

JANELLE PAYNE

LLM., GRAD. DIP. LEGAL PRAC., LLB., B.ARTS (MEDIA STUDIES)

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MEDIATION PROFILE

OVERVIEW

- Well-respected commercial barrister ('senior junior' – 9 years+) with a successful practice.
- Janelle's mediation work is rated highly, especially for her level of preparation, attendance to detail and understanding of the real issues. This is critical in a mediation, in which parties crave to be heard and understood.
- Janelle brings a high level of commercial law experience and understanding, which can often help overcome stalemates in disputes in which she acts as a mediator.
- Janelle is comfortable with both highly-experienced and less-experienced parties and is adept at dealing with tension and emotion.
- Her strategic business approach, personable nature and ease in operating with all types of individuals and layers of management can often help resolve impasses.
- Janelle is adept at dealing with emotionally-charged mediations (which occurs more than you think in the corporate and commercial sphere).
- Janelle is willing to travel to firms, QLS, Bar Association or regionally for mediations.
- She provides certainty with a fee that includes reading time and preparation.

BRIEF CV

- Janelle mostly conducts mediations in the commercial sphere but is also available to conduct mediations in other areas, including deceased estates, family provision and fertility law.
- Janelle has also appeared as Counsel in mediations, including high level commercial disputes for Australia's flagship banks, companies and high-net worth individuals, as well as for individuals in shareholder, tenancy, family law, and estate disputes.
- Prior to being called to the Bar, Janelle was senior associate at Minter Ellison in the area of corporate, financial and property litigation and insolvency.
- She is also proficient in franchising law, both from a legal and board perspective.
- She has a strong family background in the retail industry and business.
- Janelle is a highly-regarded individual with past leadership roles on management committee of the Women Lawyers Association of Queensland and the Queensland Law Society Litigation Rules Committee.
- Expert Panel member, Minter Ellison Leasing Seminar Series: Alternative Dispute Resolution (Brisbane, 19 October 2016).

MEDIATION/ARBITRATION AREAS

Australian Consumer Law • Banking & Finance • Bankruptcy & Insolvency • Clubs & Associations
 Commercial leases • Confidential information and customer databases • Construction &
 Engineering • Consumer/Fair Trading & Product Liability • Contracts • Director's duties •
 Distribution and wholesale agreements • Executive compensation • Family law • Fertility law/names
 on birth certificates • Financial advisers and accountants • Former employees • Franchising •
 Insurance • Intellectual Property • Internet and software distribution • Licence agreements •
 Liquidations and receiverships • Media • Medical Negligence • Medical practices and specialists •
 Mergers and acquisitions • Partnership disputes • Privacy law • Professional Negligence • Property,
 real estate and conveyancing • Put and call options • Resources, Energy & Mining • Restraint of
 trade and non-competition clauses • Retail shop leases • Retirement Villages • Same sex-
 relationships • Securities and investment advisor issues • Shareholder disputes • Share option plans
 • Small business • Sports law • Superannuation • Third line forcing and anti-competitive conduct •
 Trademarks, patents • Trade Practices • Trusts and Trustee's duties • Wills, Estates & Succession

MEDIATION/ARBITRATION FEES

Mediation Fees (as mediator or as Counsel).

Half day - \$3,000 plus GST (including reading and preparation in advance of mediation)

Full day - \$4,500 plus GST(including reading and preparation in advance of mediation).

Excludes room hire (e.g at QLS, BAQ).

Half day is 9am-2pm. Full day is 9.30am-5pm. Extra hours at \$400 per hour plus GST.

Private mediation of small disputes e.g Magistrates' Court or QCAT disputes

½-3/4 day mediation (including reading the mediation brief) - **\$2,500 plus GST** excl room hire.

Regional Mediation Charges

(Travel time within three hours driving or flight time of Brisbane)

One day regional mediation: \$5,000 (including preparation, mediation fees, airfares and accommodation charges). Excludes room hire.

Section 60 I Certificates

Not LEADR accredited. Unable to issue Section 60 I Certificate.

Confirmation fee (non-refundable)

To be paid within 7 days of confirmation of date: **\$1,250 per party (\$2,500 in total)**.

Balance of fee to be paid at start of mediation, or it will not proceed.

MEDIATION STYLE AND INTEREST

- Janelle is skilled in facilitating resolution with calmness, authority and optimism, whilst prioritising business aspects and commercial outcomes.
- Janelle conducts all mediations in a neutral, confidential and independent manner. Janelle is willing, when asked, to express views on the merits if this will assist parties in reaching resolution.
- Janelle's ability to inspire trust and frank discussion along with her solution-based creativity and style can often facilitate a 'win-win' result in a mediation.