



AAA Mediation.org™

FN-12363 MN-12363 LN-12363, Esq.

Troy, Michigan

Current Employer-Title Facca, Richter & Pregler, P.C. – Shareholder

Profession Attorney - Construction Disputes

Work History Shareholder, Facca Richter & Pregler P.C., 2000 – Present; Shareholder, Grylls Facca Richter & Pregler P.C., 1992 – 2000; Shareholder, Federlein Grylls & Keranen P.C., 1984 – 1992; Clerk, Oakland County Circuit Court Judge, 1982 – 1984; Vegas Construction Corporation, 1979 – 1982.

Experience Prior to becoming an attorney, employed with a foundation contractor which installed foundations for industrial and commercial projects. Since becoming an attorney in 1984, practice has involved construction disputes representing owners, general contractors, construction managers, design professionals, trade contractors, suppliers and sureties. The matters of dispute have involved automotive plants, power plants, wastewater treatment plants, educational facilities, religious facilities, sports facilities, commercial/industrial buildings, hospitals, retail developments/malls and casino projects

Mediator Experience Successfully served as a mediator in numerous construction disputes involving educational facilities, retail projects, industrial projects, commercial office buildings, condominium projects. Primarily, the disputes have been between owners and general contractors or general contractors/construction managers and trade contractors. The claims have included changed conditions, delay claims, loss of productivity, improper work/failure to comply with specifications. In addition has mediated construction claims on a condominium projects involving Owner, Design Professional and General Contractor.

Representative Issues Handled as a Mediator Construction cases mediated have involved non-payment issues, change orders, delay claims, design issues, loss of productivity, cost to complete work, claims on payment bond, claims on performance bond.

Mediator Style & Process Preferences The mediation process is dynamic and an opportunity for the parties to resolve a dispute on terms determined by the parties. My approach is for the parties to understand the strength and weakness of there position and the position presented by the other party. I expect the parties to attend, present their position, listen and have authority to resolve the matter.

Education Detroit College of Law (JD-1984); Western Michigan University (BBA-1979)

Professional Licenses Admitted to the Bar: Michigan, 1984; U.S. District Court: Eastern and Southern Districts of Michigan, 1984; U.S. Court of Appeals, Sixth Circuit, 1989; U.S. Court of Federal Claims, 1986.

Professional Associations American Bar Association (Forum Committee on Construction, Public Contracts Law Section); Michigan Bar Association (Alternative Dispute Resolution Section); Oakland County Bar Association (Alternative Dispute Resolution Committee); Association of General Contractors (Legal Committee, former Chairman); Design Build Institute of America - Michigan Chapter.

Recent Publications & A CONTRACTORS GUIDE TO MICHIGAN CONSTRUCTION LAW, Associated General Contractors. Presenter, "An Introduction to ADR," ; several speaking engagements on the topics of

Speaking Engagements	pay when paid/pay if paid, changes to projects, the use of ADR. Article for the AGC on the False Claims Act.
Mediation Rate	\$375 Per Hour
Languages	English
Citizenship	United States of America
Locale	Troy, MI

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.