



AAA Mediation.org™

**FN-27124 MN-27124 LN-27124, Esq.**

**Troy, Michigan**

**Current Employer-Title** Dickinson Wright PLLC – Attorney and Chairman Emeritus

**Profession** Attorney, Arbitrator, Mediator

**Work History** Attorney/ Co-Chairman and Director of Client Relations (2008 – 2017)/ Director of Commercial Litigation and Alternative Dispute Resolution (1999 – 2008), Dickinson Wright PLLC, 1973 – Present.

**Experience** More than 45 years of experience in complex commercial litigation, including trial and arbitration of a wide variety of cases. Recognized as an expert in complex business tort litigation with experience in the following types of disputes: business torts (including contract claims, tortious interference, misappropriation of trade secrets, non-competition agreements, business defamation, shareholder and partnership disputes, unfair competition, breach of fiduciary duties, fraud and related technology claims), products liability, contracts, insurance coverage, corporate, partnership, real estate, dealer termination, intellectual property, technology, construction, and other business and civil litigation.

**Mediator Experience** Served as a mediator in approximately 500 cases, most of them involving complex commercial matters. The majority of cases mediated have involved business disputes. Recognized as a Fellow, American College of Civil Trial Mediators and The National Academy of Distinguished Neutrals. Serves as a member of the ADR Sections of the American Bar Association and the State Bar of Michigan. Past member of the Board of Trustees of the Oakland Mediation Center. Received the ADR Champion Trailblazers Award from the National Law Journal in 2016.

**Representative Issues Handled as a Mediator** Issues mediated include, among other issues: non-competition provisions, misappropriation of trade secrets, breach of fiduciary duties, breach of contract, tortious interference, deadlocked corporations and partnerships, valuation of businesses and real estate, fraud, business defamation, minority shareholder oppression, misappropriation of corporate opportunities, unfair competition, and issues relating to the licensing of intellectual property.

**Mediator Style & Process Preferences** Mediation provides an opportunity for the parties to resolve a dispute on their own terms, preserve relationships and avoid the costs and risks of litigation. The mediator's role is to help facilitate a resolution, not decide the merits of the case. I am flexible on the mediation process itself and work with the parties and their attorneys in designing an effective mediation. I utilize joint and caucus sessions, depending on the needs of the parties.

**Education** University of Michigan (JD, cum laude-1973); University of Michigan (BBA, Business Administration-1969).

**Professional Licenses** Admitted to the Bar: Michigan (1973); U.S. Court of Appeals: First (2002), Third (1994), Sixth (1983), Federal (2007) Circuits; U.S. Supreme Court (1983).

**Professional Associations** State Bar of Michigan (Past President; Board of Commissioners); Oakland County Bar Association (Past Board of Directors; Past President); Oakland County Bar Foundation (Charter Fellow); Inn of Court (Oakland County Bar Association Chapter, Master); American Bar Association; American Bar Association Foundation (Fellow); Federal Bar Association; American Judicature Society;

Michigan Defense Trial Counsel; Defense Research Institute; Michigan Supreme Court Historical Society; Michigan State Bar Foundation (President, Fellow); American College of Civil Trial Mediators; Litigation Counsel of America; International Society of Barristers; National Academy of Distinguished Neutrals.

## **Recent Publications & Speaking Engagements**

### **PUBLICATIONS:**

- Enforcing Arbitration Awards in Michigan, co-author, Practical Law, August 2016
- The Defend Trade Secrets Act/Trade Secret Protection Act – Finally, Federal Protection for Trade Secrets, Bloomberg BNA's Corporate Counsel Weekly, October 2014
- Michigan Business Torts (ICLE), co-author, First Edition 2001; Supplements 1993, 1995, 1997; Second Edition, 2003; Paperback Edition, 2009, 2017
- Trade Secrets: Protection and Remedies (BNA), co-author, 2007 and 2009 Editions
- Michigan Law of Damages (ICLE), co-author of chapter on Damages Recoverable in Business Tort Cases, September 1989
- Michigan Causes of Action Formbook (ICLE), co-editor and contributing author, September 1989
- Frequent speaker and writer on litigation, arbitration and mediation issues

**SPEAKING ENGAGEMENTS:** Speaker, Can and Should Lawyers and Law Students be Trained to be Neutrals, ABA Section of Dispute Resolution, 2018; Speaker, Mediation Advocacy: Representing Clients in Mediation, ADR Section of the State Bar of Michigan, 2017; Speaker, Courtroom Advocacy Workshop: Appearance and Motion Hiccups, sponsored by the Litigation Section of the State Bar of Michigan and the Institute of Continuing Legal Education, 2017; Speaker, Techniques and Tools to Successfully Resolve Your Case at Mediation, sponsored by the Michigan Defense Trial Counsel, 2013; "Advanced Mediation Training Master Class," Institute of Continuing Legal Education, 2007; "What an Advocate Expects From A Good Mediator," Oakland County Bar Association, 2007; "Selecting the Appropriate Mediation Tools," Advanced Negotiation and Dispute Resolution Institute, 2007; "Common Mistakes Advocates Make in Arbitrations and How to Avoid Them," American Arbitration Association, 2005; "Noncompetes, Trade Secrets and Confidential Information: Protecting Your Clients' Assets," State Bar Business Law Section and The Institute of Continuing Legal Education, 2005; "Counseling Employees in Transition," U.S. Law Firm Group, 2005; "Alternative Dispute Resolution, How to Effectively Represent Your Clients in Facilitative Mediation," Michigan State University - DCL College of Law, 2004; "Non- Competes, Trade Secrets and Email Evils," Michigan Chapter of the Association of Corporate Counsel of America, 2004; speaker and planner, "Masters in Litigation: Ed Pappas on Business Torts," State Bar of Michigan Litigation Section and the Institute of Continuing Legal Education, 2003; speaker and planner, "Business Breakups: Strategies and Litigation - a Multi-Media and Case Study Approach," Institute of Continuing Legal Education, 2001; "Noncompete, Trade Secrets and Confidential Information: Protecting Clients in Their Businesses and in the Courts," Institute of Continuing Legal Education, 1999; various other speaking engagements.

<b>Mediation Rate</b>	\$500 Per Hour
<b>Languages</b>	English
<b>Citizenship</b>	United States of America
<b>Locale</b>	Troy, MI

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.