



AAA Mediation.org™

**FN-16385 MN-16385 LN-16385, Esq.**

**Winston-Salem, North Carolina**



**Current Employer-Title**    Blancato Legal Services PLLC

**Profession**    Attorney, Mediator and Arbitrator

**Work History**    Attorney, Mediator and Arbitrator, Blancato Legal Services PLLC, 2020 - present; Attorney, Doughton Blancato PLLC, 2013 – 2020; General Counsel, John S. Clark Company LLC, 2007 – 2012; Partner, Blancato Doughton & Hart PLLC, 1997 – 2006; Partner, Bennett & Blancato LLP, 1994 – 1997; Partner, Hendrick Zotian Bennett & Blancato, 1987 – 1994; Associate, Womble Carlyle et al, 1984 – 1987; Law Clerk to Chief Judge Alex Kozinski, United States Claims Court, 1983 – 1984.

**Experience**    From January 2007 through January 2013 served as General Counsel for large regional general contractor with responsibility for overseeing all legal matters, including representation in court, arbitration and mediation, contract review and preparation, assisting in employment matters and general corporate matters. Returned to private practice in February 2013. From 1984 to 2006, engaged in general civil litigation including construction law, personal injury, wrongful death, commercial disputes, trade secrets, unfair trade practice, employment, aviation and professional and public official liability. Has tried cases in state and federal courts throughout North Carolina and have argued cases in 4th Circuit Court of Appeals, NC Supreme Court and NC Court of Appeals.

**Mediator Experience**    From 1984 through 2006 and 2013 through until 2020, was a trial lawyer representing clients in a variety of matters -- civil rights, premises liability, professional liability, business, construction, trade secret, unfair trade practices, employment, aviation, personal injury, wrongful death, insurance and other matters. Have tried cases in each federal district court in North Carolina, state court in many counties and in the N.C. Business Court. Have briefed and argued numerous cases in state and federal appellate courts.

From 2007 to 2012, served as general counsel for a large regional general contractor where drafted contracts, represented the company in court and arbitration and provided general business counsel.

Practice is now limited to mediation and arbitration.

Since 1992, was certified as a mediator by North Carolina's Administrative Office of the Courts and joined AAA's mediation and arbitration panels have mediated 100s of cases and have served as

arbitrator for several dozen cases. Matters handled in arbitration and mediation include wrongful death, serious personal injury, medical malpractice, intellectual property, employment, will caveat, alleged law enforcement misconduct and complex business and construction cases. Construction and wrongful death mediation experience includes multi-party and multi-million-dollar claims.

As an advocate, has represented general contractors, subcontractors and owners in many cases and mediations including claims of alleged poor work, roof problems, delays, disputes with subcontractors, design problems, claims for money owed (some cases in excess of \$1million) and a Lanham Act case. Has represented parties in several employment cases including cases involving claims of race, age or gender discrimination, violation of first amendment or other constitutional rights, alleged violation of covenants not to compete and alleged misappropriation of trade secrets. Has represented municipalities in civil rights cases, employment cases and police cases. Has also represented plaintiffs and defendants in catastrophic personal injury and wrongful death cases. Has tried cases throughout North Carolina in state and federal court.

**Representative Issues  
Handled as a Mediator**

Handled the following representative issues as a mediator: business disputes; employment matters; construction cases concerning design issues, delay damages, site conditions, failure to perform, interpretation of contract documents, notice, and pay issues; insurance cases dealing with interpretation of policy provisions, and timely notice to carrier; intellectual property disputes involving copyright issues, trademark, and trade secret; and personal injury cases including wrongful death arising from police action and alleged homicide.

**Mediator Style & Process  
Preferences**

My job is to help the parties settle the case. I therefore view my role as more than just conveying settlement offers but to also help the parties evaluate the strengths and weaknesses of the case, and to make sure the parties understand the economic realities of litigation, the uncertainty of litigation and the benefit of having the dispute resolved. I will push both parties and keep pushing until the case is settled or I am convinced that the parties will not move anymore, while at all times respecting the fact that I cannot impose my will or make decisions for either party.

**Education**

Duke University Law School (JD, Order of the Coif-1983); City University of New York, Queens College (BA-1980).

**Professional Licenses**

Admitted to the Bar: North Carolina (1985), District of Columbia (1983) U.S. District Court: District of North Carolina (1985); U.S. Court of Appeals: Fourth Circuit (1985); U.S. Court of Federal Claims (1984); U.S. Supreme Court (1992). Certified Mediator, North Carolina (1992).

**Professional Associations**

North Carolina Bar Association (Construction Law Section, Past Council Member; Litigation Section); American Bar Association (Forum on Construction Industry).

**Recent Publications &  
Speaking Engagements**

"Controlling Your Own Destiny: You Can With Mediation", presented at American Arbitration Construction Conference, New York, May 2008; "Recent Developments in Construction Law" presented at seminar entitled "Managing Complex Construction Law Issues in North Carolina," January 2006; "North Carolina Lien and Prompt Payment Law," American Subcontractor's Association of the Carolinas, August 2005; "Recovery of Interest on Performance and Payment Bond Claims," The Change Order, January 2014; "Never Accept an AIA 312 performance bond from a subcontractor," North Carolina Construction News, January 2014; "Modifying Subcontracts to Anticipate a Multi-Party Dispute," presented at North Carolina Bar Association Construction Section Annual Meeting, September 2014; "Teaming Agreements and Good Faith," The Change Order, September 2016.

**Mediation Rate**

\$350 Per Hour

**Languages**

English

**Citizenship**

United States of America

**Locale**

Winston-Salem, NC

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.