



AAA Mediation.org™

**FN-1677685 MN-1677685 LN-1677685,
Esq.**

New Orleans, Louisiana



Current Employer-Title Stern Arbitration and Mediation (sole member)

Profession Attorney, Arbitrator, Mediator

Work History Contract Mediator and arbitrator, sole practitioner, 1993 – Present; Of Counsel, Frilot LLC (in Labor and Employment Law Section), 2009 – 2011; Appellate Judge, Gulf Coast Claims Fund (GCCF), 2011; Contract Attorney, various law firms, 1979 – 1993; Visiting and Adjunct Professor, Loyola Law School, 1976 – 1979; Assistant Professor, Loyola Law School, 1974 – 1976; Partner/Associate, Nelson Nelson Garetson Lombard and Stern, 1972 – 1974; Law Clerk to Hon. Frederick J.R. Heebe, U.S. District Court Eastern District of Louisiana, 1971 – 1972.

Experience

Employment: Extensive experience in all areas of employment law, including Title VII, ADA, ADEA, FLSA, FLMA, wage and hour, collective actions, executive contracts and other claims in federal and state courts. Represented both plaintiffs (employees) and management (employers) in Title VII cases. Has taught law school classes in employment law, sex discrimination and evidence.

Commercial: Participated in litigation and arbitrations involving interpretation of insurance, leases and other types of contracts as well as healthcare issues, billing practices, dissolution of partnerships and businesses, fee disputes, liability of engineers, contractors and architects, fiduciary duties and broker-dealer responsibilities. Litigated a case that challenged sections of the federal flood insurance policy.

Oil and Gas: Appellate review of issues relating to damages from a major oil spill as judge for Gulf Coast Claims Fund and later as court appointed Documentation Reviewer for the Economic Claims Administration of a major oil spill settlement. Investigated allegations of Title VII violations on oil rig platforms involving harassment, sex discrimination, race discrimination and religious discrimination. Arbitrated and mediated cases involving caters and other workers on oil rig platforms.

Class Action: Arbitrated several wage and hour, ERISA, contract and lease claims that were part of multi-case filings with national firms representing Claimants and/or Respondents. Experienced in analyzing and ruling upon multi-faceted summary judgment and discovery motions.

Hurricane Insurance Claims: 2022 to present served on panel of mediators charged with mediating Hurricane Ida cases for the U.S. District Court for the Eastern District of Louisiana.

Mediator Experience

Mediated over 1,000 cases of all types, including securities, employment, construction, personal injury, commercial and insurance. Served on numerous national and local mediation panels, including EEOC, FINRA, AAA's Hurricanes Katrina and Rita cases and Orleans Parish Civil District Court Pilot Mediation Program. Dealt with numerous issues such as retaliation, discrimination, insurance coverage, professional liability insurance, commercial disputes, suitability, architect/contractor/engineer responsibilities, construction contracts, employer/employee relationships, Title VII, ADA, ADEA, FLSA, wage and hour, executive contracts and state claims in federal court. Conducted mediation training workshops and spoken about mediation for the ABA, Louisiana Bar Association, New Orleans Bar Association, Tulane Law School and Loyola Law School. Mediated cases in Texas, Mississippi, Alabama, Georgia and Louisiana. Serves on the panel of mediators for Hurricane Ida cases in the Federal District Court for the Eastern District of Louisiana (2022 to present).

Representative Issues Handled as a Mediator

Extensive experience dealing with issues involved in Title VII, especially retaliation, harassment and sex, religious and racial discrimination. Also experienced in issues involving ADA, ADEA, FLSA, wage and hour, executive contracts, insurance contracts, personal injury, banks, and securities. Mediated cases involving the unsuitability of investments for particular customers. Able to mediate with unrepresented parties as well as with plaintiffs who are represented by attorneys. Mediated cases for the Justice Department in Washington, D.C. and the U. S. Attorney's office in New Orleans.

Mediator Style & Process Preferences

I strive to be neutral and unbiased; however, I am basically an evaluative mediator. It is important for the mediator to be persistent. If the participants say that they do not intend to move any more, I endeavor to avoid impasse by trying different approaches such as mediator's proposal, brackets, talking to the attorney away from the client and getting the opposing attorneys together. I think the key to a successful mediation is communication. I urge the attorneys to tell me if they do not like the issues I am focusing on and to also tell me if they think I am heading in the right direction. You know the mediation has been successful if there is a settlement and both sides are a little unhappy.

Technology Proficiency

Experienced in conducting Zoom arbitrations involving claims and parties throughout the United States.

Education

Columbia University School of Law (JD-1971); University of Michigan (BA-1968).

Professional Licenses

Admitted to the Bar: Louisiana, 1971; U.S. District Court: Eastern District of Louisiana, 1971; U.S. Court of Appeals: Fifth Circuit, 1971.

Professional Associations

Louisiana Bar Association (ADR Section, Past Chair); American Bar Association (Labor Law Section; EEO Committee); College of Labor and Employment Lawyers (Fellow).

Recent Publications & Speaking Engagements

Panelist and trainer for various seminars presented by Tulane Law School, Loyola Law School, ABA-EEO Committee, ABA Section of Dispute Resolution, ABA Litigation Section, Louisiana Bar Association, Louisiana ADR Section.

Locations Where Parties Will Not be Charged for Travel Expenses

Madison, WI; Washington, D.C

Mediation Rate

\$2,800 Per Day

Languages

English

Citizenship

United States of America

Locale

New Orleans, LA

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.