



AAA Mediation.org™

**FN-2129825 MN-2129825 LN-2129825,
Esq.**

Grayson, Georgia



Current Employer-Title Bruce Bennett, Esq., CPA

Professional Summary Attorney/CPA with extensive business, financial, and legal experience now serving as a full-time independent arbitrator and mediator on several local, national, and international panels. Has presided as chair, panel, and sole arbitrator on over 350 cases. Has mediated hundreds of cases between businesses, individuals, partnerships, and estates with an estimated 75% success rate (full or partial settlements). Prior to transitioning to a full-time ADR professional, practiced law and accounting, and held positions as a Division Financial Manager, Controller / Human Resources Manager, and Senior Auditor for two Fortune 500 companies.

Profession Arbitrator
Mediator
Attorney
Certified Public Accountant (CPA)

Work History Attorney at Law, Bruce Bennett Esq., C.P.A., 2001 – Present; Wren & Associates C.P.A., 1998 – 2001; Division Financial Accounting Manager, The Coca-Cola Company, 1994 – 1998; Controller and Director of Human Resources, Atlantic Envelope Company, 1991 – 1994; Senior Auditor, National Services Industry, 1984 – 1989; Business Development Manager, Associated Credit Union, 1983 – 1984.

Experience Attorney/CPA with extensive business, financial and legal experience now serving as an independent arbitrator and mediator on several local, national, and international ADR panels.

Legal Experience:

Accounting Malpractice; Banking and Finance; Bankruptcy Liquidation and Reorganization Plans; Business Transactions; Commercial Leases, Liens and Conveyances; Consumer Law; Contract Law; Corporate Acquisitions and Divestitures; Employment Law; Federal Tax Controversies; Franchise Law; Georgia Limited Liability Company Act; Healthcare Law; Legal Malpractice; Partnership Formation, Dissolution and Transfers; Private Lending, Guarantees and Promissory Notes; Real Estate Financing, Permitting and Rezoning; Uniform Commercial Code (UCC); and the Uniform

Fraudulent Transfers Act (UFTA).

Business Experience:

At The Coca-Cola Company implemented the North American Information Service Division's most comprehensive multi-tiered, metadata mining system in its history. Managed the Division's annual operating and capital budgets and renegotiated several multi-million dollar telecommunication leases resulting in dramatic savings for the North American intra-company communication operations between The Coca-Cola Company and its bottlers.

Prior to The Coca-Cola Company, conducted financial and operational audits and led several high-profile forensic accounting and fraud investigations for National Service Industries, Inc. As Controller for Atlantic Envelope Company revamped an automated inventory control and measurement system of a complex manufacturing and wholesale distribution plant and oversaw the construction of a high-tech manufacturing and storage facility. Managed payroll tax compliance, periodic financial closings, inventory control, prepared and monitored budgets, coordinated financial and ERISA pension audits and migrated a periodic inventory control system to an activity-based model. Provided strategic financial guidance during the successful negotiation of several union labor contracts.

Franchise-related Experience:

Drafted promissory notes; loan agreements; security liens; asset purchase and operating agreements; bills of sale and contracts; performed inventory valuations, negotiated franchise fees and other franchise costs and assisted with transition issues after the franchise purchase. Mediated and arbitrated franchise disputes alleging breach of contract, false advertising, franchise disclosure documents, inventory valuation, trademark infringement, unpaid fees and bills, unpaid taxes, nonconformance to franchise standards and non-compete and non-solicitation agreements.

CPA and Forensic Accounting:

Investigated matters alleging breach of fiduciary duty, fraud and misrepresentation. Advised businesses on financial reporting issues and prepared pro forma statements, assisted in the valuation of public and private securities and traced off-the-book-transactions between shell companies in money-laundering operations. Uncovered check kiting schemes, lapped accounts, fake purchase orders and vendor fraud. Provided damage calculations and lost profit analyses as a forensic accountant in white collar criminal cases and in civil damage disputes.

