



AAA Mediation.org™

**FN-21056 MN-21056 LN-21056, Esq.**

Toledo, Ohio



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**Current Employer-Title** Shumaker, Loop & Kendrick - Attorney

**Panelist Video** <https://www.adr.org/videoresume?paramName=747806642>

**Profession** Attorney

**Work History** Attorney, Shumaker Loop & Kendrick, 1984 – Present; Attorney, Debevoise & Plimpton, 1981 – 1984.

**Experience** Litigates nationwide in cases involving franchise/distribution, intellectual property, securities, antitrust, contract, partnership, construction, employment, labor, consumer, insurance, ERISA, and international. Serves as general outside counsel to leading international food manufacturer and distributor.

**Mediator Experience** Mediated over 100 cases for 26 years. Probably 2/3 of the cases have involved business-related disputes of all types, and the other 1/3 are personal injury. Also serves on the panel for CPR and the Northern District of Ohio.

**Representative Issues Handled as a Mediator** Handled a wide variety of issues - business torts, breach of contract, partnership disputes, shareholder disputes, ERISA, securities, government disputes, riparian rights, negligence, personal injury, products liability, employment (including union), real estate development, commercial landlord/tenant, construction and franchise.

**Mediator Style & Process Preferences** My approach is that mediation is a process, not a one-day event. I begin right after appointment to work with the parties so that each understands the other's core claims and defenses, and that each exchanges with the other side key supporting documents and information. I then work with each side on risk-adjusted valuations and, through shuttle diplomacy, facilitate principled negotiation (based on realistic risk-adjusted value) to try to reach resolution. At the beginning of the process, we'll set a date for a one-day mediation, but my goal is to help the parties resolve the dispute before the one-day mediation. If the dispute isn't resolved, then we proceed to the mediation.

<b>Education</b>	University of Michigan (JD-1981); George Washington University (BA-1977).
<b>Professional Licenses</b>	Admitted to the Bar: Michigan (1988), Ohio (1984), New York (1982).
<b>Professional Associations</b>	Commercial College of Arbitrators, Ohio Bar Association; Toledo Bar Association; American Bar Association ADR Section and Forum on Franchising; CPR; EDR Institute; International Distribution Institute; National Association of Distinguished Neutrals.
<b>Recent Publications &amp; Speaking Engagements</b>	<p>April 4, 2013; "International Arbitration" December 2012 Shumaker Newsletter; Co-Author, "Annual Franchise and Distribution Law Developments 2012" (ABA); "Mediation 2.0," Franchise Law Journal, Fall 2012; "Key Legal and Business Ethics Issues for Franchise Lawyers," International Franchise Association Legal Symposium, May 15-17, 2011; "The Automobile Industry Special-Binding Arbitration Program: A Review and Analysis," Dispute Resolution Journal (Nov. 2010-Jan. 2011): 1:4; "Mandatory Arbitration of GM and Chrysler Dealer Terminations - Did It Work?" LJM Franchising Business &amp; Law Alert (October 2010); "Can We Resolve Franchise Disputes Faster, Cheaper, and Better?" (with S. Fedder and J. Lande), LJM Franchising Business &amp; Law Alert (July 2010): 1-3; "Mediating Franchise Disputes," ABA Forum on Franchising, 2009 Annual Program; THE CLIENT'S GUIDE TO MEDIATION AND ARBITRATION: THE STRATEGY FOR WINNING, American Bar Association, 2008; "Float like a Butterfly, Sting like a Bee: The Lure of Floating Forum Selection Clauses," FRANCHISE LAW JOURNAL, pp. 119-24, Fall 2007; "FTC Rule Revision Benefits Independent Franchisee Associations," THE FRANCHISEE VOICE, Summer 2007; "A Step-by-Step Look at Dispute Resolution," INSIDE THE MINDS: MEDIATION AND ARBITRATION BEST PRACTICES, Aspatore Books, 2007; "Franchise Brokers: Buyer Beware," LJM FRANCHISING BUSINESS &amp; LAW ALERT, 12:6, March 2006; "47 Litigation Writing Rules," THE WOMAN ADVOCATE, ABA Section of Litigation, Fall 2005; "Forty-Five Litigation Writing Rules," OHIO LAWYER, May/June 2005.</p> <p>SPEAKING ENGAGEMENTS: Co-presenter, Intensive Program on Mediation, 2013 American Bar Association Forum on Franchising; Panelist, "Herding Cats: The Case for Collective or Joined Arbitration," American Bar Association Dispute Resolution Conference, 2012; "Annual Franchise and Distribution Law Developments 2012" American Bar Association Forum on Franchising, October, 2012; "Key Legal and Business Ethics Issues for Franchise Lawyers," International Franchise Association Legal Symposium, May 16 and 17, 2011; "Formation of the ADR Clause," International Association of Defense Counsel, June 9, 2010; "The New Wave of Dispute Resolution," American Bar Association Forum on Franchising teleseminar, May 26, 2010; Best practices for Dispute Resolution," International Association of Franchisees and Dealers, May 10, 2010; "ADR is Not an Impulse Item," Cincinnati Bar Association, September, 2009; "Mediation and Arbitration: Strategies for Winning," presented to Association of Corporate Counsel, Central Ohio Chapter, November, 2008; "Antitrust Guidelines for Trade Associations," presented to National Association of Credit Management, November, 2008.</p>
<b>Mediation Rate</b>	\$625 Per Hour
<b>Languages</b>	English
<b>Citizenship</b>	United States of America
<b>Locale</b>	Toledo, OH

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.