



AAA Mediation.org™

**FN-4059027 MN-4059027 LN-4059027,
Esq.**

Irvine, California



Current Employer-Title W&D Law, LLP - Owner, Shareholder, Managing Partner

Professional Summary Highly experienced lawyer with over 25 years of experience with complex construction litigation related to major construction projects including transportation, health care, wastewater treatment facilities, schools, hospitality, entertainment/sports complexes, courthouses, commercial/retail and residential (condos, mixed use, high-rise, mass-produced, single family). Undergraduate degree in Architecture affords unique insight and advantage in dealing with understanding the design and construction process.

Profession Attorney

Work History Owner/Managing Partner, W&D Law, LLP, 2004-Present; Associate, Collins, Collins, Muir & Stewart, 2000-2004.

Experience Extensive experience in matters ranging from simple fee disputes to multi-million-dollar, high-profile construction cases involving high-rise condominiums, resorts, residences, schools, highways, wastewater treatment facilities, and other large public and private projects. Involvement in claims encompassing defects, delay and cost overruns, personal/catastrophic injury and wrongful death in a variety of project types. Negotiator of contracts for both public works and private projects with construction values in the multi-million-dollar range. Served as Program Project Manager, assisting insureds under project-specific policies for large infrastructure projects (including transportation and energy) in navigating through a multitude of issues potentially impacting claims and coverage.

Mediator Experience Participated as lead attorney in hundreds of mediations over the course of 25 years representing parties to complex construction projects throughout the United States.

Representative Issues Handled as a Mediator Issues involving multi-million and multi-billion dollar public and private construction projects involving every type of delivery method and legal issue, including but not limited to bidding, delays and cost overruns, construction management, construction defects, project suspensions, terminations, contract negotiations and alleged breaches, standard of care issues for all disciplines, Force Majeure events, liens, property damage, catastrophic personal injury and death claims. Worked closely with all design and construction disciplines and insurance carriers around the globe.

Mediator Style & Process Preferences	Evaluative. In complex construction matters, all relevant Contract Documents for the project, including but not limited to all relevant written executed agreements and any exhibits referenced therein (if not executed, then a note indicating if one exists or if agreement(s) is verbal only); General Conditions, Supplementary General Conditions, relevant meeting minutes, Change Orders, plan and specification excerpts, key deposition testimony if applicable, chronology of relevant events, mediation briefs, and other information from the parties on a confidential basis prior to the mediation. Party autonomy in mediation is respected and will share views of the respective parties' positions as a neutral when requested or when it appears that it will assist with resolution.
Technology Proficiency	<p>Familiar with online platforms including Teams, Zoom, and GoToMeeting, and willing to conduct hearings/conferences using these platforms. Also proficient with specialized software programs, such as project management and document management, billing, among others, to enhance case analysis and decision-making processes.</p> <p>Construction disputes are generally document intensive because they often involve multiple parties, facts developing over years, and potentially millions of documents, spread amongst developers, owners, architects, engineers, construction managers, general contractors, subcontractors, and suppliers. Technological advances have led to vast amounts of electronically stored information (ESI) that may be discoverable and useful during dispute resolution.</p> <p>Strongly understands the requirements for managing the expanse of ESI that may be related to the underlying disputes, as well as the legal discovery and evidentiary issues that often arise as a result.</p>
Education	University of La Verne College of Law (JD, cum laude, Managing Editor and Staff Writer of the Journal of Juvenile Law, Oral Argument Finalist, West Group Outstanding Scholastic Achievement Award-1999); California Polytechnic University (BArch, International Studies Program in Florence, Italy-1991).
Professional Licenses	Admitted to the Bar: California (1999), Arizona (2007), Colorado (2021), Texas (2022); U.S. District Court: Northern, Southern, Eastern, and Western Districts of California; U.S. Supreme Court.
Professional Associations	State Bar of California; State Bar of Arizona; State Bar of Colorado; State Bar of Texas; NAMWOLF (National Association of Minority & Women Owned Law Firms); ABA Construction Law Forum; American Counsel of Engineering Companies (ACEC) National (Affiliate Member – Legal Counsel Forum and Risk Management Committees); American Counsel of Engineering Companies (Affiliate Member – California); American Counsel of Engineering Companies (Affiliate Member – Colorado); American Institute of Architects / AIA Trust (National); American Institute of Architects – Colorado (Affiliate Member; Business of Architecture Committee Officer).
Recent Publications & Speaking Engagements	Virtually, Everything Can Go Wrong (2024, AIA Trust); Key Factors in Developing an Internal Risk Management Process (2019, Travelers Professional Liability); Understanding Professional Liability Insurance Rates and Coverage - Presenter (June 2023, AIA National Conference); ACEC California Attorneys Roundtable - Coordinator/Lead May 2023, ACEC California; Condominium Projects: If You Build It, They Will Sue (May 2021, AIA Trust/Practice Coach/LegaLine Webinar); Mediation for the Design Professional (March 2021, AIA Trust/Practice Coach/LegaLine Webinar); Design Build and EPC Projects and Fiduciary Duty (July 2019, CLM Cyber, Management and Professional Liability Conference); When Mistakes Are Made (June 2019, Idaho Society of Professional Engineers Annual Meeting, Coeur d'Alene, Idaho).
Mediation Rate	\$10,000 Per Day
Languages	English, Spanish
Citizenship	United States of America
Locale	Irvine, CA

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.