Human Resources / Employment Law:

Performed internal audits, audited ERISA plans, managed employee complaints and allegations of statutory discrimination and was responsible for recruiting, hiring, and discharging employees. Ensured conformity with the requirements of the FLSA, Title VII, Section 1983, and state and federal laws. Developed job descriptions and human resource policy and procedures manuals, participated in union labor contract negotiations, investigated EEOC and workers' compensation claims and developed employee loyalty programs. Managed employer-provided health, disability, and long-term care insurance benefits.

Mediator Experience

GENERAL BACKGROUND: Since 1999, has mediated hundreds of cases between businesses, individuals, partnerships and estates, with an estimated 75% success rate (full or partial settlements). Cases include those involving multiple parties, international conflicts, language barriers, and parties with varying degrees of social and cultural differences. Is regularly requested to serve on cases by prominent local, national, and international dispute resolution panels and others through private attorney referral (references available). Has also served on Arb-Med and Med-Arb cases and participated in mock trials.

EXAMPLES OF MATTERS MEDIATED: Account disputes; attorney, CPA and real estate broker malpractice; bankruptcy adversarial proceedings; breach of contract; breach of fiduciary duty involving trustees, executors and business partners; breach of warranty; business valuation disputes and valuation methodologies; commercial lease disputes; construction cases involving improper design, cost overruns, variances, negligent workmanship, lack of permitting and re-zoning applications; eminent domain, foreclosure, liens and partitioning issues; employment disputes,

including disputes involving executive compensation and contract physician agreements; Fair Debt Collection Practices Act (FDCPA) complaints; franchise disputes; fraud; improper termination and EEOC claims; intellectual property cases involving trademark infringement; international business disputes involving minimum orders, short shipments, goods lost in transit, spoilage, damaged goods and non-payment; international disputes involving the licensing of technical telecommunication information and U.S. patents; medical claims disputes; and tax disputes.

MULTI-PARTY MEDIATION EXPERIENCE: Has successfully mediated several multi-party cases including the following recent examples:

A. A partnership dispute where a partner left a previous partnership to form a new partnership where the remaining partners accused the departing partner and new partnership of appropriating partnership goodwill. The case was settled, leaving both partnerships satisfied and the departing partner employed with his new partnership.

B. A multimillion dollar entertainment development complex involving numerous contractors and owners where it was initially thought there would be little to no chance of settlement. Was the third mediator to assist the parties who had previously made little to no progress. After multiple day-long sessions all issues were resolved with everyone excited over their future financial prospects.

C. A complex medical claims dispute involving a provider, insurer, and third-party processor. The claims spanned several years and involved hundreds of factual discrepancies and differences over the interpretation and applicability of several contracts. The case settled and the parties avoided arbitration.

MEDIATION ADVOCACY EXPERIENCE: As an advocate have mediated a wide range of commercial, consumer, and employment cases. These cases included issues involving business transactions; unpaid financial obligations; division of assets upon sell and liquidation of a business; allegations of negligence, misrepresentation, and fraud; contract disputes; promissory estoppel claims; equitable division of personal property; real property and construction disputes; violation of noncompete and non-solicitation covenants; wrongful termination; and many others.

SPEAKING ENGAGEMENTS AND SEMINARS: Have been a past speaker at local bar conferences on the topic of mediation ethics and conducted conflict resolution and avoidance seminars for business executives.

ADDITIONAL INFORMATION: Will be glad to participate in a telephone or virtual interview prior to a potential appointment and provide references upon request.

