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Houston, Texas



Current Employer-Title Susan G. Perin - Mediator and Arbitrator

Profession Attorney, Mediator, Arbitrator; Educator

Work History Attorney, Self-employed, 1986-Present; Of Counsel, Levin & Kasner, P.C., 1998-2000; Attorney, Hirsch & Westheimer, P.C., 1984-1986; Attorney, Foreman & Dyess, 1981-1984; Briefing Attorney, Court of Appeals, Fourteenth Supreme Judicial District, 1980-1981.

Experience Primarily practiced as civil trial lawyer in business, construction, and real estate litigation. Business and real estate litigation included issues in areas of contract, negligence, fraud, DTPA, personal injury, defamation, insurance, insurance products (life, health, disability, property and casualty, liability), insurance coverage, indemnity, employment law, employment agreements, covenants not to compete, trade secrets, injunctions, business dissolution, buy-sell agreements, partnership agreements, promissory notes, landlord-tenant (commercial and residential), leases, construction, inspections and appraisals of real estate, and environmental law. Real estate litigation cases were usually multi-party involving sellers, buyers, real estate brokers, agents, or inspectors, and involved expert witnesses such as appraisers, engineers, or accountants. Construction litigation (30-50% of practice) included representation of owners, developers, general contractors, subcontractors, suppliers, and surety companies, with experience in public and private projects. Residential construction consumer experience. Family law experience including issues related to division of property, retirement plans, health insurance, business valuation, and real estate. Practice is now full-time arbitration and mediation.

Adjunct Professor from 1997 to 2003 teaching Mediation at the University of Houston Law Center. Instructor and speaker on employment and reemployment rights of military personnel and the responsibilities of their employers.

Mediator Experience Have been a mediator since 1991 and have mediated over 2500 cases. Experience mediating civil disputes in all areas of the law, including complex, multi-party cases and cases involving millions of dollars. Of the over 2500 cases, served as a mediator in hundreds of cases in each of the following areas: (1) business and real estate with a wide variety of industries and parties - financial institutions, insurance companies, accounting firms, securities brokerage firms, parties to commercial and residential real estate transactions, and governmental entities, (2) construction (commercial, residential, industrial, and governmental projects), with all parties in the construction

industry - owners, architects, developers, builders, contractors, subcontractors, suppliers, and surety companies. Construction cases have had up to 15 parties and many have involved insurance carriers and coverage counsel, (3) employment involving businesses of all sizes in many types of industries, and including employers, employees, EEOC, employment agencies, staffing companies, and insurance companies, and related to executive contracts, employment contracts, Title VII, ADA, ADEA, ERISA, TCHRA, FMLA, FLSA, Equal Pay Act, TWCA, USERRA, whistleblower cases, and SOX. As a contract mediator for the EEOC, mediated discrimination cases in many Texas cities and as a volunteer, mediated over 150 cases between employers and members of the military involving job issues under USERRA, and (4) cases in the personal injury area, including cases involving millions of dollars, multiple parties, coverage issues, and structured settlements. Other mediations include those involving health law, premises liability, products liability, environmental, medical and legal malpractice, franchises, oil and gas, international, copyright, probate, appellate, and family law.

Representative Issues Handled as a Mediator

Mediated over 2000 cases in all areas of law including commercial, construction, business, real estate, insurance, DTPA, personal injury, negligence, toxic tort, contracts, franchise, employment (wrongful termination, retaliation, covenants not to compete, employment agreements, intentional infliction of emotional distress, assault and battery, breach of contract, defamation, false imprisonment, Americans with Disabilities Act, Age Discrimination in Employment Act, Employment Retirement Income Security Act, Title VII, Texas Commission on Human Rights Act, Family and Medical Leave Act, Texas Workers' Compensation Act, Fair Labor Standards Act, Equal Pay Act, Uniformed Services Employment and Reemployment Rights Act, and Texas Workers' Compensation Act), partnership dissolution, buy-sell agreements, health law, international law, premises liability, products liability, securities, copyright, environmental, medical and legal malpractice, oil and gas, workers' compensation, probate, appellate, and family. Cases mediated have ranged in amount in controversy up to millions of dollars in a particular case. Contract mediator for the Equal Employment Opportunity Commission, San Antonio District Office, mediating employment cases in many cities in Texas. Volunteer ombudsman for ESGR, Employer Support for the Guard and Reserve, mediating cases between employers and employees concerning employment issues that arise due to employee's military service.

