



AAA Mediation.org™

**FN-2274208 MN-2274208 LN-2274208,
Esq.**

Philadelphia, Pennsylvania



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Current Employer-Title	Stradley Ronon Stevens & Young LLP - Partner - Chair of the ADR Practice Group and the Construction Practice Group.
Panelist Video	https://www.adr.org/videoresume?paramName=303273879
Profession	Attorney
Work History	Partner, Stradley Ronon Stevens & Young LLP, 2000-Present; Associate, LeBoeuf Lamb Greene & MacRae LLP, 1996-2000; Associate, Eckert Seamans Cherin & Mellott LLC, 1991-1996.
Experience	<p>Involved in commercial and construction litigation for approximately 32 years, representing both plaintiffs and defendants. Chair of the firm's ADR Practice Group and Construction Practice Group. Experienced trial lawyer with a wealth of trial experience in a wide variety of cases before virtually every type of forum, including state and federal courts across the country, arbitrations before the AAA, ICDR, FINRA and Arias and hearings before administrative law judges and referees. Has tried over 50 cases. as an advocate and has overseen over 50 cases as a neutral.</p> <p>Has handled commercial, consumer and civil cases involving: fraud, sales disputes under the UCC, products liability, wrongful death, theft of trade secret, commission agreements, retrospectively rated insurance premiums, reinsurance coverage, program manager disputes, managing general agent disputes, third-party administrator disputes, elder care and elder abuse claims, nursing home care, traumatic brain injury, toxic torts, asbestos exposure, coal tar pitch exposure, alumina exposure, benzene exposure, radiation poisoning, medical devices, industrial equipment, chain saws, motorcycle helmets, shot peening machines, conveyor belts, refractories, electric generators, turbines, wheels, easement disputes, wrongful dishonor of negotiable instruments, industrial injuries, landlord-tenant disputes, securities yield burning cases, lease disputes, employment disputes, post-closing purchase price adjustments, post-closing net working capital disputes, post-closing indemnity and reimbursement obligations, reps and warranties claims, service agreement disputes, public official bonds, business torts, securities claims (involving unsuitability, churning, and unauthorized trading), corporate successor liability, alter ego liability, corporate veil piercing, and</p>

domestic disputes.

Regularly writes and speaks on topics relating to ADR, construction law and commercial disputes. Has served as adjunct professor at Rutgers Law School for trial tactics and as a guest participant at the Wharton School for mediation training.

Mediator Experience

Practice over the last 30 years of construction litigation has focused on the representation of sureties. Consequently, even as an advocate, matters usually involve multiple parties with competing and conflicting interests. Extremely comfortable being directly in the middle of disputes involving owners, general contractors, sub-contractors, vendors, design professionals and sureties. Role, even as an advocate, is frequently to broker disputes that result in a successful conflict resolution and efficient project completion. Mediated over three dozen disputes, including both private mediations and as a court appointed mediator.

Mediator Style & Process Preferences

My mediation approach depends on the nature of the case and the personalities of the parties involved. That said, I typically begin with the so-called facilitative approach. I have found that a well run joint session is often an opportunity for the parties to see that there is a legitimate alternative perspective to the controversy. I encourage the parties to identify the real interests that underlie the formal positions they have taken and can also be used to explore options for resolution of the dispute that might not otherwise be available in traditional litigation. Often, this style of mediation is sufficient, especially where the parties are all motivated to resolve the dispute. However, if this approach can't quite bring the parties together, I will then shift to a more evaluative approach. As the only objective person involved, I find it is sometimes helpful to challenge the parties' perspectives on the merits of their positions. The goal of this evaluative approach is not to convince any particular party that they are wrong, but simply for each party to understand that they might not be as right as they thought they were at the outset of the process. This usually happens later in the process when the parties are close to resolution but need a nudge get them to close the deal. I have found that patience and perseverance pays off. As long as the parties are participating in good faith, I will not give up.

Technology Proficiency

Highly experienced and very proficient at using remote platforms (such as Zoom) for virtual hearings, having participated in eight remote trials over the first two years of the pandemic.

Education

University of Pittsburgh School of Law (JD, magna cum laude-1991)

University of Pittsburgh (BA, magna cum laude-1988)

Professional Licenses

Admitted to the Bar: New York (2013), Pennsylvania (1991); Pennsylvania Supreme Court; New York State Court of Appeals; U.S. District Court: Western, Eastern, and Middle Districts of Pennsylvania, Northern District of Illinois, District of Arizona, Eastern District of Michigan; U.S. Court of Appeals: Third and Ninth Circuits.

