



AAA Mediation.org™

**FN-21216 MN-21216 LN-21216, Esq.**

St. Louis, Missouri



**Current Employer-Title** Paule, Camazine & Blumenthal, P.C. – Principal, General Counsel

**Profession** Arbitrator, Mediator, Attorney

**Work History** Principal, Paule Camazine & Blumenthal P.C., 1994 – Present; Adjunct Professor of Law (Arbitration Theory and Practice), Washington University, 2006 – 2010; Partner, Susman Schermer & Rimmel, 1983 – 1993; Adjunct Professor of Trial Practice, St. Louis University School of Law, 1986 – 1989; Faculty, Washington University School of Law, 1979 – 1983; Reginald Heber Smith Community Lawyer Fellow, Howard University, 1976 – 1978.

**Experience** Practice as a mediator since 1995. Over 45 years of experience as a trial lawyer, mediator and arbitrator, concentrating in the areas of commercial/business litigation (acquisition disputes, failure to disclose material facts, basic breach issues, application of performance formulae, control issues), construction cases (architectural and engineering design issues, multi-subcontractor disputes, performance disputes); intellectual property cases (software licensing, trade name and trademark issues, and copyright issues; patent infringement and ownership); employment cases (discrimination claims, calculation of benefits after severance, non-compete issues, trade secret issues), and constitutional law issues (first, fifth, eighth, ninth and fourteenth amendment issue). Also 13 years of experience in bankruptcy business reorganizations. Appeared as co-counsel before the United States Supreme Court. Certified Instructor, National Institute for Trial Advocacy, 1981. Adjunct Professor of Law, creating and teaching Arbitration Theory and Practice at the Washington University School of Law 2006-2010.

**Mediator Experience** Have been mediating for over 25 years, since 1995, when trained in a 40 hour course with the well recognized CDR Associates in Boulder, Colorado. More recently, in 2020, have trained in a 20 hour course provided by mediate.com on "Mediating eCommerce, Property and Workplace Disputes Online."

Am experienced with Online Mediation in various platform formats which allows parties greater efficiency, economy and flexibility in mediation. Also have extensive experience with in person mediations, though currently concentrate on Online Mediations. Disputes include business disputes; intellectual property disputes; race, sex, disability and other employment discrimination; wrongful discharge and retaliation cases; disputes about severance provisions in employment agreements; ERISA cases, construction disputes involving large commercial and public projects; residential

construction disputes; real estate title disputes; commercial equipment leasing disputes; partnership dissolution disputes; insurance coverage disputes; international contract disputes; copyright, trademark and patent disputes; and other general commercial disputes. Have mediated disputes for multi-national corporations, indigent individuals, and not-for-profit organizations.

Have mediated disputes with multiple parties (as many as 11 at once), disputes which extend in multiple sessions over a period of months, disputes among parties from different countries and while parties are in different countries. These experiences have enhanced my understanding of acknowledging cultural differences which control parties' approaches to mediation, and allowing the parties to control their outcomes within the approaches of their individual cultural practices while respecting the cultural practices of the other parties in the dispute.

Have provided mediation training or seminars for the American Arbitration Association, the Association of Attorney Mediators, and the Whitney R. Harris World Law Institute, Washington University School of Law.

## **Representative Issues Handled as a Mediator**

Numerous cases involving many different areas including copyright issues in motion picture production, ownership issues of intellectual property in commercial industrial training films, multiple employment discrimination matters, franchise disputes, corporate stock disputes, and general contract disputes. Served as neutral in many complaints against attorneys before the Missouri Bar.

## **Mediator Style & Process Preferences**

My mediation philosophy is evolving over time, and embraces the continuously changing possibilities of online dispute resolution (ODR). With the advent of many different online platforms, ODR is becoming a more versatile and efficient way to mediate. My job is to facilitate communication between the parties for as long as they are willing to continue to talk, including over a period of time to allow processing of information and proposals, recessing to obtain more information, and adjusting to the best way the parties are comfortable communicating. My job is not to force the parties to settle, but to creatively encourage them to arrive at their own terms of settlement. Not being invested in settlement allows me to avoid forcing a solution upon them that they do not want. In the role of neutral, I do not give my opinion of the situation, but do challenge everyone to explore the weakness in their opinion and the logic, strength and emotional and cultural barriers of the opposing side's interests which prevents the opposing side from agreeing. I expect the parties to have thought about what they want and what they are willing to accept and to remain flexible in their thoughts about what is the most practicable solution for all. I expect the people with authority to engage in the process so that the decision maker can experience the full mediation process and actually understand both sides of a dispute.

## **Technology Proficiency**

Trained in on-line mediation techniques. Completed 20 hours of training, "Mediating eCommerce, Property and Workplace Disputes Online."

## **Education**

University of Missouri-Columbia (JD-1976); Washington University (AB-1973).

## **Professional Licenses**

Admitted to the Bar: Missouri (1976), Kansas (1977-retired); U.S. District Court: Western (1976-retired) and Eastern (1977) Districts of Missouri, District of Kansas (1977); U.S. Court of Appeals, Eighth Circuit (1985); U.S. Supreme Court (1988); admitted pro hac vice to federal courts in Alabama, Arizona, Delaware, Illinois, Kentucky, New York, and Texas.

## **Professional Associations**

Missouri Bar Association; Association of Attorney Mediators.

## **Recent Publications & Speaking Engagements**

SPEAKING ENGAGEMENTS: Developed and taught a course in Arbitration Theory and Practice at Washington University School of Law, 2006-2010. Faculty, Chairing An Arbitration Panel: Managing Procedures, Process & Dynamics, 2005; Faculty at AAA Neutrals Conference, 2005, 2004. Speaker on Mediation: "International Dispute Resolution: Protecting Your Client In The Global Economy," Whitney R. Harris World Law Institute, Washington University School of Law, 2/15. Advanced Mediation Training for Advocates, Missouri Association of Attorney Mediators, October, 2013, multiple sessions; "Who's Afraid of the Joint Session?," Association of Attorney Mediators, March, 2010; "Arbitration Training Seminar," AAA and USA&M, November 16, 2007; "Dealing with Lawyers Who Fail to Manage Client Expectations," Association of Attorney Mediators, September 19, 2007; "Mediating Intellectual Property Disputes," Association of Attorney Mediators, June 20, 2007; "Mediator Preparation for Mediators," Association of Attorney Mediators, May 16, 2007; "Ethics: New Missouri Supreme Court Rule 4 for Mediators," Association

of Attorney Mediators, 2007. Co-developed and taught a course at Washington University School of Law which included a component in negotiation of disputes, 1979-1983.

**Locations Where Parties Will Not be Charged for Travel Expenses** Greater St. Louis, Missouri  
NorthWest Oregon from Portland to Salem

**Mediation Rate** \$505 Per Hour

**Languages** English

**Citizenship** United States of America

**Locale** St. Louis, MO

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.