



AAA Mediation.org™

**FN-416912 MN-416912 LN-416912,
Esq.**

Scottsdale, Arizona



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Current Employer-Title Insight Employment Mediation and Insight Mediation Group - Executive Director

Willing to Mediate and Arbitrate On-Line and In-Person

Panelist Video <https://www.adr.org/videoresume?paramName=294114389>

Profession Mediator, Arbitrator; Attorney

Work History Executive Director, Insight Employment Mediation LLC and Insight Mediation Group LLC, 2002-Present; Judge Pro Tem, 2002-2012; Arbitrator and Mediator, OutofCourt Solutions, 2001-2002; Assistant City Attorney, City of Scottsdale, Arizona, 1993-2001; Partner, Horne Kaplan and Bistrow, 1988-1993; Associate, Black Robertshaw Copple and Pozgay, 1986-1988; Associate, O'Connor Cavanagh, 1984-1986.

Experience Has extensive experience over 20 years as mediator and arbitrator, resolving over 3500 matters. Before that, 15 year's experience as a civil litigator and employment law attorney, representing both employers (defendants) and employees (plaintiffs) in litigation. Mediated and Arbitrated complex personnel disputes, single and multi-party claims of harassment and discrimination (ADA, ADEA, sexual harassment, sexual orientation and transgender discrimination, religious, FMLA, disability, pregnancy, race and ethnic discrimination), violations involving the Americans with Disabilities Act, unfair treatment, Family and Medical Leave Act violations, Equal Pay Act, wage disputes, FLSA, collective actions, class actions, restrictive covenants and covenants not to compete, wrongful termination, demotion, suspension, and transfer. Lecturer in the area of Title VII liability avoidance, conducting effective investigations, and conflict resolution. Provided a critical advisory role to human resource professionals and senior-level executives on employment issues. Faculty of Arizona Employer's Council and Arizona Governmental Training Service. Hearing Officer for several government Personnel Boards since 2002, including the State of Arizona, Maricopa County, City of Phoenix and Arizona State Universities. 2004-Present. Fellow of the College of Labor and Employment Lawyers, American College of Civil Trial Mediators, National Academy of

Distinguished Neutrals, CPR Panel of Distinguished Neutrals. Judge Pro Tem for the Maricopa County Superior Courts; arbitrator for the U.S. District Court, District of Arizona. Best Lawyers Lawyer of the Year, Mediation (Scottsdale 2021), Fellow, American College of Civil Trial Mediators, 2007 - 2017; "Top 100 Lawyers in Arizona," 2020, 2021, 2022; "Best Lawyers in America in Alternative Dispute Resolution," 2004-Present; "Top 25 Women Lawyers in the Southwest" - 2017-2022, "Top 50 Women in Business," Phoenix Business Journal, 2007; "Southwest SuperLawyers-ADR," 2007-Present; "Who's Who of Leading Lawyers," Phoenix Business Journal, 2006; "Advanced Practitioner in Workplace Mediation and Employment Arbitration," Association for Conflict Resolution. Past Chair of State Bar ADR Section (2003-2004). Chair of American Arbitration Association's Arizona Employment Advisory Council in Arizona (2006-2007). Mediator for the Equal Employment Opportunity Commission, the Arizona Civil Rights Division, and other governmental agencies. Mediator and Arbitrator for Arizona Association of Realtors. Mediator and arbitrator for employment matters in the securities industry (FINRA).

Mediator Experience

Over 19 years mediating full time, over 2000 cases, both litigated disputes and internal Dispute Resolution Program disputes. ACR Advanced Practitioner in Workplace Mediation. Fellow of the College of Labor and Employment Lawyers and American College of Civil Trial Mediators. CPR Panel of Distinguished Neutrals. Mediated over 2000 cases, primarily in the area of employment disputes. Mediates Title VII, contract and tort cases in active litigation, in state or federal court, as well as early stage mediations, such as charges filed with the EEOC, employment and contract claims asserted in corporate ADR or DRP programs, and mediation conducted in response to pre-litigation demand letters, including executive compensation disputes. Multi-party, class and collective action disputes. Executive employment agreements and executive compensation disputes, restrictive covenant cases.

Mediated 400+ EEOC charges, both as a contract mediator with the EEOC and as a privately retained mediator. Mediated numerous class cases brought by the EEOC as a plaintiff on behalf of employees. Served as contract mediator for several private organizations. Mediated interpersonal disputes for executives in conflict, as well as for managers and employees.

Mediator for the Arizona Association of Realtors since 2002. Mediator for FINRA. Judge pro tem for the Maricopa County Superior Court, acting as settlement judge in general civil and commercial matters for over 10 years.

Experienced with on-line platforms such as Zoom, and willing to mediate on-line or in-person.