Professional Associations

National Association of Distinguished Neutrals; International Institute for Conflict Prevention and Resolution; American College of Civil Trial Mediators; Defense Research Institute (Fidelity & Surety Committee; Expert Witness Subcommittee, Chair; Medical Liability Committee; Construction Law Committee); National Bond Claims Association; Surety Claims Institute (Board); American Bar Association (Tort Trial and Insurance Practice Section; Fidelity and Surety Law Committee); Philadelphia Surety Claims Association (Board).

Recent Publications & Speaking Engagements

PUBLICATIONS: "Electronic Payment Desk-book," Delaware and Pennsylvania chapters, 2023; "How to Make Your Mediation a Success: Seven Tips," Legal Intelligencer, January 6, 2022; "Construction Law Update: What Else? Still COVID-19!" Legal Intelligencer, April 28, 2022; "E-Discovery Best Practices for Construction Lawyers," The Construction Lawyer, Fall 2021; "Why Construction Mediations Fail," Under Construction, March 2020; "How Effective is Electronic Mediation in the Age of COVID-19?" LegalTech News, April 2020; "Resolving Construction Disputes Through Baseball Arbitration," AAA Dispute Resolution Journal, June 2020; "Why do Mediations Fail? Avoid These Common Mistakes," Business Law Institute, November 2019; "International Arbitrations: The Conversion Rate of Judgments Measured in Foreign Currencies," August 26, 2019; "The Effect of Submittals on Allocating Risk and Responsibility," Under Construction, Spring 2019; "The Singapore Convention of Mediation," Legal Intelligencer, January 9, 2019; "Sureties and False Claims Act Liability", For The Defense, October 2018; "The Parties' Obligations Prior to a Contractor Default: Conditions Precedent to Pursuit of a Claim", FSLC

Spring Meeting 2017, “Key Bond and Contract Provisions in Pennsylvania;” LORMAN, November, 2014; “Differing Site Conditions,” PBI, June 2013; “Bad Faith Claims Against Sureties,” FOR THE DEFENSE, August 2010; “Latent Defect Claims Against Sureties,” ABA TIPS FSLC Newsletter Winter 2009; “Performance Bond Notice Provisions: 36 Million Reasons to Comply,” ABA TIPS FSLC Newsletter, Fall 2007; “Pennsylvania Mechanics’ Lien Statute,” PRATT’S JOURNAL OF BANKRUPTCY LAW, July/August 2007.

SPEAKING: Presenter, "Arbitration v. Litigation," Philadelphia Surety Claims Association, Philadelphia, February 2023; Presenter, "Common Law Indemnity," ABA TIPS FSCL Conference, Washington D.C, January 2023; "Mistakes to Avoid in Mediation," Association of Corporate Counsel, webinar, September 2023; Presenter, “Virtual Hearings: Best Practices,” AAA Webinar, October 2020; Moderator, “Enhancing Construction Site Safety in the Coronavirus Era,” CPR Webinar, May 2020; Presenter, “E-Discovery: Best Practices for Construction Lawyers,” ABA Forum on Construction Law, Tucson, AZ, January 2020; Presenter, “10 Mistakes to Avoid in Mediation,” Business Law Institute, Philadelphia, November 2019; Moderator, “Arbitrating Domestic and International Life Sciences Disputes,” AAA-ICDR, Boston, October 2, 2019; Presenter, “Performance Bonds and CGL Insurance in Construction Projects,” Strafford webinar, February 5, 2019 and September 21, 2016; Presenter, “Surety Bond Claims: Bad Faith and Conditions Precedent,” PBI seminar “Construction Litigation: Views from the Bench and the Trench”, Philadelphia, October 15, 2018; Panelist, “Parties’ Obligations Under a Performance Bond Relative to a Principal’s Default”, ABA TIPS FSLC Spring Meeting, May 17, 2017; Speaker, “Calculating Damages in a Construction Dispute,” Forensic & Litigation Services Conference, November 14, 2016; Presenter, “Bond Conditions Precedent,” ABA TIPS FSLC Annual Meeting, Naples, Florida, May 2017; Presenter, “Differing Site Conditions”, Pennsylvania Bar Institute, Mechanicsburg, Pennsylvania, October 24, 2016; Presenter, “Construction Bond Bad Faith Litigation”, Strafford webinar, June 30, 2016; “Key Contract and Bond Provisions in Pennsylvania”, Lorman, November 2014 and November 2013; “Bad Faith Claims Against Sureties”, Philadelphia Surety Claims Association, 2013; “Warranties”, Construction Marketing Research Council, October 25, 2004, and Northeast Window and Door Association, January 24, 2005.

Locations Where Parties Will Not be Charged for Travel Expenses Philadelphia, Wilmington.

Mediation Rate \$480 Per Hour

Languages English

Citizenship United States of America

Locale Philadelphia, PA

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.