Property Consultants Limited & Others** (HT-2016-000017)

Litigation Experience (where assisting the Expert)

- John Mowlem & Company plc -v- Eagle Star and **Phippen Randall & Parkes** (1992 ORB No. 728) a.k.a. “Carlton Gate Litigation”

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- **Mohamed Al Fayed -v- Widnell & Trollope** (1992 ORB No. 730)
- **Norwich Union -v- Schal International** (1993 ORB No. 1105)
- **Banque Bruxelles Lambert SA -v- Simmons & Simmons and Others** (CH 1993 B No. 8177)

Arbitration Experience - International

- § **Hochtief & CCC -v- The Republic of Lebanon (first tranche)** [UNCITRAL – Paris]
- § **Asociacion Skanska – Cosapi – Chizaki -v- Empresa De Generación De Energía Eléctrica Del Centro S.A. (first tranche)** [UNCITRAL – Miami]
- § **Hochtief & CCC -v- The Republic of Lebanon (second tranche)** [UNCITRAL – Paris]
- § **Asociacion Skanska – Cosapi – Chizaki -v- Empresa De Generación De Energía Eléctrica Del Centro S.A. (second tranche)** [UNCITRAL – Miami]
- § **Sumitomo Mitsui Construction Co Limited -v- Seraya Chemicals Singapore (PTE) Limited** [ICC – Paris]
- **Foster Wheeler Energia OY -v- AS Narva Elektriijaamad** [UNCITRAL]
- § **Areva NP GmbH and Areva NP SAS and Siemens Aktiengesellschaft -v- Teollisuuden Voima Oyj** [ICC Stockholm and Malmo]
- § **Arabtec Construction LLC and WCT Engineering Berhad (Dubai Branch) -v- Meydan Group LLC** re the Meydan Racetrack (DIAC-Dubai)
- **Al Habtoor-Murray Roberts-Takenaka Joint Venture -v- The Department of Civil Aviation of the Government of Dubai** (DIAC-Dubai)
- **Alstom Transport SA, Marubeni Corporation, Doğuş İnşaat Ve Ticaret, A.Ş. -v- Republic Of Turkey, Ministry Of Transportation, General Directorate Of Railways, Harbours And Airports Construction** (ICC-Zurich)
- **China State Construction Engineering Corporation (Middle East) LLC -v- Skycourts LLC** (DIAC-Dubai)
- § **Besalco MD Montajes SA -v- ABB S.p.A Agencia en Chile** (ICC-Paris)
- § **Al Habtoor Leighton LLC -v- Al Ghurair Centre LLC** (Ad Hoc Arbitration – Dubai)
- § **Dynatec Madagascar S.A. -v- Daewoo International Corporation, Keangnam Enterprises Ltd, Hyundai Engineering Co. Ltd** (ICC-Toronto)
- § **GEA Batignolles Technologies Thermiques SAS and GEA Batignolles Thermal Technological (Changshu) Co Ltd -v- Global Supplies (UAE) FZE** (ICC-London)
- **Seele Middle East FZE -v- Drake & Scull International SA Co** (ICC - London)
- § **Al Habtoor Leighton LLC (formerly known as Al Habtoor Engineering Enterprises Co. LLC) -v- (1) Marina Terrace Co. LLC and (2) DAMAC Properties LLC** (International Chamber of Commerce Rules of Arbitration)

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- § Emirates Trading Agency LLC (ETA -v- **Al Habtoor Leighton LLC (formerly known as Al Habtoor Engineering Enterprises Co. LLC)**)
- § Cashman Caspian LLP -v- **Ersai Caspian Contractor LLC** (LCIA – London)
- **Lindner Depa Interiors LLC Dubai (acting through Lindner Depa Interiors Qatar)** -v- The Government of the State of Qatar represented by the New Doha International Airport Steering Committee (ICC – Doha, State of Qatar)
- Refinería de Cartagena SA -v- **Chicago Bridge & Iron Company NV, CB&I (UK) Limited and CBI Colombia SA** (ICC – New York)

