



AAA Mediation.org™

**FN-27362 MN-27362 LN-27362, Esq.**

**Paradise Valley, Arizona**

**Current Employer-Title** Workplace Resolutions LLC - Managing Partner  
Sandra Day O'Conner College of Law at Arizona State University

**Profession** Arbitrator, Mediator, Attorney; Adjunct Instructor in Law

**Work History** Self-employed, 1998-present;  
Lecturer, Cornell University, Scheinman Institute on Conflict Resolution, 2001-present;  
Law Professor, O'Conner College of Law at Arizona State University, 2020-present;  
Professor, Carey College of Business at Arizona State University, 2003-2005;  
Vice-President, Honeywell Corporation, 1995-2000;  
Vice President, Ameritech Corporation, 1992-1995;  
Pro-Bono Attorney, 1985-1990;  
Chicago Volunteer Legal Services; 1985-1990.

**Experience** Thirty years as an attorney and senior corporate executive handling complex commercial and employment disputes. Extensive litigation practice in administrative, state, and federal courts.

Direct career experience in the electronics, automotive, healthcare, telecommunications, and aerospace sectors. Employed by the American Arbitration Association (Chicago office) from 1977 to 1982. Served five years as a plaintiff pro bono attorney with Chicago Volunteer Legal Services (CVLS).

Former adjunct faculty at the School of Labor Relations at Ton Duc Thang University in Vietnam  
Former adjunct faculty at the Hamline-Mitchell University College of Law, Minneapolis

Former Chairman, Public Safety Personnel Retirement Board, Town of Paradise Valley, Arizona  
Former Chairman, City of Phoenix Employment Relations Board (PERB)

Student Intern in Labor Mediation and Arbitration  
Law Intern to Region 13 of the National Labor Relations Board (NLRB), Chicago  
Law intern to Honorable John Cooley, United States Northern District of Illinois  
Law Research Assistant to Professor M. Cherif Bassiouni in International Criminal Law  
National Finalist, Jessup International Law Competition: Law of The Sea  
Academic emphasis on Labor and Employment Law

**Mediator Experience** Has mediated over 450 workplace claims, generally EEO litigation. Also mediated over 35 workplace torts as wrongful dismissal, invasion of privacy and defamation. Most of these matters were already in state or federal court. The amount of money in dispute is normally over \$250,000. Has mediated over 50 cases with claims exceeding one million dollars.

Built four unique practice areas, those being; a) mediation of federal whistleblower claims, b) mediation of disputes with the highly paid executive, c) mediation of disputes in family-owned businesses, and d) mediation of class-action employment litigation, including stream of cases and special master roles. As a secondary practice, have mediated over 200 commercial disputes,

including class-action commercial litigation and mass-claims in the life insurance industry.

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

Mediated EEO claims alleging age, race, gender and ADA discrimination. The issues involved allegations such as failure to hire, failure to promote, discipline, discharge, retaliation, and sexual harassment. Mediation of disputes involving the highly paid executive include issues concerning non-compete clauses, non-solicitation clauses, executive bonuses, breach of partnership, and stock options. Possess significant knowledge of executive compensation. Have mediated disputes involving federal whistleblower claims concerns discipline, discharge, retaliation and the interplay of relevant federal and state whistleblower statutes. Mediated commercial claims involving residential construction, landlord tenant, collections, consumer liability, auto repair, real estate and general contract disputes.

Has provided mediation services in disputes involving arbitrability, contract interpretation/application, discharge/discipline, discrimination, health and safety, job bid/posting, layoff/bumping/recall, management rights, overtime, promotion/upgrading, seniority/ability, theft, vacation, wages. Has provided mediation services in disputes involving the following industries: automotive, aerospace, communications, electrical equipment, entertainment, agriculture, steel, federal sector, food, health care, manufacturing, public sector (police/fire/sanitation/transit/education).

## **Mediator Style & Process Preferences**

My philosophy of mediation is to resolve matters by delivering substantial value to the parties. While practicing both the facilitative and evaluative styles of mediation, I offer an activist method of setting expectations, probing for understanding, providing insight into weaknesses and strength of cases, encouraging option generation, and moving the parties to settlement. I have knowledge and confidence in numerous impasse breaking techniques. I am an expert in drafting settlement agreements, and avoiding last minute barriers to settlement. I have significant energy, stamina and patience during mediation. I do not give up.

