



AAA Mediation.org™

**FN-4049404 MN-4049404 LN-4049404,  
Esq.**

**Boston, Massachusetts**



**Current Employer-Title** Robinson & Cole LLP - Partner

**Profession** Attorney, Arbitrator, Mediator

**Work History** Partner, Robinson & Cole LLP, 2016 – Present; Vice-President/Shareholder, Partner/Adelman Sheff & Smith LLC (practice merged with LeClairRyan), 2010-2016; Adjunct Instructor of Business and Intellectual Property Law, Johns Hopkins University - Whiting School of Engineering, 2010-2012; Senior Counsel, Fulbright & Jaworski LLP, 2008-2010; Associate General Counsel, UMass Memorial Health Care, 2006-2008; Chief Counsel, Pharmicare CVS Corporation, 2005-2006; Chief Counsel-Medical Products Division (2003-2005) & Litigation Management (1998-2002), Fresenius Medical Care North America; Associate, Bingham Dana, 1996-1998; Associate, Hunton & Williams, 1994-1996.

**Experience** Extensive experience in commercial contracting and commercial litigation. Have represented clients as in house and outside counsel for over 30 years, and have served as an arbitrator and mediator for the past 16 years. Have worked with domestic and international manufacturers, distributors, and other clients across a broad range of industries located in and/or contracting with entities in the United States, Canada, China, India, Germany, Italy, Korea, Sweden and the UK. In house experience includes representation of public and private companies, including serving as chief counsel for the US manufacturing division of an international medical device company.

Dispute resolution practice involves serving as a neutral in alternative dispute resolutions (domestic and international), and have represented clients in arbitration and mediation, settlements, administrative appeals, litigation, regulatory, and commercial law including:

- \* corporate law, regulatory matters, partnerships/LLPs
- \* commercial contracting, domestic and international (manufacturing, distribution, leases, vendor contracts, research agreements, technology transfer, software licensing, acquisitions)
- \* intellectual property contracts and disputes (patent, trademark, copyright, licensing)
- \* transactions, due diligence and regulatory compliance reviews
- \* manufacturing (domestic and international), product research and development, design, supply and distribution, OEM, sourcing
- \* technology development and licensing, affiliation agreements

- \* marketing, labeling, promotional materials, advertising, unfair or deceptive trade practices
- \* educational, sales and training materials
- \* manufacturer recalls and product liability, class actions
- \* insurance coverage disputes
- \* settlements with state and Federal regulatory and enforcement authorities (Department of Justice, OIG, CMS, FDA, EPA, OSHA, DEA, DOT)
- \* compliance and investigations, government subpoenas, civil investigative demands, self-disclosures and corporate integrity agreements
- \* privacy and security (research databases, corporations, HIPAA)
- \* life sciences, pharmaceuticals, medical devices, biologics, biotechnology
- \* clinical research law, clinical trial contracting and policies, human subjects protection, protocols, informed consent, investigator participation agreements, and institutional review boards (IRBs)
- \* health insurance plans, managed care contracts and payor provider disputes, reimbursement, CPT, rebates, pricing, third party administrator(TPA) and PBMs
- \* health care, pharmacy, laboratory, hospital, physicians, physician self-referral (Stark) law, anti-kickback, fraud and abuse, health information exchanges (HIE), electronic health records (EHR)

## **Mediator Experience**

Served as a mediator since 2009 and represented clients as an advocate in mediation since 1996. Mediated cases ranging from commercial litigation matters, contract disputes, software and technology licenses, landlord-tenant, personal injury litigation, property distribution of partnership, court-assigned mediation, and pro bono matters involving community disputes. Panel member on the American Arbitration Association Life Sciences, Commercial, and Healthcare panels.

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

Mediator experience includes a variety of commercial disputes, including breach of contract disputes and property distribution of partnership; technology transfer and licensing agreements; landlord-tenant lease disputes, issues relating to repairs, holdovers, including multi-party dispute involving lenders, disputes between health care companies and suppliers; and personal injury disputes. Mediated a multi-party case involving alleged nonpayment by state transportation authority for breach of contract and equitable claims following recovery and salvage operations by plaintiff involving tractor-trailer that was located under water after an accident, and equitable claims against owner of truck being salvaged. Mediated a multi-party suit involving division of joint property ownership with property owners and lender, including issues regarding loan modifications, payments by owners toward property and related issues. Participated as a mediator in a multi-party dispute involving personal injuries arising from a traffic accident involving commercial vehicles, with the parties being the two drivers and their employers, one driver having experienced personal injuries for which his employer had a workers' compensation lien that was also part of the mediation.

