



AAA Mediation.org™

**FN-15554 MN-15554 LN-15554, Esq.**

**West Palm Beach, Florida**



**Current Employer-Title** Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A. - Shareholder

**Profession** Attorney

**Work History** Shareholder, Mrachhek Fitzgerald et al., 2021 – Present; Member (Partner), McGlinchey Stafford PLLC, 2015 – 2021; Of Counsel, Richman Greer P.A., 2009 – 2015; Principal, Farach Law Firm P.A., 2009; Shareholder, Rutherford Mulhall, 2004 – 2009; Shareholder, Nason Yeager Gerson White & Lioce P.A., 1998 – 2004; Vice President, Brackett Sned Welch, D'Angio Tucker & Farach, 1991 – 1998; President, Manuel Farach P.A., 1989 – 1991; Associate, Blackwell Walker Fascell & Hoehl, 1986 – 1988; Law Clerk, Fourth District Court of Appeal, 1985 – 1986; Law Clerk, Florida Seventh Judicial Circuit, 1984.

**Experience** Has a complex commercial practice including litigation and transactions (board certified by the Florida Bar in both business litigation and real estate law); landlord-tenant drafting and dispute resolution; banking and lending issues; business entity formation and litigation (dissolution, sale of corporate stock, corporate veil issues, and election of officers and directors); bankruptcy and debt collection representation; complex mortgage foreclosure, including truth in lending (T.I.L.A.) claims; Internet and technology law; eminent domain, trademark, and intellectual property disputes; Uniform Commercial Code (Articles II, III, IV, and IX) claims; environmental litigation; and community association representation. Former Adjunct Professor of Real Estate Law at Florida State University College of Law and of Business Law at Palm Beach Atlantic University. Had judicial clerkships at both trial and appellate levels of Florida courts. Former President of Palm Beach County Bar Association and other voluntary bar associations; former Chair of Fourth District Court of Appeal Judicial Nominating Commission and present Chair of the Palm Beach County Commission on Ethics. Board certified by the Florida Bar in Real Estate Law and Business Litigation. Author of Florida Real Estate Law, the real estate component of West's Florida Practice series, and serves as a Vice-Chair of the Florida Supreme Court Committee on Standard Jury Instructions for Contract and Business Cases.

**Mediator Experience** Mediation experience involving real estate disputes, breach of contract, and employment agreements.

**Representative Issues** Breach of contract, business disputes, real estate issues, debtor-creditor, condominium, governmental, business entity disputes, and employment disputes.

## Handled as a Mediator

<b>Mediator Style &amp; Process Preferences</b>	I practice primarily as an attorney, and engage in A.D.R. as a public service to offer my expertise in resolving business and real estate disputes. My approach to mediation is to give the parties my experience in resolving business disputes and then to quickly seek a resolution.
<b>Education</b>	Florida State University (JD, with honors, Law Review-1985); Stetson University (BA, English and Business-1981)
<b>Professional Licenses</b>	Admitted to the Bar: Florida, 1985; U.S. District Court: Southern, Middle, and Northern Districts of Florida (Trial and Bankruptcy); U.S. Court of Appeals: Eleventh Circuit, 1986; U.S. Supreme Court. Board Certified, Business Litigation and Real Estate, Florida. Florida Supreme Court Certified Mediator.
<b>Professional Associations</b>	American Bar Association (Member, 1994-Present; Chair, Real Property Litigation) American Law Institute (Member, 2020-Present) American Bankruptcy Institute (Member, 2020-Present) American College of Real Estate Lawyers ( Member, 2017-Present; Vice-Chair, Bankruptcy Committee) American Inns of Court, Craig S. Barnard Chapter, Palm Beach (Member, 1995; Past President; Master Emeritus; Director, Secretary, Treasurer) American Inns of Court, Justice Major Harding Chapter, 19th Circuit (Member, 2002-Present; Master, Charter Member) Bankruptcy Bar Association of the Southern District of Florida, Inc. (Member, 1992-Present) Broward County Bar Association, Inc. (Member, 2016-Present) Broward County Hispanic Bar Association, Inc. (Member, 2016-Present) Catholic Lawyers Guild (Member, 1992-Present; Past President; Director) Cuban American Bar Association, Inc. (Member, 2009-Present) The Federalist Society (Member, 2013-Present) Fourth DCA Historical Society, Inc. (Member, 2016-Present; Director) Florida Association of Women Lawyers, Palm Beach County chapter (Member, 2003-Present) Florida Association of Women Lawyers, Martin County chapter (Member, 2013-Present) Hispanic Bar Association of Palm Beach County, Inc. (Member, 1991-Present; Past President; Past Director) Hispanic Bar of the Treasure Coast, Inc. (Charter Member, 2020-Present) Martin County Bar Association (Member, 1989-Present) Palm Beach County Bar Association (Member, 1987-Present; Past President; Past Director; various chairmanships) South Palm Beach County Bar Association, Inc. (Member, 2004-Present) 100 Club of Martin County (Member, 2020-Present) American Arbitration Association (Arbitrator, 1991-Present) ASPIRA (Board Member, 2007-2014) Attorneys Title Insurance Fund, Inc. (Member, 1991-2014) BIZPAC (Member, 2001-Present; Board of Trustees) Business Development Board of Palm Beach County, Inc. (Member, 1995-1996; Director) Florida Land Title Association (Member, 2019-Present) Florida State Hispanic Chamber of Commerce, Inc. (Member 2019-Present; Board of Trustees) FINRA (f/k/a National Association of Securities Dealers Regulation, Inc.) (Arbitrator)
<b>Recent Publications &amp; Speaking Engagements</b>	"Real Property and Business Law Report" The Florida Bar Business Law Journal November 2012; Florida Real Estate Law (Thomson West) November 2009 to present (updated annually); "Curing Title During Foreclosure" (U. of Miami Boyer Real Property Institute) October, 2012; "Annual Review of Business and Corporate Litigation" (ABA) June, 2012; "Foreclosure and Real Estate Case Law Update" (The Florida Bar) May, 2012; "The New Power of Attorney Act" (The Fund Assembly) May, 2012; "Real Estate in Tough Times" (Palm Beach County Bar Association) January, 2012; "Case Law Update" (self-published) January " December, 2011; "Real Estate Foreclosure Update" (U. of Miami Boyer Real Property Institute) October, 2011; "Effective Use of Summary Judgment" (The Florida Bar) October, 2011; "Jury Instructions for Business Litigation" Business Litigation in Florida (Florida Bar) June, 2011; "Real Estate for Matrimonial Lawyers" (American Academy of Matrimonial Lawyers) May, 2011; "Making a Good Name for Yourself" (Palm Beach County Bar Association) March, 2011; "Case Law Update Seminar" (The Florida Bar) February, 2011; "Case Law Update" (self-published) January " December 2010; "Mortgage