Representative Issues Handled as a Mediator

Sexual harassment, and all forms of harassment and discrimination under Title VII and related laws, including religion, disability (ADA), gender discrimination, same-sex harassment and discrimination, age (ADEA), race and ethnic origin discrimination, pregnancy, Equal Pay Act violations, FMLA, FLSA (Fair Labor Standards Act), wrongful termination, defamation, invasion of privacy, intentional infliction of emotional distress, wage disputes, breach of contract, partnership disputes, executive employment agreements and executive compensation disputes, due process and First Amendment violations, restrictive covenants and covenants not to compete, unfair trade practices, and other claims of unfair treatment. Labor-management mediation.

Commercial cases mediated in addition to the above, include real estate failure to disclose, earnest money disputes, and misrepresentation, as well as securities law issues. Also, miscellaneous personal injury/tort claims. FINRA cases.

Mediator Style & Process Preferences

I have a facilitative view of mediation, and become evaluative where needed and/or desired as the mediation progresses. I use an initial joint session to familiarize parties with the process and to set the stage for a successful mediation, to establish a respectful and confidential environment and to aid in setting reasonable expectations. I provide the opportunity for parties and/or counsel to share their perspective to the extent desired, to ensure each person is adequately heard, and to allow any new information not previously disclosed to be shared. I create a respectful, informal yet structured process to enable parties to reach an agreement with terms that they can live with. I encourage the lawyers' role as consultants and advisors to their clients. I facilitate communication and negotiation; recognize, acknowledge and address strong emotional beliefs and feelings, if they may be blocking resolution; assist in generating options or alternatives for resolution, and provide information based on my knowledge and experience to assist the parties in making an informed decision.

Education

University of Arizona (JD, summa cum laude-1984); University of Denver (BA, Psychology/Political Science, summa cum laude-1981).

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| Professional Licenses | Admitted to the Bar: Arizona, 1984. |
| Professional Associations | American Bar Association (ADR Section; Labor and Employment Section); Fellow, College of Labor and Employment Lawyers; State Bar of Arizona (ADR Section, Past Chair; Labor and Employment Section); Association for Conflict Resolution (Advanced Practitioner Member; Workplace Section; Training Section); Arizona Association for Conflict Resolution (Founding Board Member); Maricopa County Alternative Dispute Resolution Association (Past Board of Directors); Maricopa County Bar Association; Arizona International Professional Managers Association; Valley of the Sun Human Resources Management Organization; American College of Civil Trial Mediators (Fellow); CPR Panel of Distinguished Neutrals; International Mediation Institute (IMI) Certified Mediator; National Association of Distinguished Neutrals. |
| Recent Publications & Speaking Engagements | <p>PUBLICATIONS: Book Author, "Mediation Success: Get it Out, Get it Over, Get Back to Business," : Anger and Violence in Mediation," Arizona Attorney April 2013, "The Driving Force of Desires: Reaching Resolution in Mediation", The Arizona Attorney, July/August 2008; "The A-List of Emotions in Mediation", DISPUTE RESOLUTION JOURNAL, American Arbitration Association, April 2006 and AAA HANDBOOK ON MEDIATION, Second Edition, 2010; "Anatomy of a Mediation," ARIZONA ADR FORUM, December 2005; "Maximize your Mediation," ARIZONA ADR FORUM, December 2004. Bi-monthly contributor to Attorney At Law magazine, Arizona, 2012-13. Many articles on website, www.insightmediation.com. Regular featured author for the Attorney-at-Law Magazine for over seven years on various ADR topics.</p> <p>SPEAKING ENGAGEMENTS: Frequent Speaker and Panelist. Representative engagements include "Driving Force of Desires: Resolution in Mediation", Arizona State SHRM conference 2008, "Conflict Management Fundamentals", Arizona Women Accountant's Annual Seminar, 2008, "Role of Corporate Counsel in Mediation," Maricopa County Bar Association, June 2007; "Mediation and Other Forms of ADR," and related presentations, State Human Resource Management Conference, 2007, 2006, 2002; "Appearing Before, Choosing and Becoming a Mediator," AZ State Bar Convention, 2006; "Etiquette and Protocol in Mediation," National Structured Settlement Trade Association, 2006; "Comparisons of Workplace, Family and Probate Mediation," AZ ACR, September 2005; "Mediating Employment Disputes," AZ State Bar Convention, 2003; "Factors to Consider in Valuing Your Case for Mediation," State Bar Labor and Employment Section, Spring 2003; frequent lecturer and panelist on areas of employment liability, preventing and resolving employment disputes, effective investigations, and conflict resolution/communication skills. Full list of articles and speaking engagements listed on website resume.</p> |
| Locations Where Parties Will Not be Charged for Travel Expenses | Phoenix, Denver, San Diego / Los Angeles / Orange County. |
| Mediation Rate | \$700 Per Hour |
| Languages | English |
| Citizenship | United States of America |
| Locale | Scottsdale, 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.