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**FN-1800569 MN-1800569 LN-1800569,
Esq.**

Phoenix, Arizona



Current Employer-Title Osborn Maledon, P.A.

Profession Arbitrator, Judge, Mediator

Work History Attorney, Osborn Maledon, P.A., 2007-present; Maricopa County Superior Court Judge, State of Arizona, 1990-2007; Associate/Partner, Meyer, Hendricks, Victor, Osborn and Maledon, 1983-1990; Assistant Federal Public Defender, Federal Public Defender, 1981-1983; Associate, Martori, Meyer, Hendricks and Victor, 1978-1981; Law Clerk, U.S. District Court, The Honorable William I. Copple, 1977-1978.

Experience Appointed a Judge of the Maricopa County Superior Court in 1990 after twelve years of practicing both civil and criminal trial law. During 17 years as a Judge, sat on assignments related to nearly every area of law including civil, criminal, juvenile, and family matters. Presiding Judge from 2000 to 2005.

After retirement from the Bench, returned to Osborn Maledon in 2007 maintaining an active personal injury tort, commercial litigation, and public law trial practice.

Mediator Experience Since January 2007, has served as a mediator in seven commercial and civil cases since January 2007: a probate dispute between heirs over real property valued over \$500,000; a civil dispute between and seller and lessor of commercial real estate regarding the failure to approve a sublease with potential lost profits damages over \$1,000,000; a commercial dispute between partners over distribution of sale proceeds from Florida real estate in excess of \$500,000; a buy-out of shares between a corporation and an equity investor of a new start up corporation with shares valued in excess of \$350,000; a civil dispute between a seller and buyer of real property over the cancellation of a real estate contract valued at \$100,000 in reliance damages; a civil dispute between a seller and buyer in an asset purchase agreement involving the appointment of a receiver and dissolution of a granite and stone business; and a construction defect suit between a general contractor and numerous subcontractors over fifty homes.

As a judge from January 1990 to January 2007, conducted court ordered settlement conferences in both civil and family court cases, including advisory juries and short trials. Since January 2007, has

also served as a mediator in two family court disputes, both cases concerned post-dissolution disputes between former spouses over distribution of property or modification of the decree.

Representative Issues Handled as a Mediator	Shareholder disputes, contract disputes, creditor-debtor claims, medical malpractice, other professional negligence, construction, product liability, insolvency and corporate claims insurance disputes both coverage and liability.
Mediator Style & Process Preferences	The lawyers in the Phoenix marketplace culturally prefer a "West Coast" mediation philosophy; that is, generally, an active mediator who will challenge the parties assessments of the case and move them to a settlement. The Phoenix marketplace also shy away from joint sessions between the parties. In the mediations conducted, I ask the parties to generally set aside the entire day. Each side prepares a confidential mediation memorandum which includes all information that would be useful for an evaluation of the case. I caucus individually with each side in separate conference rooms, generally just exploring strengths and weaknesses of the case in the first caucus sessions. In commercial and civil mediations, as the parties move to an offer or evaluation of an offer, certainly the input of the parties in putting forward creative solutions to their disputes is essential.
Education	Northwestern University (BS, Clarian DeWitt Hardy Scholar-1974); University of Arizona (JD, summa cum laude, order of the coif, Arizona Law Review, Executive Editor-1977).
Professional Licenses	Admitted to the Bar: Arizona, 1977; California, 1978; U.S. District Court, Arizona, 1977; U.S. Court of Appeals: Fourth (1984) and Ninth (1981) Circuits; U.S. Supreme Court, 1982.
Professional Associations	State Bar of Arizona (Legal Services Committee, Past Co-chairman; Committee on the Professional Rules of Conduct, Past Chairman); Volunteer Lawyers Program (Past Advisory Board of Directors); Arizona Judicial College (Past Board of Directors); Arizona Bar Foundation (Past Board of Directors; Past President of the Board); Arizona Association for Public Interest Law Corporation (Past Board of Directors; Past President of the Board); Community Legal Services (Past Board of Directors; Past President of the Board). OTHER: University of Arizona (College of Law, Board of Visitors); Child and Family Resources, Inc. (Past Board of Directors); Maricopa County Community Punishment Advisory Committee; Southwest Phoenix Community Center (Past Board of Directors; Past President of the Board); Arizona Coalition for Tomorrow (Youth at Risk Task Force, Past Chairman).
Recent Publications & Speaking Engagements	Co-author, "The Court Security Challenge: A Judicial Leadership Perspective," JUSTICE SYSTEM JOURNAL, Spring 2007; co-author, "Innovations in Jury Management from a Trial Court's Perspective," ABA JUDGES JOURNAL, Fall 2004; "Liability of Vendor or Real Estate Broker for Failure to Disclose Information Concerning Off-Site Conditions Affecting Value of Property," Annotation, 41 ALR5th 157, 1996; "Mistake as to Victim's Age as a Defense to Statutory Rape," Annotation, 46 ALR5th 499, 1996; co-author, "Civil Litigation and the Ethics of Mandatory Disclosure: Moving Toward Brady v. Maryland," 25 ARIZONA STATE LAW JOURNAL 237, 1993; co-editor, ARIZONA LITIGATION GUIDE, MCBA 2nd ed., 1993; "A Perspective on Judicial Rotation of Assignments," TRIAL PRACTICE (State Bar), vol. 4, no. 2, 1993; "Do Judges do Pro Bono Work," MARICOPA LAWYER, vol. 10, no. 3, March 1991; "Why is There a Debate over Mandatory Pro Bono Work?," ARIZONA ATTORNEY, vol. 26, no. 9, p. 14, 1990; "Committee on the Rules of Professional Responsibility," ARIZONA ATTORNEY, vol. 27, no. 3, 1990; co-author, "The Constitutionality of Court-Imposed Birth Control as a Condition of Probation," VI NEW YORK LAW SCHOOL JOURNAL OF HUMAN RIGHTS 271, 1989; "Competency to Waive Constitutional Rights: A New Criterion," Casenote, 17 Ariz. Law Rev. 729, 1974.
Mediation Rate	\$4,000 Per Day
Languages	English
Citizenship	United States of America
Locale	Phoenix, AZ

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.