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Providence, Rhode Island



Current Employer-Title Pierce Atwood LLP - Partner

Profession Attorney - Commercial Litigation, Construction

Work History Partner, Pierce Atwood LLP, 2013-Present; Principal, Little Bulman Medeiros & Whitney P.C., 1999-2013; Principal, Little Bulman & Reardon P.C., 1995-1999; Partner/Associate, Tillinghast Collins & Graham, 1984-1995.

Experience Construction experience includes arbitration, trial and neutral work in Massachusetts, Rhode Island, New Hampshire, Connecticut, Iowa, Pennsylvania, Vermont, Ohio, Florida, Colorado, Oklahoma, Washington, DC, Texas, New Jersey and New York since 1984 involving scheduling, Eichleay, measured mile, change order, indemnity, disruption, and surety claims. Subject matters include large-scale solar arrays, steel erection, historic renovation, structural and post-tensioned concrete, wind turbines, retaining walls, microtunneling, clean room facilities, laboratories, tunneling, HVAC and sick building claims, roofing, high pressure steam lines and welding, rough and finished carpentry and drywall, concrete, marine facilities, highway and bridge construction, trenchless technology projects, combined sewerage overflow drop shafts, biomass power, substation and switchyard construction, and other issues. More than 50% of practice is in construction-related issues. Familiarity in construction projects including highway bridge projects, nuclear plants, solar facilities, schools, hydroelectric and wind turbine projects, golf courses, hospitals, shopping centers, government buildings, hotel/office buildings, sewers/waterworks, airports, and industrial, marine, process piping, and power plants.

Commercial litigation experience includes jury and non-jury experience in state/federal courts involving partnership disputes; fraud claims; retail lease disputes; investment management liability, shareholder disputes, personal injury defense; unfair labor practice charges under NLRA; insurance coverage and medical reimbursement contract disputes; forged endorsement and drawer signature cases under UCC; bankruptcy, collections and foreclosure disputes; and a variety of commercial contract disputes for individual, corporate, municipal and institutional clients. Represented consumers/homeowners in retail, window, siding, renovation, and homeowner/general contractor disputes involving defective work, unearned monies, and other construction issues. Approximately 50% of practice is in commercial litigation.

Mediator Experience Mediated approximately 200 matters in the last decade or so. Approximately two thirds were

construction cases that were either private matters or were cases pending in Rhode Island or Massachusetts state courts. The construction mediations were two to thirteen party mediations involving owners, general contractors, design professionals and, to a lesser extent, subcontractors. The non-construction cases included a major multi-year and multi-property tax assessment case between a municipality and a landowner, franchise disputes, an ADA case, trade secret and unfair competition matters, partnership disputes, and other commercial matters.

Awards and Honors:

American Arbitration Association, Outstanding Director of 2007; Best Lawyers, 2007-Present (Providence Litigation-Construction Lawyer of the Year 2011, 2014, 2016, 2019, 2024); Superlawyers, 2007-Present; Chambers USA - Recommended, 2006-Present; Martindale Hubbell, 20 years AV® Preeminent Rating.

Representative Issues Handled as a Mediator

Mediated cases on subjects such as warranty claims, construction, construction defect, partnership, ADA claims, medical practice issues, municipal tax assessments, and donor/donee dispute in charitable giving context. In the construction area, subject matters have included delay and disruption claims, termination claims, site work, HVAC, design defects, heavy construction, commercial buildings, wind turbines, school projects, and a variety of matters involving sureties.

Mediator Style & Process Preferences

A mediator should be an honest and creative problem solver. A mediator should suspend judgment, brainstorm, challenge assumptions, and generate alternatives for the parties. Parties are integrally involved in every described step. A mediator should be a facilitator initially but should also be prepared to bring evaluative techniques to the process.

Education

Georgetown University (JD, cum laude-1984); Hobart College (BA-1980).

Professional Licenses

Admitted to the Bar: Rhode Island (1984), Massachusetts (1990); U.S. District Court: District of Rhode Island (1985), District of Massachusetts (1991); U.S. Court of Appeals: First and Eleventh Circuits.

Professional Associations

American College of Construction Lawyers (Fellow, Board of Governors 2013-2016, Secretary 2019-2021, President-elect 2021-2022, President 2022-2023, Immediate Past President 2023-2024); Fellow, Chartered Institute of Arbitrators; International Mediation Institute (IMI) Certified Mediator since 2010; College of Commercial Arbitrators (Fellow); VIAC CDRC Vienna Mediation & Negotiation Competition – Expert Assessor 2016-2019 and 2023; American Arbitration Association (Board of Directors 2002-2014, Executive Committee 2010-2014, Practice Committee 2010-Present (Chair 2010-2014), Member, Budget and Finance Committee 2014-2020); American Bar Association (Forum on Construction Law); Rhode Island Bar Association; Barrington Land Conservation Trust, Inc. (Honorary Board Member); Construction Management Professional Advisory Board, Roger Williams University (Vice Chair 2018-2020); National Construction Dispute Resolution Committee (NCDRC), Member, Executive Committee, Chair, Rules Subcommittee; International Bar Association; ADR Panel of the U.S. District Court for the District of Rhode Island 2017-Present.

Recent Publications & Speaking Engagements

PUBLICATIONS: Co-author, "A Tale of Two Lawyers: How Arbitrators and Advocates Can Avoid the Dangerous Convergence of Arbitration and Litigation," 14 Cardozo L. Rev. 401 (2013); Co-author, "Managing Exchanges of Electronically Stored Information (ESI) in Construction Arbitration," 67 Disp. Resol.J. 68 (2012); Author, "You Have a Friend . . . Or Do You: Strategic Joint Defense/Prosecution Agreements in Construction Disputes, ABA Forum on the Construction Industry, (2012); Co-author, Strategic Considerations in Construction Litigation: Article 2 of the UCC", ABA Construction Forum (2012); Co-author, "Harnessing Your Client's Wind Power Rights" Rhode Island Bar Journal, Vol. 59, No. 3 (November 2010) Contributing author, UNDERSTANDING CONSTRUCTION DELIVERY METHODS IN MASSACHUSETTS, Lorman Education Services, October 2003; contributing author, PUBLIC CONSTRUCTION LAW SOURCE BOOK, Commerce Clearing House 2002; co-author, "Horns of a Dilemma: Too Much Involvement in Worksite Safety Can Backfire on Design Professionals," THE CONSTRUCTION LAWYER, vol. 21, no. 2, Spring 2001; co-author, "Implied Obligations of Owners Relating to Scheduling," THE CONSTRUCTION LAWYER, vol. 21, no. 3, Summer 2001; contributor, FIFTY STATE MONOGRAPH ON THE ENFORCEABILITY OF "NO DAMAGES FOR DELAY CLAUSES," American Bar Association, 1998; contributor, STATE BY STATE SURVEY OF THE ECONOMIC LOSS DOCTRINE, American Bar Association, 1996; contributor, STATE BY STATE SURVEY OF STATUTES OF REPOSE, American Bar Association, 1994; CREDIT

MANAGER'S SURVIVAL KIT, Rhode Island section of industry publication.

SPEAKING ENGAGEMENTS: Numerous seminars and presentations on construction and commercial litigation topics to groups such as the American College of Construction Lawyers, American Arbitration Association, American Bar Association Forum Committee on the Construction Industry, Association of General Contractors, National Association of College and University Attorneys, Construction Finance Manager's Association, and the Rhode Island Certified Public Accountant Society.

Mediation Rate	\$595 Per Hour
Languages	English
Citizenship	United States of America
Locale	Providence, RI

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.