



AAA Mediation.org™

**FN-14970 MN-14970 LN-14970, Esq.**

**Houston, Texas**



**Current Employer-Title** Spencer Fane, LLP - Of Counsel

**Professional Summary** Assistant Attorney General of Texas-opinion committee and litigation section, briefing clerk for federal judge Joe Ingrahm Houston TX, Associate Municipal Court Judge City of Houston TX, state district judge of two courts in Harris County TX: 309th Family District Court and 269th Civil District Court; founder and chairman of Zimmerman Axelrad law firm which combined into Spencer Fane, LLP - is of counsel. Have arbitrated over 500 cases and served several times as chair of a panel. Have experience in general civil litigation including, construction, health law, environmental law, banking, malpractice: medical, legal and accounting. Is board certified in Family Law in Texas and a credentialed advance mediator.

**Profession** Attorney, Former Judge

**Work History** Of Counsel, Spencer Fane LLP, 2019 – Present; Shareholder/Founder, Zimmerman Axelrad Meyer Stern & Wise P.C., 1985 – 2019; Board of Directors of NYSE company and audit committee chair, 1986-1994; State District Judge, Harris County Texas – 309th and 269th District Courts, 1980 – 1984; Adjunct Professor of Law (Contracts), South Texas College of Law, 1981 – 1984; General Counsel, NYSE Company, 1969 – 1980; Assistant Attorney General, Texas, 1968; Briefing Clerk, Federal District Judge, 1967.

**Experience** Former Judge of family and civil trial courts handling thousands of cases of various types and subject matter. As general corporate counsel and vice president and secretary of AMEX company handled acquisitions, mergers, business reorganizations, securities issues and trademarks, patents and copyrights, leases, OSHA, and human resource issues. Private practice includes civil trial, probate, banking, commercial, multi-state litigation, securities, construction, business litigation, employment, trademark, and family law issues. Past director of a national bank. Served as director and audit chair of NYSE company. State Bar Committee for one of Houston TX improper practice of law; previously adjunct professor of law-subject Contracts South TX College of Law; previously faculty AA White Mediation certification course University of Houston Law Center' previously faculty American Bar Association Advanced Trial Family Law held in Houston, TX.; board certified by the State Board of Legal Specialization-Family Law.

**Mediator Experience** Former Texas district judge (Civil and Family – two different courts), chair of the HBA and State Bar of Texas ADR sections, mediated over 2000 cases over 24 years of experience, including:

employment, probate, shareholder and corporate governance disputes, landlord tenant, architect malpractice, legal malpractice, medical malpractice, nursing home disputes, banking, appellate cases, construction, condemnation, intellectual property, governmental, torts, Oil & Gas, church governance suits, contracts, family law and other areas. Recipient of Harris County Dispute Resolution Center Award for excellence, Evans Award from South Texas College of Law Dispute Resolution. Resolved Houston Symphony Orchestra strike, two high tension City of Houston cases, resolved lock-out of Toyota Center by group of minority vendors, cases on malpractice from the Court of Appeals, trade secret case from Arizona Supreme Court, often appointed by judges to resolve cases, certification as distinguished credentialed mediator (highest level) by the Texas Mediator Credentialing Association; also accredited by College of Distinguished Neutrals.