Representative Issues Handled as a Mediator

Mediated a broad spectrum of cases including the following:

Account disputes; attorney, CPA and real estate broker malpractice; bankruptcy adversarial proceedings; breach of contract; breach of fiduciary duty involving trustees, executors and business partners; breach of warranty; business valuation disputes and valuation methodologies; commercial lease disputes; construction cases involving improper design, cost overruns, variances, negligent workmanship, lack of permitting and re-zoning applications; eminent domain, foreclosure, liens and partitioning issues; employment disputes, including disputes involving executive compensation and contract physician agreements; Fair Debt Collection Practices Act (FDCPA) complaints; franchise disputes; fraud; Georgia Fair Business Practices Act, improper termination and EEOC claims; intellectual property cases involving trademark infringement; international business disputes involving minimum orders, short shipments, goods lost in transit, spoilage, damaged goods and non-payment; international disputes involving the licensing of technical telecommunication information and U.S. patents; insurance claims and subrogation rights; partnership disputes involving partner compensation and partnership dissolution; personal injury cases involving serious injury and death; premises liability claims; real estate title disputes; tax disputes; and tortious interference.

Mediator Style & Process Preferences

Mediation Philosophy:

I confer with counsel before mediation to discuss submissions of confidential mediation statements, logistics, and to get their opinion as to how best to approach the case. Sometimes parties prefer to go straight to caucus while in others, the parties prefer starting jointly with each side presenting

opening statements. Other matters to be discussed may include the order of issues to address, what preparatory efforts might be helpful, if there are documents to be exchanged, if technology will be used, who should be present, who will participate on standby, and whether the mediation will be in-person, virtual, or a hybrid of the two.

Once the mediation begins, I use a facilitative approach to give each party an opportunity to present their case in their own terms. As the mediation progresses, I look for common ground and help the parties to focus on their real interests and priorities in areas where differences remain. After I get to know the participants and learn more about their case, I often move to reality testing and eventually evaluation, if requested.

Since people differ in how they approach disputes, I find it important to understand each person's objectives and how one determines what is reasonable and fair. I make sure everyone is comfortable and focused on the benefits of settlement. I also enjoy the challenge, don't give up, and typically offer several suggestions to assist the parties with evaluating their options.

Technology Proficiency Technologically proficient with Zoom, Microsoft Teams, and GoToMeeting. Has hosted several multi-day virtual mediations and arbitrations, including those with multiple parties.

Parties are welcome to submit electronic exhibits in lieu of paper. Parties may also submit paper exhibits if they wish.

Education John Marshall Law School (J.D. - 2001)
Luther Rice University (M.A. - 2010)
University of Georgia (B.B.A., Finance - 1983)

Professional Licenses Admitted to the Bar: Georgia, 2001 (#50498); Georgia Supreme Court; U.S. District Court: Northern and Middle Districts of Georgia; U.S. Court of Appeals, Eleventh Circuit

Georgia State Licensing Board for Certified Public Accountants, 1994 (#CPA013746)

Georgia Office of Dispute Resolution, 2000 (#1807)

Professional Associations American Arbitration Association (AAA)
American Health Law Association (AHLA)
American Institute of Certified Public Accountants (AICPA)
Financial Industry Regulatory Association (FINRA)
FORUM
International Institute for Conflict Prevention and Resolution (CPR)
National Arbitration and Mediation (NAM)
Resolute Systems, LLC

Recent Publications & Speaking Engagements Presented a case analysis on collective arbitrations at Emory University School of Law, 2020; Conducted mock arbitration training for attorneys, Empirical Creative, LLC, 2014, 2012; Speaker, "Criminal Defense Issues (White Collar Crimes)," Annual Gwinnett County Bar Association Criminal Defense Seminar, 2008, 2007, 2006, 2005; Gwinnett County Panel of Neutrals Conference, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006. "Fair Tax Act of 1999," NOTRE DAME LAW REVIEW JOURNAL OF LEGISLATION, 27 J. Legis. 1, 2001; Quoted in newspaper (Gwinnett Daily Post) and on websites on current trends and advisories in field of mediation and arbitration.

Locations Where Parties Will Not be Charged for Travel Expenses The five county Metro Atlanta area.

Mediation Rate	\$400 Per Hour
Languages	English
Citizenship	United States of America
Locale	Grayson, GA

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.