



AAA Mediation.org™

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Winston-Salem, North Carolina



Current Employer-Title	Kilpatrick Townsend & Stockton, L.L.P. – Partner
Profession	Attorney - Commercial, Insurance, Product Liability, Condemnation Litigation
Work History	Partner, Kilpatrick Townsend & Stockton L.L.P. (and predecessor firm), 1982 – Present.
Experience	Partner in Kilpatrick Townsend's litigation practice group with over 34 years of extensive trial experience, including representation of corporations and individuals in over 80 jury trials to verdict; successfully represented companies and individuals in complex commercial cases, including domestic and international contracts, business valuations, and insurance and indemnity issues, Legal Malpractice, Medical Malpractice, Insurance Coverage, Telecommunications, Conspiracy, Defamation, Restrictive Covenants, Contract, Class Action, Trade Secret, Unfair Trade practice; successful history representing manufacturers in product liability cases involving the automotive and trucking industries, chemicals, consumer products, asbestos and other mass torts, medical devices and other products; served as national coordinating counsel for a furniture company, carpet manufacturer and a specialty food manufacturer; and extensive experience in the area of eminent domain, or condemnation, representing property owners and municipalities.
Mediator Experience	Served as a mediator in approximately 50 business disputes between corporations; 20 consumer cases; 32 product liability cases; 50 catastrophic injury or wrongful death tort actions; 12 medical malpractice cases; and five eminent domain cases.
Representative Issues Handled as a Mediator	Commercial cases mediated included franchise disputes involving geographical and territorial limits, business valuation issues, contract issues, unfair and deceptive trade practice, false advertising, misrepresentation and fraud. Product cases involved tort, contract, express and implied warranty, unfair and deceptive trade practices, violation of federal and state statutes. Medical malpractice cases involved breach of standard of care and related claims.
Mediator Style & Process Preferences	The mediation conference has replaced the trial as a vehicle for resolving disputes in today's litigation environment. My role as mediator is to facilitate the parties' creative resolution of their dispute. While not putting undue pressure on either side, I see it as my role to thoroughly explore each side's strengths and weaknesses and ensure that they have a clear picture of the risks and benefits to resolution and trial.

Education	Vanderbilt University (JD-1982); Duke University (BA, Economics- Magna Cum Laude-1979).
Professional Licenses	<p>Admitted to the Bar: Tennessee (2015), North Carolina (1983); U.S. District Court: Eastern, Middle and Western Districts of North Carolina; U.S. Court of Appeals, Fourth Circuit; U.S. Supreme Court.</p> <p>Certified Mediator, North Carolina Dispute Resolution Commission for North Carolina Superior Courts and the U.S. District Court, Middle District of North Carolina.</p>
Professional Associations	American Bar Association (Tort Insurance Practice Section); North Carolina Bar Association; Forsyth County Bar Association; Defense Research Institute; North Carolina Association of Defense Attorneys; Association of Defense Trial Attorneys; American Bar Association, Tort Insurance Practice Section, Property Insurance Section, Chairman of Publications; Association of Defense Trial Attorneys, Member; The Defense Research Institute, Member; Home Owners Annotations Publication, Regional Editor; North Carolina Association of Defense Attorneys, Member; North Carolina Bar Association, Administration of Justice Study Committee, Member; Tort Insurance Practice Section Annual Survey, Property Law Survey, Editor and Author; Vanderbilt Law Review Editorial Board, Member; Wake Forest Law School Moot Court Board Judge; Winston-Salem Davis Cup Organizing Committee, Member; Winston-Salem Open Tennis Tournament, Board of Directors and Legal Counsel.
Recent Publications & Speaking Engagements	<p>Avoiding Waiver of Privilege and Ensuring Enforceability in Any Proceeding of the Parties' Non-Waiver Agreement Source: The Middle Ground, Volume 4, Issue 1</p> <p>Recovering Costs and Fees in North Carolina Cases Source: The Resource</p> <p>The Consumer Product Safety Improvement Act Source: North Carolina Lawyers Weekly</p> <p>All for the Taking? North Carolina Legislature Responds to Kelo Controversy with Constitutional Amendment Limiting Eminent Domain Source: The Litigator</p> <p>My Big Fat Lawsuit: Obesity Claims, the New Frontier? Source: For the Defense</p> <p>The Libel Plaintiff's Perspective Source: Communications Lawyer</p> <p>Can the Libel Plaintiff's Discovery Sword Pierce the New North Carolina Shield Law? Source: Kilpatrick Townsend LLP</p> <p>Discovery in Eminent Domain Cases Source: The Defender</p> <p>When is a North Carolina Employee "at Will?" Source: Lawyers Weekly</p> <p>The Learned Intermediary Doctrine Source: Campbell Law Observer</p> <p>Fair Debt Collection Practices Act in a Nutshell Source: The Defender</p> <p>North Carolina's "Lemon Law" - An Analysis of the New Motor Vehicles Warranties Act Source: Campbell Law Observer</p> <p>The Claim for Negligent Infliction of Emotional Distress - Limiting Foreseeability Source: The Defender.</p>

Mediation Rate	\$475 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.