



AAA Mediation.org™

FN-16551 MN-16551 LN-16551, Esq.

Philadelphia, Pennsylvania



Current Employer-Title	Griesing Law, LLC – Member
Profession	Attorney, Employment Litigation and Advice and Legal Ethics and Professional Responsibility Counsel
Work History	Member and General Counsel, Griesing Law LLC, 2021 – Present; Partner, Troutman Pepper Hamilton Sanders LLP, 2020 – 2021; Partner, Pepper Hamilton LLP, 1998 – 2020; Shareholder/Managing Partner, Anderson Kill & Olick P.C., 1992 – 1998; Partner/Associate, Dilworth Paxson Kalish & Kauffman, 1978 – 1991; Law Clerk to Honorable Joseph L. McGlynn, Jr., U.S. District Court: Eastern District of Pennsylvania, 1977 – 1978.
Experience	<p>Counsels clients in all aspects of employment law and represents employers in litigation matters involving all types of discrimination claims, in cases brought by individuals, in collective actions, and in class actions, in federal and state courts. Has defended state law claims for wrongful discharge, whistle-blowing, breach of employment contract, defamation, violation of the applicable wage payment and collections law, and other related causes of action, and has experience in grievance arbitrations under the terms of collective bargaining agreements.</p> <p>Also experienced in general commercial litigation. The commercial cases included prosecution and defense of claims based on general agreements of sale, agreements of sale governed by the Uniform Commercial Code, agreements for the sale of real estate, settlement agreements, fee agreements and others. Chairs Employment Practice and Ethics and Professional Responsibility Practice at Griesing Law, LLC.</p>
Mediator Experience	Over a decade of experience beginning with a program since discontinued in the Eastern District of Pennsylvania, of early mediation for employment matters. Continuation as an approved mediator for the Eastern District court and mediation of cases as assigned from time to time. Participation in two state court programs relating to landlord-tenant disputes: the Mortgage Foreclosure Diversion Program and the Mortgage Foreclosure Appellate Mediation Program. Mediation of attorney fee disputes through the Philadelphia Bar Association Fee Disputes Committee (Co-Chair). Private mediations in employment cases.
Representative Issues Handled as a Mediator	Employment mediations have included the full panoply of employment-related claims including discrimination, harassment, equal pay matters, family leave issues, overtime and wage payment

violations, wrongful discharge, infliction of emotional distress, defamation and related claims. Landlord-tenant mediations have addressed rent due, uninhabitable premises, conditions to vacate the premises and eviction proceedings. Fee dispute mediations have focused on the work performed and unpaid or allegedly overpaid portion of the fee at issue.

Mediator Style & Process Preferences

Mediation provides an important opportunity for parties to resolve disputes themselves, rather than leaving the decision to third-party factfinders – whether an arbitrator, judge or jury. The mediator’s role is to facilitate that dispute resolution process by: setting ground rules for respectful and professional interactions; building rapport; helping the parties better understand the strengths and weaknesses of the matter from their own perspective and from that of the other party; assisting the parties in focusing on what is most important to each of them; having the parties better understand the alternatives to settlement and their ramifications; exploring various proposals for resolution – creative and standard, with monetary and non-monetary features; coming to a resolution; and documenting the resolution in an agreement signed by all parties. The process will address both the emotional and the legal aspects of a dispute in order to reach a meaningful and enduring resolution. The mediator is the facilitator, while the parties should have overall control over the terms of the agreement, having had their issues, interests and concerns heard and addressed, and having negotiated in good faith. The parties and the mediator should have the same expectations and provide the same level of effort with respect to two essential elements for a successful mediation: a determination to listen carefully to better understand the issues and to work hard to resolve the controversy. In addition, the parties must come with the required decision-makers and be willing to compromise. Generally, a case “value” or recommended amount for settlement will not be offered unless mediation is at an impasse and all parties agree.

Education

University of Pennsylvania (JD-1977); Cornell University (BA, with distinction, Phi Beta Kappa-1974).

Professional Licenses

Admitted to the Bar: Pennsylvania (1977), District of Columbia (1979), New York (1993); US District Court: Eastern (1978) and Middle (1991) Districts of Pennsylvania; US Court of Appeals: Third (1979), Sixth (1996), Seventh (2005), and First (2007) Circuits; US Supreme Court (1987).

Professional Associations

American College of Labor & Employment Attorneys, Inc. (Fellow and Chair of Third Circuit Selection Committee); American Bar Association (Litigation Section, Employment and Labor Relations Committee; Labor and Employment Law Section; Center for Professional Responsibility); Pennsylvania Bar Association (Legal Ethics and Professional Responsibility Committee; Women in the Profession Committee); Philadelphia Bar Association (Professional Guidance Committee; Professional Responsibility Committee; Fee Dispute Committee).