Foreclosures" (The Florida Bar) January, 2010; "Real Estate Litigation" (Florida Bar Business Litigation Certification Review) November, 2010; "Diversity Summit" (Palm Beach County Bar Association) (panelist) September 2009; "Case Law Update" (self-published) January " December 2009; "Practicing with Professionalism" (The Florida Bar) March, 2009; "Case Law Update" (self-published) January " December 2008; "Electronic Everything: Practicing Law in a Digital Environment" (The Florida Bar) January 2008; "Mortgage Foreclosures" The Journal of the Business Law Section (The Florida Bar) March 2008; "Mortgage Foreclosures, Workouts, Bankruptcy" (Palm Beach County Bar Association) January 2008; "Making a Good Name for Yourself" (Palm Beach County Bar Association) November 2007; "Get Me Out of this Deal" (The Florida Bar) September 2007; Jury Instructions for Business Litigation" Business Litigation in Florida (Florida Bar) May, 2007; "Brand New World in Real Estate" (The Florida Bar) January 2007; "Practicing with Professionalism" (The Florida Bar) February 2006; "Litigation After the Bubble Bursts" (Palm Beach County Bar Association) February 2006; "Path To The Bench" (Hispanic Bar Assoc.) February 2005; "The CAN-Spam Act" (Law Seminars Int'l) October 2004; "Practicing with Professionalism" (The Florida Bar) February 2004; "Mortgage and Lien Foreclosures" (Palm Beach County Bar Association) June 2003; "Johnson v. Davis Revisited" (The Florida Bar) March 2003; "Real Estate Litigation in Florida" (Lorman) February 2003; "Technology Potpourri" (Palm Beach County Bar Association) January 2003; "Essentials of Office and Retail Leases" (N.B.I.) June 2002; "Negotiating and Drafting Real Estate Contracts" (Palm Beach County Bar Association) June 2002; "Real Estate Litigation" (Florida Bar Business Litigation Certification Review) April, 2002; "The Commercial Eviction Action" (Palm Beach County Bar Association), January, 2002; "Mortgage Foreclosures" (Palm Beach County Bar Association) June, 2001; "Application of A.D.A. to the Internet" (N.B.I.) June, 2001; "Changing Business to E-Business" (Lorman) May, 2001; "E-Commerce in Florida" (N.B.I.) December, 2000; "Internet Law in Florida" (N.B.I.) September, 2000; "Residential and Commercial Evictions in Florida" (N.B.I.) April, 1999; "Jury Science - Advantages in the Courtroom" (Counsel Connect) August 1998 (panelist); "Debt Collection for the 1990s" (Palm Beach County Bar Association) December, 1995; Moderator: Litigation and Jury Science forum on Counsel Connect (1997-1999) and Minority Counsel forum on America Online! (October 1995 - June 1998).

<b>Mediation Rate</b>	\$500 Per Hour
<b>Languages</b>	English, Spanish
<b>Citizenship</b>	United States of America
<b>Locale</b>	West Palm Beach, FL

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.