



AAA Mediation.org™

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Highland Park, Illinois

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Current Employer-Title Terry F. Moritz LLC - Terry F Moritz J.D., FCIArb Managing Principal

Panelist Video <https://www.adr.org/videoresume?paramName=268425185>

Professional Summary Attorney and arbitrator with broad experience in the electrical energy, environmental, securities, construction, transportation and financial fields. Extensive experience advising public companies as well as various significant private entities. Has litigated numerous complex matters including class action matters. Has devoted a substantial portion of the past 15 years to resolving matters in the construction, alternative energy, healthcare, franchise, securities, venture capital, real estate, trade secret and other commercial matters.

Profession Attorney, Arbitrator and Mediator

Work History Arbitrator, Mediator and Managing Principal, Terry F. Moritz LLC, 2014 - Present; Senior Partner, Founder and Chair of Litigation for 25 years, Goldberg Kohn Ltd., 1981 - 2014; Partner, Rudnick & Wolfe (now DLA Piper), 1979 - 1981; Partner and Associate, Isham Lincoln & Beale, 1971-1979; Law Clerk, to the Honorable William J. Lynch, U. S. District Court for Northern District of Illinois, 1970 – 1971.

Experience Worked extensively in the electric energy field representing a Fortune 100 company as well as other significant public companies. Handled environmental and contractual matters arising out of fossil fuel and nuclear energy production as well as renewable energy matters. Successfully tried or resolved by agreement complex class action matters, securities fraud claims and long-term fuel contract disputes. Significant experience in the railroad, commercial construction, and financial service industries. Over ten years' experience in various railroad reorganization proceedings, serving as lead counsel for the First Mortgage Bondholders in the Chicago Rock Island and Pacific Railroad Reorganization, and as lead counsel for the trade creditors and special counsel for the Illinois Regional Transportation Authority in the Milwaukee Road Reorganization. Served as Trustee and Chief Operating Officer of the Iowa Railroad Company during its three-year reorganization and achieved a successful liquidation of that carrier. Served as de facto General Counsel for five years of the U.S. based commercial construction subsidiary of an international Japanese construction company.

Experienced representing banks and financial service companies in disputes involving complex commercial instruments. Represented publicly traded REITs in disputes concerning purchase agreements for large commercial properties as well as joint venture disputes between sister REITs. Has represented individuals in their role as members of private and public company boards. Has assisted clients with and represented governmental entities. Served as special assistant attorney general for both Illinois and Minnesota, successfully defending those states in matters where the constitutionality of state statutes was at issue. Lead counsel for the State of Illinois in the landmark Goldberg vs. Sweet telecommunication tax decision in the United States Supreme Court. Has significant business experience gained in running a significant law firm, as well as serving as an

owner and board member of a privately held successful manufacturing enterprise for over ten years. Served as Trustee and Chief Operating Officer of the Iowa Railroad Company during its three-year reorganization and successful liquidation.

Mediator Experience

Handled a broad array of commercial matters of varying size as a mediator, an arbitrator, and as an advocate. Mediated disputes involving: real estate matters, construction matters, and general commercial disputes.

Most recently mediated a matter that involved robotic industrial equipment that was not functioning as intended. The matter at issue involved several millions of dollars of equipment and related damages and was complex from both a technical and contractual perspective. The matter was resolved.

Mediated a dispute that concerned a paving contract, breach of a lease agreement and a dispute centered on the provision of commercial services.

Teaches alternative dispute resolution at Loyola University School of Law and serves as President of the Board of Director of Resolution Systems Institute (a not-for-profit organization that develops mediation systems). Keeps current with developments in the mediation field and current on processes that facilitate efficient dispute resolution.

Representative Issues Handled as a Mediator

Industrial disputes involving manufacturing equipment and related issues.

Real estate disputes involving lease related issues, mortgage issues and foreclosure issues.

Commercial services disputes involving scope, cost and effectiveness of services provided.

Construction related disputes involving scope of services, quality of services, change order issues, and related matters.

Mediator Style & Process Preferences

Mediation is the attempt to resolve a legal dispute by introducing an experienced third party neutral. Once engaged as a mediator, I assume that the parties are interested in resolving the dispute. My goal as a neutral mediator is to listen carefully to the parties' positions, identify areas of agreement amongst the parties, and work from that point to achieve a resolution that all parties view as fair and reasonable.