Recent Publications & Speaking Engagements

PUBLICATIONS:

Author, “Recent Bias Suits Against Law Firms and Lessons for 2022,” Law360 (Expert Analysis) (January 6, 2022); “Too-Short Shelf Life: Consequences of Keeping Older Employees Out of the Workforce,” Legal Intelligencer and Pennsylvania Law Weekly (August 19, August 24, 2021); “Wengui v. Clark Hill - Lessons Learned to Protect Privilege in the Investigation of a Cyber Breach,” ABA Business Law Today, March 2021; author, “Corporate Outside Counsel Policies – Who Do You and Who Can You Represent?” ABA Center for Professional Responsibility, The Professional Lawyer, Vol. 24, Number 2 (2017); Co-author, “Stock v. Schnader Harrison Segal & Lewis LLP – The Attorney-Client Privilege Applies to Communications with In-House General Counsel,” The Philadelphia Lawyer (Spring 2017); Co-author, “The Risks and Rewards of a BYOD Program: Ensuring Corporate Compliance without Causing ‘Bring Your Own Disaster’ at Work,” Defense Law Journal, Vol. 63, No. 4, November 2014; co-author, “The Risks and Rewards of a BYOD Program: Ensuring Corporate Compliance without Causing ‘Bring Your Own Disaster’ at Work,” Charleston Law Review, Spring 2014; co-author, “Privileged Communications Pass to Surviving Corporation,” Ethics & Professionalism E-Newsletter, Section of Litigation, American Bar Association, Winter 2014; co-author, “The ‘Perceived As’ Theory of Discrimination in Pennsylvania,” HR Specialist: Pennsylvania Employment Law, July 27, 2012; co-author, “Don’t Be a Twit – Avoiding the Ethical Pitfalls Facing Lawyers Utilizing Social Media in Three Important Arenas -- Discovery, Communications with Judges and Jurors, and Marketing,” 20 Temple University Political & Civil Rights Law Review 297, Spring 2011; co-author, “Gold Mine or Disaster? The Dilemma of Receiving Evidence Outside the Discovery Process,” Bloomberg Law Reports, April 7, 2011; author, “Successfully Negotiating to a Win-Win Situation,” Negotiating Employment Disputes, Aspatore Books, 2007; co-author, “The Law of Criminal Background Checks,” Employee Relations Law Journal, vol. 32, no. 3, 2006; author, “Fitting a Square Peg Into a

Round Hole," The College of Labor and Employment Lawyers Newsletter, vol. 7, no. 2, 2005; co-author, "Temporary Workers May Get 'Two Bites' at Recovery Under the Employment Discrimination Laws," 20 The Labor Lawyer 1, 2004 (selected publications).

SELECTED SPEAKING ENGAGEMENTS:

Panelist, "The Laws the Pandemic Forgot," Labor and Employment PAC of the National Association of Women and Minority Owned Law Firms (NAMWOLF), March 7, 2022; Co-presenter, "Hybrid Law Firms: A New Model for Modern Legal Practices – How to Do It Right," Lawline.com, January 11, 2022; Featured presenter, "Understanding the Interaction between the ADA and the FMLA," National Law Foundation, June 10, 2021; Featured presenter, "Avoiding Gender Discrimination Claims by Attorneys in the Legal Workplace," lawline.com, March 8, 2021; Featured presenter, "Digital Issues for Individuals Working at Home," podcast, JDSupra and Pepper Hamilton LLP, Philadelphia, PA, April 29, 2020 (<https://www.jdsupra.com/legalnews/digital-issues-for-individuals-working-a-49366/>); Co-presenter, "Who's Taking Care of the Kids? Title VII, FMLA and Parental Leave," webinar, Pepper Hamilton LLP, September 25, 2019; Co-presenter, "Internal Investigations – Lessons for Counsel," Pepper Hamilton LLP, August 27, 2019; Presenter, "Best Practices for Conducting Internal Investigations," Pepper Hamilton LLP, December 1, 2016; co-presenter, "Attorney-Client Privilege in Internal Investigations," Pennsylvania Bar Institute, November 15, 2016; co-presenter, "Information Security for Attorneys," Federal Communications Bar Association, April 27, 2015.

Locations Where Parties Will Not be Charged for Travel Expenses There will be no charge for travel expenses for travel within 25 miles of Center City Philadelphia.

Mediation Rate \$7,500 Per Day

Languages English

Citizenship United States of America

Locale Philadelphia, PA

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.