



AAA Mediation.org™

**FN-1982986 MN-1982986 LN-1982986,
Esq.**

Buckeye, Arizona



Current Employer-Title	Weber Law Firm PLLC SLW Engineering
Profession	Full time neutral, Attorney, Arbitrator, Mediator, Judge Pro Tempore, Engineer, Executive, General Contractor
Work History	Engineer and Owner, SLW Engineering, 1985 – Present; Owner, The Weber Law Firm PLLC, 2020 - Present; Managing Partner, Kasdan LippSmith Weber Turner LLP, 2001 – 2019; Partner, Berger Kahn Law Firm, 1994 – 2001; President, Blueridge Construction Inc., 1983 – 1991.
Experience	<p>Over 40 years of experience in construction and design and over 25 years of experience as a trial lawyer. Licensed civil engineer specializing in structural design and former general building contractor with significant experience in construction, construction design, structural engineering and construction litigation. Has been the engineer of record and/or general contractor on over 500 projects ranging from high end custom homes to commercial/industrial buildings. Also has extensive experience representing both plaintiffs and defendants in complex civil litigation matters including numerous trials and arbitrations. Clients have included building owners, homeowners, homeowners' associations, municipalities, developers, engineers, subcontractors and general contractors. Has represented owners, developers, subcontractors or engineers in cases including single family residential, condominiums, high rise construction, commercial, churches, public buildings and infra-structure. Has also represented major insurance carriers in both first-party and third-party property damage and liability claims, including numerous appraisals and arbitrations following the Northridge, California earthquake. Experienced as counsel, mediator, and arbitrator in contract disputes related to business operation, dissolution, and construction. Trial/arbitration verdicts and awards have ranged from "defense" verdicts in defense of claims to obtaining Plaintiff verdicts of over 10 million dollars. Has twice been recognized for obtaining "top ten" jury verdicts of the year in Arizona.</p> <p>Rated as an AV Preeminent attorney by Martindale-Hubbell.</p>
Mediator Experience	With a background as a building contractor, civil engineer specializing in structural design, and construction litigator, experience has focused on construction dispute mediations including large complex multi-party mediations with multiple plaintiffs and multiple defendants. Ninety-five

percent of mediations have involved construction disputes ranging from multi-party tract and custom home to commercial and industrial buildings, both during construction and after completion. Disputes have also included prompt pay act disputes, change order, RFI and delay claims. Has participated as counsel in over 250 complex multi-party mediations in multiple states.

**Representative Issues
Handled as a Mediator**

As related to construction mediations, have handled insurance coverage disputes, additional insured issues, apportionment of damages in multi-party mediations, assessment of expert reports, and delay claims in addition to the typical construction issues.

**Mediator Style & Process
Preferences**

I understand the business of construction, the design and engineering aspects, owner issues, and both the general contractor and subcontractor issues. I also recognize that for some of the participants there is a desire to be heard regarding emotional issues. I approach each mediation with an intent to make all parties comfortable with the process and respect any confidential information conveyed. I encourage the exchange of mediation briefs with an option for supplemental confidential briefs to the mediator. Because of my experience as a trial lawyer, including successfully trying at least one of the largest construction defect trials ever in Maricopa County, as well as many other construction trials, and my experience as an engineer and general contractor, I can, when requested, offer evaluations of the various parties' positions, risks, and expectations. Many of my past mediations were successful because of these evaluations.

Technology Proficiency

Very familiar with Zoom and willing to conduct mediations via Zoom.

Education

Western State University, College of Law (JD, Magna Cum Laude-1996); University of Southern California (BS-1978).

Professional Licenses

Admitted to the Bar: Hawaii (2017), New Mexico (2017), Arizona (2004), California (1996); U.S. District Court: Central District of California (1996), District of Arizona (2008), District of New Mexico (2017); U.S. Court of Appeals, Ninth Circuit (2010); U.S. Supreme Court (2011).

Registered Professional Engineer, California (1985); General Building Contractor, B-1, California (1983 – 1991, expired).

Professional Associations

Maricopa County Bar Association; Arizona State Bar; California State Bar; New Mexico State Bar; Hawaii State Bar; International Code Council; Community Association Institute.