Mediator Style & Process Preferences

My mediation philosophy is that the case belongs to the parties and my role is to facilitate the communication and work diligently to assist the parties in crafting a settlement of the case. I take that role seriously and am not a mediator who just carries offers and demands, but one that tries to focus the parties on the strengths and weaknesses of their case in terms of the issues involved, the alternatives for settlement, and the options available if there is no settlement. I listen to the parties and attorneys and focus on not only the issues and legal arguments, but also the goals of the parties. I will work as hard and as long as necessary to assist in a settlement if progress is being made and I follow up with the attorneys when appropriate after the mediation if a case is not resolved to explore options for continuing discussions toward settlement. I expect the parties in a case to be respectful, attentive, and involved in the process and I respect their opinions and views about the case. I work actively to maximize the opportunities to resolve the case. Confidentiality is also key and I respect the parties' and attorneys' decisions on issues that should or should not be conveyed to the other parties in mediation. I stay with the process so that parties have the best opportunity to resolve their issues if they so choose.

Education

South Texas College of Law (JD, first in class-1980); Newcomb College of Tulane University (BA, cum laude-1971).

Professional Licenses

Admitted to the Bar: Texas (1980); U.S. District Court, Southern District of Texas (1980).

Professional Associations

College of Commercial Arbitrators; National Academy of Distinguished Neutrals; Texas Academy of Distinguished Neutrals; State Bar of Texas (Alternative Dispute Resolution Section, Council Member); Houston Bar Association (Construction Law Section, Past Chair); State Bar of Texas (Construction Law Section, Founding Member, Council Member); American Bar Association; Houston Bar Foundation (Fellow); Texas Bar Foundation (Fellow); International Mediation Institute (IMI) Certified Mediator.

Recent Publications & Speaking Engagements

Author, "Volunteer Mediation: Using Your Professional Skills to Give Back," TEXAS BAR JOURNAL, July 2007; co-author, "Mediating Construction Disputes: What Works and What Doesn't," DISPUTE RESOLUTION JOURNAL, American Arbitration Association, May-July 2003; co-author with former Chief Justice of Texas Supreme Court, "Is The Castle Crumbling-Harmless

Error Revisited?" 20 SOUTH TEXAS LAW JOURNAL 1, 1979; Case Note, 19 SOUTH TEXAS LAW JOURNAL 500, 1978.

SPEAKING ENGAGEMENTS: Faculty, AAA Roundtable - Arbitrator Disclosures and Disqualifications, 2016; Employment Mediation, Houston Bar Association, 2015; Best Practices in Employment Arbitration, Houston Bar Association, 2013; AAA Webinar: Recovery of Legal Fees and Costs in Arbitration: The What, When, Where, Why and How, 2011; Avoiding the Line in the Sand, Association of Attorney-Mediators, 2009; Strategies for Employment Mediations, Houston Bar Association, 2009; speaker/author, "Understanding USERRA and the Department of Labor Regulations," American Bar Association Section of Labor and Employment Law, February 2008; "Arbitration Panel - Arbitration of Securities, Construction, and Employment Cases," Houston Bar Association, January 2005; "Mediator Ethics in Labor and Employment Law Disputes," Houston Bar Association ADR Section, May 2004; "Ethical Issues in Mediation of Labor and Employment Matters," Houston Bar Association, 2003; "Nuts and Bolts of Arbitration," Houston Bar Association, 2003; "Mediation and Arbitration of Employment Disputes, Texas Association of Business, 2002; "Mediation and Arbitration in Business Cases," Institute of Management Accountants, 2002; speaker/co-author, "Mediation of Construction Cases-What Works and What Doesn't," State Bar of Texas, 15th Annual Construction Law Conference, 2002; "ADR in the Employment Context," Houston Management Lawyers Forum, 2001; "When a Mediator is Asked to Arbitrate," Association of Attorney-Mediators 2001; "You've Been Selected as an Arbitrator-Now What?" Houston Bar Association, 2000; speaker/author, "Mediation and Arbitration in the Construction Industry," American Institute of Architects, 2000; "Bringing Closure to the Wrongful Termination Claim," American Arbitration Association Seminar, 2000; "Settling the Mass Tort Case, Modeling and Other Issues," Houston Bar Association, 1999; "The Challenge of Complex, Multi-Party Mediation," Houston Bar Association, 1998; frequent speaker on arbitration and mediation.

Mediation Rate	\$4,000 Per Day
Languages	English
Citizenship	United States of America
Locale	Houston, TX

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.