



AAA Mediation.org™

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Grosse Pointe Farms, Michigan



Current Employer-Title Global Resolutions, PLLC- Owner

Profession Full time neutral. Arbitrator, Mediator, Attorney, ADR Educator/Trainer - National and International ADR, Commercial/Business/Corporate, Technology, Insurance Coverage, Tax and Employee Benefits, Health Care Law, Merger/ Acquisition/ Joint Ventures, Real Estate including construction disputes, Employment, Probate, Estate Planning, University and Law school Professor.

Work History Full-time Arbitrator/Mediator Facilitator; Global Resolutions PLLC, 2010 – Present; Partner/Attorney, Bodman LLP, 2007 – 2010; Distinguished Professor of Conflict Management, Lipscomb University College of Leadership and Public Policy, 2018 – Present; Adjunct Professor, Lipscomb University 2006 – 2018; Adjunct Professor, Pepperdine School of Law Straus Institute for Conflict Management 2004 – Present; Senior Shareholder/Attorney/Director, Sommers Schwartz P.C., 1993 – 2007; Partner/Attorney, Kiefer, Allen Cavanagh & Toohey, 1987 – 1993; Attorney, Abbott Nicholson, 1985 – 1987; Attorney, Nederlander Dodge & Adamo, 1981 – 1985; Faculty, University of Arkansas School of Law, 1980 – 1981; Instructor, Wayne State University School of Law, 1979 – 1980; Faculty, University of Michigan at Ann Arbor, 1974 – 1977.

Experience Over 40 years of experience as an attorney, arbitrator and mediator handling national and international business to business subject matters and conflict management such as commercial, business, corporate, real estate, franchise, healthcare, tax, financial malpractice, estate, probate and trust disputes, employment, securities, construction and environmental. Also experienced in handling disputes over business to business negotiations/transactions, buy-sell agreements, executive compensation and stock options, covenants not to compete/solicit, employment disputes, including Title VII, Elliot Larsen Civil Rights Act, EEOC, discrimination, harassment, retaliation, wrongful termination, employee benefits, and related issues. Multiple national and international ADR cases (including arbitration and mediation), trainings, seminars and teaching programs for corporations and professional organizations including AAA, University of Michigan Institute for Continuing Legal Education, Michigan Judicial Institute, multiple State Bar Associations, and others. Adjunct faculty member at Pepperdine University Law School Straus Institute (California) and Distinguished Professor of Conflict Management at Lipscomb University (Tennessee).

Mediator Experience Using a tax and business background is helpful in mediating national and international commercial, business, financial and securities disputes including those that may involve regulatory issues, business operations, entity ownership and division, standards of care, finance, malpractice and

bankruptcy. Also, healthcare law experience assisting in disputes among providers as well as internally within large healthcare systems. Employment disputes are common and generally involve Title VII, Elliott Larsen, retaliation, wrongful discharge, discrimination, and/or pension benefit issues. This knowledge comes from mediating and arbitrating such disputes as well as experience in assisting entities in organizational structuring, conflict management, prevention and systems design. A legal background in wealth management and estate planning provides a substantive area of knowledge in business valuations, separations, mergers and acquisitions as well as Will contests and Trust disputes.

Representative Issues Handled as a Mediator

Issues handled include: international and nations disputes such as business valuations, financial reporting and content of financial reports; employment terminations, federal and state discrimination rules, Elliott Larsen, civil rights, covenants not to compete, tortious interference with business opportunity, retaliation; trade secrets and proprietary protections; real estate developments, construction contracts, costs, budgets, over runs, extras, change orders, leases, options to purchase; securities fraud, customer complaints, management compliance manuals, raid, suitability, and churning; healthcare fraud, compliance, physician contracting and practice acquisition; family probate, estate/trust settlement disputes.

Mediator Style & Process Preferences

Most cases involve attorney-represented parties. While mediation should be the parties' process, actively work with counsel and the parties to design and develop an expedient and effective process that will assist the parties in fully exploring settlement opportunities. Advocates do well for their clients when they come prepared and knowledgeable about all the facts and law of the case. This enables them to serve in the role of negotiation coach and counselor to their clients. Use of technological platforms such as Zoom (including tutorials in advance) and teleconferencing are available but not always the best mode of communication. Complex and multi-party cases can also be resolved through staggered, staged sessions and protocols reviewed with the parties at engagement. A major goal of any mediation process is to make sure the decision makers have sufficient information to make informed decisions about their outcomes and future with the dispute remaining alive and with it resolved.

Technology Proficiency

Significant experience using Zoom for arbitrations and mediations.

Education

Wayne State University Law School LLM, (Taxation-1984, JD, cum laude-1980); University of Michigan (BA, High Honors-1976).

