



AAA Mediation.org™

FN-13750 MN-13750 LN-13750, Esq.

Minneapolis, Minnesota



Current Employer-Title	Fabyanske, Westra, Hart & Thomson, P.A. – Partner
Profession	Attorney - Construction, Insurance, Surety, Commercial Litigation, Mediation
Work History	Attorney, Fabyanske Westra Hart & Thomson, 1984 – Present; Law Clerk, Minnesota State Court, 1982 – 1984. Adjunct Law Professor in Construction Law, University of Minnesota Law School, 2021 – Present.
Experience	Primarily engaged in construction related litigation representing general contractors, subcontractors, and specialty contractors; architects/engineers; owners/developers; and public agencies involving public and commercial projects. Construction cases and ADR experience have involved all aspects of construction including, for example, sewer and water projects; bridges and highways, differing site conditions; changes; concrete failures; foundation problems; curtain wall defects; roofing issues; structural steel problems; masonry issues; design and engineering errors; HVAC disputes; delay, acceleration and disruption claims; liens and bond claims; power plants, nuclear facilities, and alternative energy (wind, solar, and hydro) projects; and insurance coverage disputes.
Mediator Experience	Mediator on over 50 cases; Member of AAA Master Mediation Panel.
Representative Issues Handled as a Mediator	Mediator on over 50 construction related claims involving multiple parties and a variety of liability and damages issues. CGL and E&O insurance coverage issues have often been involved and examined in resolving these cases. Prefer early engagement of the mediator and use Guiding Mediation Techniques and pre-session conferences to ensure all parties are prepared for the mediation session, all reasonable information needs have been met, and any potential impasse to settlement is identified prior to the session. Mediated claims have ranged from \$50,000 to \$20 million.
Education	University of Minnesota (JD, cum laude-1982); Carleton College (BA-1978).
Professional Licenses	Admitted to the Bar: Minnesota (1982), Wisconsin (2008), North Dakota (2011); U.S. District Court: District of Minnesota (1984), Eastern and Western District of Wisconsin (1995), District of North Dakota (2011); U.S. Court of Appeals: Federal (1993) and Eighth (1999) Circuits.

Professional Associations	American College of Construction Lawyers (Fellow 2000; Board of Governors 2008-2010; Secretary 2021 and 2022); Associated General Contractors of Minnesota (Board of Directors; Contract Forms Committee; Legislative Affairs Committee); Construction Specification Institute (CDT Certified); Minnesota State Bar Association (Section of Construction Law, Past Chair); American Bar Association (Forum on Construction Industry; Division 1 Steering Committee).
Recent Publications & Speaking Engagements	Early Mediator Engagement: Lessons from Master Mediators, 15 Journal of the Arbitrators, 15 Journal of the ACCL 39 (2021). A Disconnect of Supply and Demand: A Survey of Construction Mediation Practices," 21 The Construction Lawyer, no. 4, p. 17, 2001. The Advocacy Preferences of Construction Arbitrators, 14 Journal of the ACCL 67 (2020). Inside the 'Black Box': The Preferences, Practices, and Rule Interpretations of Construction Arbitrators, 12 Journal of the ACCL 37 (2018). List of other published articles and presentation on specific construction law-related topics can be found at https://fwhtlaw.com/attorneys/dean-b-thomson
Mediation Rate	\$525 Per Hour
Languages	English
Citizenship	United States of America
Locale	Minneapolis, MN

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.