



ArbDB Chambers

ARBITRATORS, MEDIATORS
& DISPUTE BOARD MEMBERS

Tony Marks, Arbitrator

LLB (Hons), Solicitor, DipICarb, FCI Arb



Tony Marks has more than thirty years' experience of litigation and arbitration, as a solicitor in private practice. He was a partner in CMS Cameron McKenna from 1983-2008, conducting a wide range of commercial litigation and arbitration, specialising in particular in the financial and energy sectors. Since retiring from full time legal practice in 2008, he has sat as arbitrator in large commercial arbitrations and acted as mediator in a wide range of disputes. His experience is set out below.

From 2008 to April 2013 he was the Legal Director (on a part time basis) of the Chartered Institute of Arbitrators. He became a Fellow of CI Arb in 2011 and passed the Diploma in International Commercial Arbitration in 2009.

Experience as arbitrator:

- As sole arbitrator appointed by the President of the Law Society on claim by insurers seeking to avoid a solicitor's professional indemnity cover for fraud
- As member of a three person Tribunal in an LCIA arbitration in relation to repayment of a loan for yacht finance under a deed of suretyship
- As sole arbitrator appointed by the President of the Law Society in a claim for \$2m by a UK company against a Canadian company for wrongful termination of an agency agreement for the sale of electronic components to European countries; the claims involved valuation of the agency under the Commercial Agents Regulations; making awards on jurisdiction and a final award on liability (after a five day hearing) involving twelve issues. The parties settled the claim after the award on liability.
- As sole arbitrator in an LCIA arbitration on a claim for a commission fee arising out of an M&A transaction.
- As sole arbitrator appointed by the President of the Law Society in a dispute involving revocation of an insurance policy.

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International Dispute Resolution Centre, 1 Paternoster Square, St.Paul's, London EC4M 7BQ

T +44 (0) 20 3514 9020 www.arbdb.com

And in Dubai (Associate Office) and Ocean Financial Centre, Singapore

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Registered Office: 135/137 Station Road, Chingford, London E4 6AG UK

- As party appointed arbitrator on a three person tribunal between an African based Bank and a supplier of card services for breach of contract / implied terms, which went to final award.
- Making numerous consumer awards under the Renewable Energy Consumer arbitration scheme and other consumer schemes.

As party counsel:

- London Court of International Arbitration dispute between a UK clearing bank and a US information technology supplier concerning electronic card services
- An arbitration under ICC Rules as to the effect of a good faith clause in a distribution agreement for a pharmaceutical product
- An ad hoc arbitration of a dispute under UNCITRAL Rules relating to contracts on the London Metal Exchange
- An arbitration under UNCITRAL Rules for a Czech Bank in dispute with a US information technology supplier
- Domestic arbitrations of construction claims for a major UK construction company
- An ICE arbitration concerning ground conditions in a major infrastructure project
- Ad hoc arbitration in a dispute as to commission between an electricity utility and its former agent

Tony is a member of the Law Society's Arbitration Panel. He is a member of the LCIA.

Commercial Litigation Experience

1976 – 2008

- Banking and financial litigation
- Information technology disputes in banking and financial industries
- Share sale transactions, corporate warranties and partnerships
- Commercial contracts, supply and distribution agreements
- Construction claims
- Commodities and futures
- Energy and electricity industry/infrastructure; disputes between grid operators and generators; PFI and infrastructure disputes.
- Judicial review in regulated industries
- Professional negligence cases, in relation to accountants and investment managers
- Property litigation
- Pension fund and trust litigation
- Fraud and asset recovery

- Insurance disputes and reinsurance litigation

Mediation experience and qualifications

- Tony has mediated a number of commercial disputes including:
- Successfully mediating a claim between a company pension scheme and the liquidators of the company;
- Resolving a dispute between a business owner and an agent on the sale of a business;
- Mediating a claim for repayment of a loan made to a property developer;
- Resolving a fraud claim by a dental practice against its former manager;
- mediating a claim by a property developer against a housing association for compensation under a lease;
- Resolving a claim for vicarious liability by a husband and wife against an insurance broker as a result of fraud by a third party;
- Resolving a dispute between the owner of a hotel and his contractors concerning a sewerage installation;
- Resolving a dispute under a website supply agreement;
- Successfully mediating a boundary dispute between two business owners;
- Mediating a claim against a former employee of an agency alleged to have obtained a secret commission;
- Mediating a dispute between a dental practice and two of its consulting dental practitioners in respect of unpaid fees.

He is a member of ADR Group and Clerksroom panels. He trained with CEDR and with ADR Group and was accredited by ADR Group in 2005.

Career Details/Chronology

2011 –	Member and Director of ArbDB
2016 - 2020	Trustee of the Chartered Institute of Arbitrators (Hon Treasurer 2019 -20)
2013 - 2020	Trustee of LaunchIt (formerly LYST)
2011	Fellowship of the Chartered Institute of Arbitrators (FCIArb)
2008 – 2013	Director of Legal Services (part time) of the Chartered Institute of Arbitrators
2001 – 2007	Chairman of the City of London Law Society Litigation Committee
1991 – 2001	Committee member of the London Solicitors Litigation Association



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1983 – 2008 Partner in Litigation and Dispute Resolution Department of CMS Cameron
McKenna (formerly McKenna & Co)
1979 – 1983 Assistant Solicitor in Litigation and Construction at McKenna & Co
1981 – 1982 Chairman of Fulham Legal Advice Centre
1975 - 1982 Providing legal advice on a voluntary basis at Fulham Legal Advice Centre
1976 – 1979 Assistant Solicitor in Commercial Litigation Dept at Clifford-Turner
(now CliffordChance)
June 1975 Admitted as a solicitor
1975 – 1975 Trainee at Clifford-Turner
1972 Bristol University LLB

January 2022

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