Professional Licenses

Admitted to the Bar: Michigan (1980); U.S. District Court: Eastern and Western Districts of Michigan (1981); U.S. Tax Court (1981); U.S. Supreme Court (1988).

Professional Associations

Michigan State Bar, Professional Ethics Committee (2018-2023); Michigan State Bar Sections of ADR; International Academy of Mediators (Distinguished Fellow, Dame, Past President); Oakland Bar Association (ADR and Business Law Sections); Financial Estate Planning Council of Metropolitan Detroit (Past Director; Past President); Metropolitan Detroit Alumni Senate; Delta Theta Phi Law Fraternity (Past Dean); International Mediation Institute; Member of arbitration and mediation Panels of Singapore Mediation Institute; Member of arbitration and mediation Panels of Hong Kong Institute for Mediation; Mediator. Arbitrator for American Health Lawyers Association; Mediator/Arbitrator on CPR Roster; Mediator and Arbitrator roster listed with the International Chamber of Commerce.

Recent Publications & Speaking Engagements

Frequent national and international ADR speaker, educator, trainer/faculty and author.

SAMPLE PUBLICATIONS: "Don't Torch the Joint Session," Dispute Resolution, Fall 2014; "Stories Mediators Tell," ABA publication 2012; "Should the Mediator Talk?," LAWYERS' WEEKLY, September 2011; "Mediation Confidentiality: What Can We Promise?," Institute for Continuing Legal Education, Annual Dispute Resolution Institute March 2009; "Law School for Legislators, A Facilitated Dialogue for Policy Makers," Michigan State Bar Association, March 2009; "Mediation Ethics and Confidentiality," Association for Conflict Resolution, February 2009; "Real Time Mediation Has Arrived," State Bar of Michigan BUSINESS LAW JOURNAL, Winter 2008; "A Letter to Advocates - Barriers in Negotiation," LACHES, May 2006; "Settling Employment Cases and Creative Solutions, LABOR AND EMPLOYMENT NEWSLETTER, State Bar of Michigan, Winter 2005; "Caucus in Mediation, It's More than Shuttle Diplomacy," LACHES and THE PROBATE AND TRUST JOURNAL, 2002; "ADR in Michigan," BASIC PRACTICE IN MICHIGAN, ICLE, 2001; "Alternative Dispute Resolution Arrives in Michigan," CONNECTIONS,

2000; MICHIGAN RESIDENTIAL REAL ESTATE TRANSACTIONS, ICLE, 2000, 2006; "ADR: What's in It for Lawyers," LACHES, 1999; "Momma Always Loved You Best: ADR in Estate Settlement," MICHIGAN PROBATE AND TRUST JOURNAL, 1998.

SPEAKING ENGAGEMENTS: "Complex Case Mediation," Lipscomb University, July 2007; Master's Degree course in Mediation, Lipscomb University May 2007 to present; Judicial Mediation Training Lipscomb University April 2008-present; "Complex Case Discovery Issues in Securities Arbitration - the View from the Arbitrator," FINRA, Chicago, May 2007; "Advanced Mediation Skills," Pepperdine University School of Law Straus Institute for Dispute Resolution, 2004 to present; "Pro Se: Managing Cases with Self-Represented Parties," American Arbitration Association, 2004-2006; "Non-Party Signatories to Arbitration," American Arbitration Association, November 2004; "Bringing ADR to Business Clients and Advocates," Chamber of Commerce, Sao Paulo Brazil, March 2004; Institute for International Mediation and Conflict Resolution, The Hague, Summer 2003; "Mediating Complex Commercial Disputes," Advanced Negotiation and Dispute Resolution Institute, March 2003-2006; "Advanced Mediation Training in Commercial and Domestic Disputes," Instituto Carlo D'Amore, Italy, Spring 2003, Winter 2004; "Impasse Breaking," ABA Dispute Resolution Conference, 2002, 2003, 2005; "Advanced Mediation Training," Institute for Continuing Legal Education, 2005, 2006; "Impasse Breaking," "Forgiveness in Mediation," and "Cross-cultural Dispute Resolution," Pepperdine Masters Forum, 2002, 2003; "The Business of Mass Claim Litigation and ADR," International Academy of Mediators, 2000; "ADR and Mediation in Real Estate Disputes," Institute for Continuing Legal Education, 1999; "Y2K and Effective Application of ADR," International Academy of Mediators Semi-Annual Conference, 1999; panelist, "ADR and Y2K," State Bar of Michigan ADR and Computer Law Section Seminar, 1999. Multiple advanced mediation and conflict resolution programs for the ABA, SCMA, State Bar of Michigan and other professional organizations.

Locations Where Parties Will Not be Charged for Travel Expenses Travel expense within 30 miles of office

Mediation Rate \$680 Per Hour

Languages English

Citizenship United States of America

Locale Grosse Pointe Farms, 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.