<b>Mediator Style &amp; Process Preferences</b>	Most of the time the use of the general and break-out rooms for the caucus method is the most effective unless there are special hostile or power imbalance problems among the parties. In some cases, the Harvard Negotiation Method has been fruitful in which the parties and their attorneys remained at the negotiation table throughout until a settlement was reached. Both are effective depending upon the case and the parties. The use of a co-mediator has been found to be effective in some cases where one mediator maybe an expert in a field of law and the mediator is very seasoned in dispute resolution and through the quarterback skills of the mediator there is a coalescence of these two experts that bring about the resolution desired. At times a directive approach is helpful where direct statements assessing risk, discussing pluses and minuses of the facts and law are helpful, while at other times the Socratic method of asking questions to obtain from the party and the lawyer answers that one would find helpful to resolve the cases. Being certified in Transformative mediation, this system also has proven successful.
<b>Technology Proficiency</b>	Proficient in online platforms of zoom and WebX, some use of GoToMeeting. Conducted over 100 zoom meetings. Participated in many multiparty disputes with zoom, online recordings, and streaming transcription of testimony in real time.
<b>Education</b>	University of Houston (JD, Editor of Houston Law Review-1967; BS-1964)
<b>Professional Licenses</b>	Admitted to the Bar: Texas, 1967; U.S. District Court: Southern and Western Districts of Texas; U.S. Court of Appeals, Fifth Circuit; U.S. Supreme Court
<b>Professional Associations</b>	State Bar of Texas (ADR Section, Council Member and Former Chair); Houston Bar Association (Outstanding Committee Member; Family Law Section, Former Chair; Alternative Dispute Resolution Section, Council Member and Former Chair); American Academy of Matrimonial Lawyers (Fellow); International Academy of Mediators (Fellow and Past President); American College of Civil Trial Mediators (Fellow); American Bar Association (Family Law Litigation National College, Teacher); Texas Association of Attorney-Mediators; Collaborative Law Institute of Texas (Member); International Institute for Conflict Prevention & Resolution (Panelist); University of Houston Foundation (Director and Vice President); University of Houston Law Foundation (Director); Houston Law Review Foundation (Director; ADR Section, Chair); Texas Academy of Distinguished Neutrals (Distinguished Fellow); International Association of Mediators (Past President and Distinguished Fellow); Charter Member, Institute for Responsible Dispute Resolution; Distinguished Mediator; Texas Mediator Credentialing Association; Houston Bar Association, ADR Section - elected Chair of the Council; Fellow, College of Commercial Arbitrators; American Arbitration Association - Roster of Mediators and Roster of Complex Arbitrations Fellow, College of International Arbitrators; Fellow in Intl Academy of Mediators, and certificated Distinguished Mediator TX Mediators Credentialing Association; Pre-eminent rating Martindale Hubbell
<b>Recent Publications &amp; Speaking Engagements</b>	<p>PUBLICATIONS:</p> <p>3 Hous. L. Rev. 260 (Res Ipsa Loquitur)</p> <p>3 Hous. L. Rev. 418 (Habitual Criminality)</p> <p>Editor, Briefcase, University of Houston Law Alumni Bulletin (1980-1983)</p> <p>Reflections by a Retiring Judge (Houston Lawyer - Oct., 1984)</p> <p>Author - Attorney General of Texas opinions:</p> <p>(1) M. 284 (Art. 1.103 Election Code - validity of rules promulgated by Secretary of State)</p> <p>(2) M. 298 (Use Tax Art. 20.02 - determination of whether rental pipeline is personalty or realty)</p> <p>(3) M. 300 Sales Tax Art. 20.01 (T) interpretation</p> <p>Mediator Accountability - Ethical and Legal Standards for the Profession, American Journal of Trial Advocacy. Vol. 28:1, Summer 2004</p>

"Is a Mediated Settlement Involving a Child Binding", Co, Author, State Bar of Texas - ADR Section Newsletter, Spring, 2012

**SPEAKING ENGAGEMENTS:**

2007 - Panelist, "Mediation Prospective in Texas with Justices of Supreme Court of Texas," International Academy of Mediators, San Antonio  
2008 - Panelist, "Point/Counterpoint - Mediation From the Practitioners' and Mediators' Point of View," Joint ADR Section/Litigation Section.  
2009 - Panelist - American Academy of Matrimonial Attorneys, "Arbitration in Matrimonial Cases."  
2009 - Speaker and Author, "ADR in Texas," State Bar of Texas ADR Section, San Antonio, Texas  
2010 - Panelist "Employment Arbitration Strategy and Practical Tips," Houston Bar Association - Employment Law Section  
2019-2023-Faculty of Manousso Mediation & Arbitration Training.  
2011 - Speaker and Author, "Mediated Settlement Agreements," State Bar of Texas Webinar, Austin.  
2012 - Panelist, "Mediation and Arbitration in Probate," Houston Bar Association - Probate Section.  
2012 - Speaker, "Ethics in ADR," Houston Bar Association, Employment Law Section.  
2019-2023-Faculty at Manousso Mediation & Arbitration LLC

**Locations Where Parties Will Not be Charged for Travel Expenses** No travel time for services in a 60 mile radius.

**Mediation Rate** \$5,000 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.