## **Education**

University of North Carolina Law School (JD with Honors, North Carolina Law Review - 1993); University of North Carolina School of Public Health (MPH, Epidemiology - 1990); Smith College (BA, Biochemistry - 1979).

## **Professional Licenses**

Admitted to the Bar: Massachusetts (1996), North Carolina (1993), Maryland (2011- inactive), Rhode Island (2013 - inactive), District of Columbia (2009 - inactive).

## **Professional Associations**

Advisory Committee Member, Boston International Arbitration Council - BIAC; American Health Law Association, Dispute Resolution Council Chair; American Arbitration Association, Life Sciences Advisory Panel, 2019-2021; Boston Bar Association, Co-Chair, Health Law Section 2018-2021, member BBA steering committee 2017-2018.

## **Recent Publications & Speaking Engagements**

- "AHLA Arbitration Training," Instructor multiple sessions (2022)
- "Life Sciences Arbitration Clauses: Drafting Trends and Options," American Arbitration Association (2020)
- "Data Management & Protection in a Public Health Emergency," Robinson & Cole webinar (2020)
- "Dispute Resolution in Managed Care" NIHCL Payor & Market Strategy Forum (2019)
- "Arbitrating Domestic & International Life Science Disputes," Faculty, American Arbitration Association (2019)
- "The Complexities of International & Domestic Life Sciences Disputes," AAA-ICDR Conference moderator (2019)
- "Data Sharing Across the Health Care Industry," Boston Bar Association Conference (2019)
- "Managing Dispute Risk in Business Agreements," Massachusetts Bar Association (2018)

- "Data Governance: Essential Practices," Global Cyber Institute Webinar (2018)
- "Cybersecurity of Medical Devices," Biomedical Engineering Alliance and Consortium and Robinson & Cole webinar (2017)
- "Arbitration in Long Term Care," Massachusetts Bar Association (2016)
- "Payment and Reimbursement Appeals," Presentation, American Bar Association (2014)
- Martin, C. and Thompson, M: "Update on Fraud and Abuse," chapter in Health Law Handbook, Tomson Reuters (2011 and 2012)
- "HIPAA Compliance Audits: Are you Prepared?" Presentation at the HIM Conference, HealthPort (2012)
- "Medicare and Medicaid Enrollment Under Heightened CMS Scrutiny, Best Practices to Obtain and Maintain Enrollment," teleconference, Strafford Publications (2011)
- "Accountable Care Organizations," Presentation at Emerging Programs and Models for Medicare Care Management, Financial Research Associates (2011)
- Robinson, R. and Thompson, M.: "Accreditation, Licensure, Certification, and Surveying Bodies," chapter in Risk Management Handbook for Health Care Organizations, American Society for Healthcare Risk Management (2010)
- "Recovery Audit Contractor (RAC) Appeal Strategies," article published in American Health Lawyers Association (AHLA), Regulation, Accreditation and Payment Practice Group RAP Sheet (2010)
- "Compliance Challenges in Establishing and Using Clinical Databases," Presentation at Health Care Compliance Association, Research Compliance Conference (2010)
- "Medicare Termination Actions," Presentation at the American Health Lawyers Association, Hospitals and Health Law Institute (2010)
- Thompson, M. and Robinson, R.: "Strategies for Reducing Relator Attorney Fees in False Claims Act qui tam Actions," article in Compliance Today (Health Care Compliance Association) (2009)
- Peterson, D. and Thompson, M.: "Medicare Termination," article in AHLA Connections (American Health Lawyers Association) (2009)
- "Healthcare Landscape: Regulatory and Enforcement Updates and Trends," Fulbright & Jaworski Seminar (2009)
- "Stark Law for Compliance Officers," Health Ethics Trust teleconference (2009)

**Locations Where Parties Will Not be Charged for Travel Expenses**      Massachusetts and Rhode Island

**Mediation Rate**      \$500 Per Hour

**Languages**      English

**Citizenship**      United States of America

**Locale**      Boston, MA

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.