**Recent Publications &
Speaking Engagements**

(Partial List)

Perrin Conferences 5th Annual National Construction Defect Conference, featured panelist: "National Review of Construction Defect Law," November 13-15, 2019, The Ritz Carlton, Fort Lauderdale, FL;

West Coast Casualty's 26th Annual Construction Defect Seminar, featured panelist: "When your Smart Home Isn't So Smart: The Perils of Automated and Smart Properties" May 9-10, 2019, Disneyland Hotel and Convention Center, Anaheim, California;

Perrin Conferences 4th Annual National Construction Defect Conference, featured panelist: "Mediation," November 14-16, 2018, The Ritz Carlton, Fort Lauderdale, FL;

Perrin Conferences 3rd Annual National Construction Defect Conference, featured panelist: "The Professionals' (Architect & Engineer) Part In Construction Defect Claims," November 15-17, 2017, The Ritz Carlton, Fort Lauderdale, FL;

State Bar of Arizona Annual Convention, featured panelist: "Arizona's Revised Purchaser Dwelling Act," June 16, 2017, Westin La Paloma Resort & Spa, Tucson, AZ.

Perrin Conferences 2nd Annual National Construction Defect Conference, featured panelist: "Additional Insured and Indemnification," and featured panelist: "Right to Repair Acts Across the United States," November 16 - 18, 2016, The Ritz Carlton, Fort Lauderdale, FL;

West Coast Casualty's 23rd Annual Construction Defect Seminar, featured panelist: "If It Ain't Broke, It Doesn't Pay to Sue: Why Product Claims in CD Cases are Not Easy Money," May 11 – 13, 2016, Disneyland Hotel and Convention Center, Anaheim, California;

MC Consultant's Arizona Construction Defect Litigation Seminar, featured panelist: "An In-Depth Discussion About the New Right-to-Repair Statute," April 23, 2015, Embassy Suites Hotel, Phoenix, Arizona

MC Consultant's 20th Annual Construction Defect & Insurance Conference, featured panelist: "Arizona/Nevada-Coverage and Current Trends," Sept. 17-19, 2014, Manchester Grand Hyatt, San Diego, California;

West Coast Casualty's 21st Annual Construction Defect Seminar, featured panelist: "Arbitration Issues and Construction," May 15 – 16, 2014, Disneyland Hotel and Convention Center, Anaheim, California;

West Coast Casualty's 20th Annual Construction Defect Seminar, featured panelist: "Getting Back to the Basics and the Reason Why the WCC Seminar was Begun in the First Place," May 15 – 17, 2013, Disneyland Hotel and Convention Center, Anaheim, California;

West Coast Casualty's 19th Annual Construction Defect Seminar, featured panelist: "The Voyage of the Yellow Brass Submarine or NewDefects.com – A look at Emerging Defect Trends," May 17-18, 2012, Disneyland Hotel and Convention Center, Anaheim, California;

Numerous speaking engagements on insurance coverage for construction liability claims to various insurance claims handling groups;

Is the Builder Liable for Defects Which Have Not (Yet) Caused Damage? – The Dividing Line between Contract and Tort Liability, Multifamily Executive, Volume 4, Issue 2, February 1999;

Selecting a General Contractor – How to Protect Yourself Against Shoddy Work, Multifamily Executive, Volume 4, Issue 4, April 1999;

House Rules – Is the Extent of a Contractor's Liability for Economic Loss Due to Code Violations Changing? Los Angeles and San Francisco Daily Journal, March 6, 1998;

Let Us Appraise – Appraisal Procedure Has Advantages Over Litigation, Los Angeles and San Francisco Daily Journal, 1998;

Construction Law Update, Editor, A quarterly publication summarizing developments in construction law provided to Insurance Company Clients of Berger, Kahn, Shafton, Moss, Figler, Simon and Gladstone (now, Berger, Kahn), 1997 – 2001;

Sexual Harassment Lawsuits: Does the Commercial General Liability Insurance Policy Protect the Employer? Western State University Law Review, Vol. 22, Number 2, Spring 1995.

Mediation Rate	\$3,600 Per Day
Languages	English
Citizenship	United States of America
Locale	Buckeye, 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.