I have broad experience in complex legal disputes and have significant experience in evaluating the risks and uncertainties that any litigated matter brings and I am prepared to share that insight with the parties.

In mediations, I take a practical and business-like approach. Most disputes that any professional mediator sees are likely to settle at some point in the future, rather than go to trial or hearing. I emphasize that settling a matter at the time of a mediation is far better than continuing to spend legal fees, management time and resources on a dispute only to settle it at some point in the future.

Technology Proficiency

Proficient in the use of online dispute, resolution techniques. Including Zoom and Microsoft Go to Meeting. Has conducted both remote hybrid and in person, arbitrations and mediations. Knowledgeable regarding electronic discovery, and the resolution of ESI disputes.

Education

Loyola University School of Law (JD – 1970); Loyola University (BS – 1966).

Professional Licenses

Admitted to the Bar: Illinois (1970); U.S. District Court, Northern District of Illinois and the Seventh Circuit Court of Appeals (1970); United States Supreme Court (1976); New York Court of Appeals (1993).

Admitted pro hac vice in state and federal court trial and appellate courts throughout the United States.

Professional Associations

Member of both the energy and the commercial panels of the International Institute for Conflict Prevention and Resolution ("CPR"). Certified by the ADR Committee of the Midcontinent Independent Systems Operator (MISO) and the Board of the Midwest Reliability (MRO) as a mediator and arbitrator. Fellow College of Commercial Arbitrators, Fellow of the American Bar Foundation, Member of the American Bar Association, the Illinois Bar Association and the Chicago Bar Association. sustaining member of the American Law Institute and is a Fellow of the Chartered Institute of Arbitrators ("CI Arb") serving as chair of its Chicago Chapter. Charter member of the National Academy of Distinguished Neutrals ("NADN"). Board member and panelist for the Forum for International Conciliation & Arbitration ("FICA") and a member of the ICC Model Consortium Agreement working group. Served for six years as the President of the Board of Trustees of Resolution Systems Institute, a not-for-profit organization focused on strengthening justice by enhancing court supported alternative dispute resolution systems.

Recent Publications & Speaking Engagements

Speaking Engagements:

"U.S. Arbitration Law in the Wake of AT&T Mobility," appeared in the Penn State Dickinson School of Law Yearbook on Arbitration and Mediation Vol. 4 (February 2012);

"The Future of Consumer Arbitration In Light of Stolt-Nielsen" was published in The Loyola Consumer Law Review (2011), Vol. 23, Issue 3, (<http://www.luc.edu/student/publications>).

Recent Presentations:

1. Faculty Member 2022 ABA Arbitrator Institute. Loyola University School Law; Presentations Arbitrator Ethics and Arbitral Organization their comparative approaches (2022)
2. Online mediation techniques and approaches. Charter Institute of North America (2020)
3. "Can Consumers get Fair Treatment in Arbitration" Loyola University School of Law Consumer Law Symposium (March 2017)
4. "Alternative Dispute Resolution - Is the Grass Really Greener," The American Bar Association's Litigation Section Annual Meeting (April 2013)
5. "Arbitration Under the Federal Arbitration Act: A Primer," a video presentation for the Illinois State Bar Association Legal Education Program (April 30, 2013)
6. "E-Discovery Disputes and ADR - What are the Alternatives?" Loyola University School of Law Symposium (October 2011)
7. "International Arbitration," A Workshop on Building Capacity for Iraqi Women Leaders, Duhok, Iraq. The International Human Rights Law Institute, DePaul University College of Law (October 2010)
8. "Baffled by Bazzle then Stumped by Stolt-Nielsen," Meritas Annual Litigation and Labor & Employment Group Meeting (October 2010)
9. "Arbitration Under the Federal Arbitration Act: A Primer," a video presentation for the Illinois State Bar Association Legal Education Program April 30, 2013.

Locations Where Parties Will Not be Charged for Travel Expenses No travel cost in the Chicago Area

Mediation Rate \$550 Per Hour

Languages English

Citizenship United States of America

Locale Highland Park, IL

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.