



AAA Mediation.org™

**FN-1519124 MN-1519124 LN-1519124,
Esq.**

Chattanooga, Tennessee



Current Employer-Title Retired attorney

Profession Attorney

Work History Retired from Chambliss, Bahner & Stophel, December 31, 2023; Of Counsel, Chambliss, Bahner & Stophel P.C., 2006 – Present; Shareholder, Shumacker Witt Gaither & Whitaker P.C., 1976 – 2006; Assistant U.S. Attorney, U.S. Department of Justice Office of the U.S. Attorney for the Eastern District of Tennessee, 1973 – 1976; Trial Attorney, U.S. Department of Justice Civil Rights Division, 1970 – 1973; Law Clerk to Hon. William E. Miller, U.S. District Court, Eastern District of Tennessee, 1969 – 1970.

Experience Extensive trial and litigation experience in both state and federal court:

- Successfully represented a class of retired teachers in a class action tried against the State of Tennessee, winning more than \$12 million in damages
- Successfully represented NYSE brokerage in upholding FINRA's six-year state of repose, obtaining Sixth Circuit reversal of District Court ruling
- Successfully represented major national bank in a case of first impression in Tennessee, finding no lender liability for tort committed by borrower
- Successfully represented NYSE-listed manufacturer in environmental litigation where plaintiff sought to tag manufacturer for hazardous material placed in a landfill
- Represented major national food producer for several years in a series of civil and criminal antitrust price-fixing enforcement actions, in both federal and state courts
- Represented public airport authority in a wide variety of disputes, including long-term leases, and commercial access to airport property
- Represented a national manufacture of asbestos products for 10 years, defending personal injury and property damage lawsuits
- Successfully represented in bankruptcy court a lawyer alleged to have participated in a \$4 million Ponzi scheme.

Mediator Experience Successfully mediated a wide variety of cases, ranging from a complex patent dispute involving several million dollars, to a personal injury case arising out of a dog bite. Mediated at least five disputes between brokers and customers. Selected by the U.S. District Court to mediate a tax dispute

between the U.S. and officers of a corporation.

**Representative Issues
Handled as a Mediator**

Issues have included: breach of contract, tort liability, and fraud by a broker.

**Mediator Style & Process
Preferences**

I view the mediator's role as a neutral observer, attempting to bring the parties to some common ground, defining differences. My 35 years of litigation experience guides my efforts to persuade parties that settlement of a dispute is usually far preferable to litigation. I will provide my opinion regarding a case, or specific issues, if requested.

Education

Yale University (LLB-1969); Vanderbilt University (BA-1966).

Professional Licenses

Admitted to the Bar: Tennessee (1970).

Professional Associations

Fellow, American College of Trial Lawyers; American Bar Association; Tennessee Bar Association; Chattanooga Bar Association (Board of Governors; Pro Bono Committee, Past Chair); Listed in "Best Lawyers" for: Bet-the-Company Litigation, Commercial Litigation, Litigation – Municipal; listed in "Mid-South Super Lawyers," for: litigation defense. Martindale-Hubbell, AV Preeminent.

**Recent Publications &
Speaking Engagements**

Author of various articles for ABA LITIGATION NEWS, 1983-1990; co-author, "Mass Tort Litigation in Tennessee," TENNESSEE LAW REVIEW, 1986; "A Newspaper's Risks in Reporting 'Facts' from Presumably Reliable Sources: A Study in the Practical Application of the Right of Privacy," SOUTH CAROLINA LAW REVIEW, 1970.

**Locations Where Parties
Will Not be Charged for
Travel Expenses**

No charge within 150 miles of Chattanooga. Ordinary out-of-pocket expenses otherwise.

Mediation Rate

\$275 Per Hour

Languages

English

Citizenship

United States of America

Locale

Chattanooga, TN

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.