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**FN-1769836 MN-1769836 LN-1769836,
Esq.**

Wilmington, Delaware



Current Employer-Title Potter Anderson & Corroon LLP - Senior Counsel

Profession Arbitrator, Mediator, Judicial Settlement Conference Judge, Retired Judge

Work History Arbitrator/Mediator, 1990 – Present; Partner/Counsel, Potter Anderson & Corroon LLP, 2005-2015; President (Delaware), Verizon Communications Inc., 1996 – 2005; Vice President/General Counsel and Secretary, Bell Atlantic Delaware, 1990 – 1996; Resident Judge, Delaware Superior Court, 1982 – 1989.

Experience Current law practice also focused on business counseling, particularly in the areas of telecommunications, public utilities and governmental relations. 15% of practice devoted to energy matters; 10% involving the electricity markets; 5% involving alternative/renewable energy markets. Familiar with issues of electricity generation, distribution, transmission, rate proceedings and the financing of utility operations. Has also been involved with alternative fuel sources, primarily wind resources, with a focus on transmitting electricity generated by wind to load centers in and out of region. Currently a director of the Southwest Power Pool, an RTO which manages a transmission network for nine states in the southwestern portion of the US. At SPP, serves as Chair of the Oversight Committee, which has responsibility for market monitoring unit and physical and cyber security.

Thirty percent of ADR cases in last 10 years involved healthcare matters. In addition, served as a director and trustee at a large regional hospital system, including a term as chair of the governance committee. Also served as a hearing officer where matters such as physician staffing privileges, accusations against physicians, medical malpractice etc. were considered. In previous tenure as a superior court trial judge, handled a significant number of healthcare matters, including medical malpractice.

Formerly a director of SCANA, a NYSE Fortune 500 public utility holding company that generates, transmits and distributes electricity and natural gas in portions of South Carolina, Georgia and North Carolina. Former director and vice chairman of Nuclear Electric Insurance Ltd., which insures all of the nuclear power stations in the US and power stations outside the country, for property damage and business interruption. Formerly, Chair of Potter Anderson's Diversity and Inclusion Committee.

Served as President of Verizon Delaware Inc. and before a merger in 2000, served as President and CEO of Bell Atlantic Delaware Inc. Oversaw all aspects of company's telecommunications business within the State of Delaware, including regulatory, financial and operational matters. While at Verizon, was involved in a number of high profile regulatory matters as the company moved many of its services from a monopoly environment to a competitive landscape. Prior to joining Bell Atlantic as general counsel in Delaware, served as a Superior Court judge in the State of Delaware, with administrative responsibility for the Court in New Castle County. Judicial responsibilities included civil and criminal trials as well as appellate matters from lower courts and more than 50 administrative agencies. Before entering the judiciary, served as a registered patent attorney doing patent prosecution and licensing, domestic and international, in the mechanical arts for a chemical company, Hercules Inc. During this period, served for almost four years as Chairman of the Delaware Public Service Commission, the agency charged with regulation of the State's electric, telephone, natural gas, water and cable TV utility companies. Accountable for trends in telecommunications, energy production and delivery, alternate energy sources, energy conservation, deregulation of specific utility practices, maintenance of the financial viability for regulated utilities, etc.

In 2007 jointly selected by the Delaware Department of Correction and the US Department of Justice to serve as the Independent Monitor overseeing the progress of an agreement relating to prison medical and mental health care in four Department of Correction facilities. In 2009 appointed by Delaware Governor to chair the Delaware Economic & Financial Advisory Council, which advises the Governor and Secretary of Finance on the overall financial condition of the State as well as current and projected conditions and trends. Former Director o

Mediator Experience

Is a Member of the AAA Master Mediation Panel, which handles large complex, high stakes disputes. Most recent experience includes breach of contract disputes involving technology, construction, asbestos litigation, business restructure and dissolution, multiparty wrongful death actions etc., including matters involving foreign parties.

Has served as a mediator in over 50 separate matters, starting during tenure as Superior Court Judge in Delaware between 1982 and 1989. For example, during 2006 was appointed as a mediator in eight matters, where the total aggregate amount in dispute, including counterclaims was approximately \$21,141,000. These matters included construction defects, general building construction, employment, energy, insurance, business methods, business disputes, commercial law, personal injury, technology and torts. At other times, successfully mediated other high profile matters such as medical malpractice, accounting malpractice, wrongful death and other negligence cases. Taught a seminar on alternative dispute resolution at Widener Law School from 1986-1995. Also taught judicial mediation at the National Judicial College, in Reno, Nevada and San Diego California from 1988-1990.

Representative Issues Handled as a Mediator

Construction cases included issues such as negligent design, negligence in construction, failure to perform, owner interference. Real estate cases included issues of negligence and breach of fiduciary duty. Negligence cases have included issues such as wrongful death, failure to train, substantive due process, gross negligence, and accounting malpractice. Personal injury cases include issues such as defamation, harassment, contributory negligence, assumption of risk, etc.

Mediator Style & Process Preferences

Stated simply, my mediation philosophy is facilitative/evaluative. I normally start in a facilitative mode allowing the parties to identify and explore their interests, motivations, goals, concerns, etc. I attempt to develop with the parties a modicum of ownership in the process. I attempt to ferret out what the parties are really interested in achieving. Most of this is done in caucus. If appropriate, e.g., if I feel we are not making progress or other factors dictate it, I'll transition into a more evaluative posture, giving the parties my assessment of issues, benefit of my experience in court and even my assessment, if appropriate, of a reasonable settlement range, if requested. In many cases, my evaluation will focus on the merits of the various legal positions. I recognize that for evaluative mediation to be successful, the mediator must initially establish credibility with the parties. For mediation to be successful, parties and/or their counsel have to come to the hearing with a thorough understanding of the issues and fundamentally a desire to settle. I use a number of different techniques to move parties to settlement, such as sessions with counsel separately or with all counsel. I also, with the approval of counsel, may meet with parties alone to explore issues. It has been my experience that the more tools and techniques one brings to a mediation session, the higher probability of reaching closure by securing a settlement. The beauty of mediation is that if

successful, the parties then own the result. For this to happen, the parties have to actively participate in the process so that they can feel some comfort in the conclusion.

Education	Wharton School Executive Development Program (1996); Rutgers School of Law (JD-1974) Case Western Reserve University (BS, Physics-1966).
Professional Licenses	Admitted to the Bar: Delaware (1975), New Jersey (1974); U.S. District Court: District of New Jersey (1974) and Delaware (2012); U.S. Court of Appeals, Federal Circuit (1982); U.S. Patent and Trademark Office (1976 – Registration #28,324).
Professional Associations	Delaware State Bar Association (Past President); American Bar Association; National Bar Association.
Recent Publications & Speaking Engagements	"Recent Changes to Compulsory Alternative Dispute Resolution in the Superior Court," DELAWARE LAW REVIEW, vol. 10, no. 2, 2008. Panelist, "Delaware Mediation: Perspective From the Bench," Delaware State Bar Association, 2008 and 2009. Mentor for Delaware Superior Court Mediator Training Program, 2008, 2009, 2010. Seminar on Arbitration and Mediation in the Complex Commercial Litigation Division of the Delaware Superior Court, 2010.
Mediation Rate	\$1,100 Per Hour
Languages	English
Citizenship	United States of America
Locale	Wilmington, DE

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.