Arbitration Experience - Domestic

- Sindall -v- **Waltham Forest LB**
- **CVC Developments** -v- Bilfinger & Berger
- Crown House -v- **Norwest Holst**
- Heron -v- **Startermile**
- Henry Boot -v- Malmaison Hotels
- § **Mulalley** -v- RC Diocese of Brentwood
- § Salmon Harvester Properties -v- **British Airways plc**
- Jones Lambell -v- **Honeck and Wadeville**
- § Holborn Links Ltd -v- **Forte plc**
- Wessex Water Services Limited -v- **Johnston Construction Limited and Charles Haswell & Partners**
- Bishop -v- **Follett** (Lay Representative)
- Connell & Finnigan -v- **Tipacre Gazeley** (Lay Representative)
- § **Kingerlee Ltd** -v- Glebe Corporate LLP (the latter being the company of Sir Christopher Evans)
- **Mr & Mrs Wagner** -v- Cuffe plc
- **Invista Real Estates** -v- Cushman Wakefield
- RB Drummond Investments Ltd -v- **Credit Suisse International**
- **Maison Anley Property Nominee Ltd (Oleg Chetsov)** -v- Harrison Varma Services Ltd
- Sheffield Business Park -v- **J F Finnegan Limited**
- **M+W UK** -v- Atomic Weapons Establishment plc
- **Galliford Try Construction Ltd** -v- The Dorchester Services Ltd (t/a The Dorchester Collection)

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- Eastbourne Borough Council -v- **(1) Rick Mather Architects Ltd (2) Rick Mather Architects (a firm) (3) Rick Mather Architects LLP**
- **Amec Foster Wheeler Group Limited** -v- Secretary of State for Defence (concerning the nuclear submarine base in Faslane)

Adjudication Experience

- § **Law Society** -v- AMEC
- Honeyman Associates Ltd -v- **Nycomed Amersham plc**
- **Leay** -v- Mowlem
- Takenaka (UK) -v- **Toyota** (4nr)
- **Siemens Dematic** -v- Royal Mail
- Sir Robert McAlpine -v- **Embankment Place Hotels (Blackfriars) Limited** (2nr)
- The Hochtief Miller JV -v- **Tops Shop Centres Limited**
- Spectrum Projects Limited -v- Mr & Mrs P Frost-Smith (as Adjudicator)
- Higgins City Ltd -v- **46-48 Park Lane Ltd** (2nr)
- Waterside Interiors Limited (In a Company Voluntary Arrangement) -v- **Oriental Restaurant Group Limited (formerly Oriental Restaurant PLC)**
- Wates Construction Ltd -v- **The Chancellor, Master and Scholars of the University of Cambridge (Faculty of English)**
- McLean Ventilation Limited -v- Rosser & Russell Building Services Limited (as Adjudicator)
- Stradform (South West) Limited -v- **John Grooms Housing Association** (Lay Representative)
- Multiplex Constructions (UK) Limited v **PC Harrington Contractors Limited** (Floor Tolerances) (in connection with Wembley National Stadium)
- **PC Harrington Contractors Limited** v Multiplex Constructions (UK) Limited (Retention) (in connection with Wembley National Stadium)
- Exterior Profiles Limited -v- **Bovis Lend Lease Limited**
- Higgins Construction plc -v- **Aspect Contracts (Asbestos) Ltd**
- **Black & Veatch** -v- 4D (in connection with a series of water treatment plants)
- § Cofely Engineering Services Ltd -v- **Bovis Lend Lease Limited** re the Manchester Civil Justice Centre
- **The Immanuel Christian Centre** -v- Mr James Fillingham (t/a Fillingham Associates)
- **Wates Construction Limited** -v- University of Liverpool (2nr)

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- Van Oord UK Ltd -v- Teesside Windfarm Ltd (2nr) as Adjudicator
- Teesside Windfarm Ltd -v- Van Oord UK Ltd (2nr) as Adjudicator
- Court Homes Limited -v- **Gascoyne Holdings Limited** (2nr)
- **Gascoyne Holdings Limited** -v- Court Homes Limited
- McLaren Construction Limited -v- Prater Limited (2nr) as Adjudicator
- Prater Limited -v- McLaren Construction Limited as Adjudicator

Conciliation Experience

- AMEC Civil Engineering Limited and Carillion Construction Limited (formerly Tarmac Construction Limited) (acting in Joint Venture) -v- **Manchester Airport Plc**
- SIAC/Radley Joint Venture -v- **Dublin City Council** (Lay Representative)

Mediation Experience

Mark has been instructed in connection with numerous mediations (both as mediator and expert), often arising in parallel with formally commenced legal proceedings.