## **Education**

Cornell University (BS, Industrial and Labor Relations-1973); DePaul University (JD-1982); Cambridge University, Emmanuel College, England (1980).

## **Professional Licenses**

Admitted to the Bar: Illinois, 1982 (inactive); California, 1986 (inactive); Arizona, 2009; U.S. District Court: Illinois, California; U.S. Court of Appeals: Seventh and Ninth Circuits.

## **Professional Associations**

National Academy of Arbitrators (NAA), Board of Governors, NAA Research Foundation (REF), former President, American Bar Association (ABA) (Dispute Resolution Section; Labor and Employment Section, Litigation Section, International Section); California State Bar; Illinois State Bar, Arizona State Bar, Maricopa Dispute Resolution Association; Federal Bar Association;

Association for Conflict Resolution (ACR) (Board of Directors; Workplace Section, Co-Chair); Labor and Employment Association (LERA), national Board of Directors, Arizona Chapter of the Labor and Industrial Relations Association (former President, Board of Directors); Rhumple Inn of Court of Arizona

## **Recent Publications & Speaking Engagements**

"Advanced Evidentiary Concepts in Employment Arbitration," AAA Journal, 2017,  
"Mediating Class Action Litigation Involving the EEOC," Insights for Employment Mediators and Counsel, AAA Journal, 2015,

"Mediating Dispute Involving the Highly-Paid Executive," ABA Section on Litigation, 2009;  
"Mediating Disputes Involving Whistleblower Litigation," AAA Journal, 2009; "Mediating Disputes Involving Sexual Harassment," ACR Journal; 2009, Co-author, EMERGING SYSTEMS FOR MANAGING WORKPLACE CONFLICT: LESSONS FOR PRACTITIONERS, 2003; "How Well Do Attorneys and Litigants Evaluate Offers of Settlement During Negotiations,?" The Neutral Corner of Federal Investor Neutral Regulatory Agency (FINRA), Spring 2009; "An Examination of the Arbitration Fairness Act of 2009," National Board Taskforce of the Association for Conflict Resolution, December 2009, Co-author, WHOSE JOB IS IT ANYWAY? ARE COLLEGES, UNIVERSITIES AND LAW SCHOOLS HELPING TO PREPARE ARBITRATORS FOR ADR PROGRAMS?; Co-author, "The Future of Employment Conflict Management Systems, CPR Alternatives to the Cost of Litigation," CPR Institute for Dispute Resolution, Vol. 21 October 2003; "The Scope of ADR in Litigation: A primer for Attorneys," Arizona Attorney, December 2002.

SPEAKING ENGAGEMENTS: " Embracing Video Hearings in Arbitration: Arizona Chapter of LERA, 2020, "Building a Career as a Labor Arbitrator", 2020 National LERA Virtual Conference, "Value of Diversity in Dispute Resolution" 2020 National LERA Virtual Conference. Instructor at Hamline University School of Law, 2015, 2017, ADR in Employment Litigation, 2011, 2013; "Resolving Employment Class Action Litigation," State Bar of Arizona, 2011; "Arbitration of Employment Disputes in the Federal Sector," Cornell University Institute for Conflict Resolution, 2010; "Mediation Advocacy for Results," State Bar of Arizona, Solo Practitioners Section, 2010; "Should Congress Ban Mandatory Arbitration?" Cornell University Institute for Conflict Resolution, 2009; "Whistleblowing While You Work: a Litigation Primer," State Bar of Arizona Annual Convention, Labor and Employment Section CLE, 2009; "Styles of Mediation for Resolving Litigation," State Bar of Arizona Annual Convention, Labor and Employment Section CLE, 2009; "Advocacy in FINRA Employment Arbitration," State Bar of Arizona, Labor and Employment Law and ADR Section, 2009; "Mediating Employment Class Litigation," Association for Conflict Resolution, 2005; "Mediation Advocacy Skills," Office of the Attorney General for New York State, August 2008, "Mediating Multi-Party Commercial Disputes," Maricopa Dispute Resolution Association, March 2005; "Mediating Construction Disputes," Scottsdale Justice Court, February 2006; "The Mediation Manager," American Graduate School of Business, January 2005.

**Locations Where Parties Will Not be Charged for Travel Expenses** Cases in Maricopa County, Arizona.

**Mediation Rate** \$500 Per Hour

**Languages** English

**Citizenship** United States of America

**Locale** Paradise Valley, AZ

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.