



AAA Mediation.org™

FN-15519 MN-15519 LN-15519, Esq.

Redmond, Washington

Current Employer-Title Christopher J. Soelling P.L.L.C. - Member

Profession Full-Time Neutral Mediator and Arbitrator

Work History Member, Christopher J. Soelling P.L.L.C., 2002-Present; Partner/Associate, Short Cressman & Burgess P.L.L.C., 1981-2001.

Experience More than 20 years as a trial lawyer in Seattle, including jury and bench trials. Substantial experience representing and advising individuals and businesses in construction law, commercial contracts and transactions, real estate, purchases, sales and leases. Practice in construction law, primarily with private and state procurement. Familiar with American Institute of Architects and Associated General Contractors contract forms. Negotiated construction contracts for owners, general contractors, and subcontractors. Successfully litigated \$550,000 construction claim through trial and appeal. Practice involving real estate issues, includes hazardous waste, deed of trust priority and release issues and purchase and sale agreement litigation. Also experienced in partnership dissolution, corporate dissolution, business purchase and sale and partnership and shareholder disputes. As an advocate for consumers, represented homeowners in ten or more cases, including three cases relating to sewage flooding into the home with resultant property damage and personal injury. Has represented homeowners in new construction and remodeling claims with contractors.

Mediator Experience Has mediated well over 3,000 cases during the past 32 years, 22 years as a full-time neutral.

Has successfully mediated thousands of disputes concerning construction projects, including law schools, art museums, dams, marinas, high rise office buildings, hotels, condominiums, airports, harbors, single family new construction and single family remodels. Cases range from \$50,000 to \$25 million +. Has mediated two party cases and hundreds of multi-party disputes in which both private and public entities were parties as well as developers, general contractors, subcontractors, and suppliers. Hundreds of cases have involved AIA documents, including owner/contractor agreements, owner/architect agreements, and AIA A-201 General Conditions. Mediations have ranged in size from two parties to upwards of 25 parties with multiple insurance carriers acting on behalf of almost all defendants.

500+ cases involving insurance coverage disputes, primarily relating to coverage for construction defects.

\$24 million dispute over wrongful discharge of real estate broker/salesperson and counterclaim by employer.

At least 500 commercial disputes mediated including defamation actions, tortious interference with business expectancy, breach of contract, breach of distributorship agreement, buy/sell agreements for real estate and businesses.

More than 1,000 construction defect cases involving condominiums, townhomes, and single family residences, in Washington and Oregon.

Wildfire case involving 400 + plaintiffs represented by 9 different law firms. \$400 million in damages alleged. Successfully mediated to global resolution.

Significant multi-party work.

Representative Issues Handled as a Mediator

Construction Claims: Delay claims, impact claims, claims for extra work, liquidated damages, no damage for delay issues, insurance coverage for defects.

Design Cases: alleged architect malpractice in connection with construction of art museums, manufacturing facilities, office buildings, etc.

Structural issues including alleged structural design defects, allegedly leading to failure of post tension slabs, shear wall failures, vapor transmission through slabs, alleged misdesign of spillways and canals.

Boundary disputes including adverse possession, joint use agreements.

Alleged failure to properly provide contract administration services; failure to provide proper design of marina breakwater; failure to properly design artificial turf field; failure to design retaining walls, etc.

Commercial disputes of all kinds

Significant experience with multi-party disputes including owners, design team, general contractor, subcontractors, suppliers and manufacturers and multiple insurance carriers.

Wildfire litigation involving 400 + plaintiffs and \$400 million + in claimed damages

Mediator Style & Process Preferences

Believe in active exploration of factual issues, legal issues, and other factors that affect the ability to find a negotiated solution and probability of success should mediation prove unsuccessful.

Logic based approach that emphasizes consideration of the strengths and weaknesses of each party, as well as an analysis of the needs and nonmonetary factors that drive problem solving.

Willingness to continue to work with participants and the issues to resolution, including extensive follow-up with parties if resolution is not achieved at the initial session.

Believe in "reality testing" without brow beating so that all parties can evaluate and make their own determination as to the best course of action, be it settlement, arbitration, or trial.

Facilitative activities include chairing expert meetings to discuss and brainstorm the most appropriate repair or remediation protocol to a problem, working with experts as a group while counsel and clients observe the interaction.

Education

Cornell University (JD-1981); University of Washington (BS, cum laude-1977)

Professional Licenses

Admitted to the Bar: Washington, 1981; U.S. District Court, Western and Eastern Districts of Washington, 1991; U.S. Court of Appeals: Ninth Circuit, 1982; U.S. Tax Court, 1984.

Professional Associations

King County Bar Association (ADR Section, Past Chair); Washington State Bar Association (Construction Section, Past Secretary)

Recent Publications & Speaking Engagements

"Washington Construction Law: What Do You Do When?" Law Seminars International; "Avoiding Contract Pitfalls," MASONARY MAGAZINE, July/August 1999; speaker, Alternatives to Litigation, Washington Association of Realtors, 1998, 1999; numerous Continuing Legal Education articles and speaking engagements, including "The Truth About Warranties: Express and Implied Warranties in Washington," "Project Documentation," "Lien and Bond Claim Manual," "Contract Formation: The Contractor/Subcontractor's Perspective;" "How to Mediate Construction Defect Cases;" speaker regarding contract issues at national builders conventions in Orlando, Las Vegas, Phoenix, and around the Pacific Northwest. Frequent CLE speaker on ADR and construction topics locally and nationally, including the ethics of negotiating, use of arbitration in lien foreclosure claims, etc.

Mediation Rate	\$9,000 Per Day
Languages	English
Citizenship	United States of America
Locale	Redmond, WA

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.