



AAA Mediation.org™

**FN-4244261 MN-4244261 LN-4244261,
Esq.**

Newport Beach, California



Current Employer-Title J.S. Held LLC – Vice President

Profession Arbitrator, Attorney, Consultant, Executive, Mediator

Work History Vice President, J.S. Held LLC, 2019 – Present; President, Tomeo ADR Inc., 2015 – 2019; Member, Benchmark Consulting Services LLC, 2000 – 2019; Sage Construction Consulting, 1994 – 2000.

Experience Vice President of J.S. Held LLC providing construction consulting and expert services for J.S. Held's clients in the areas of surety, construction project management, construction claim analysis and alternative dispute resolution. Previously a partner of Benchmark Consulting Services, LLC and managed Benchmark's California operation.

Involved in the construction industry for over 35 years, including working part-time in the construction trades while completing high school, college and law school. During most of those years, retained by multiple sureties, private owners, public agencies, general contractors and subcontractors to assist in resolving construction disputes on hundreds of public and private projects throughout the Western United States and Mexico with construction costs totaling billions of dollars. Experienced in a broad range of construction projects, including government buildings, hospitals, military facilities, airports, churches, industrial facilities, public utilities, heavy civil/transportation, K-12 schools, community colleges, university facilities, science and engineering facilities, subdivisions and residential projects.

Retained as an expert in construction related disputes and has defended and prepared multiple construction related claims for project owners, sureties, general contractors and subcontractors. Has acted as a liaison between project owners and contractors to resolve construction disputes and has served as a project manager on numerous troubled construction projects.

Mediator Experience Served as a mediator and early neutral while simultaneously conducting construction consulting practice. Mediated and served as an early neutral on numerous complex construction cases with damages claims in the billions of dollars involving construction defects, change order disputes, overpayment, delay and disruption claims, scope disputes, schedule delays, acceleration claims, wrongful termination, extended overhead, geotechnical, unforeseen conditions, surety, insurance

coverage issues, costs to complete, design errors and omissions, permitting, abatement, water intrusion, sound mitigation and licensure issues.

Mediated cases include both public and private projects with multiple delivery methods such as design-bid-build and design build. Representative project types include single family custom homes, condominium projects, high-rise buildings, wastewater treatment plants, K-12 schools, university buildings, solar farms, highways, hotels, restaurants, underground utilities, churches and tenant improvements.

Representative Issues Handled as a Mediator

Mediated numerous construction related matters involving claims of construction defects, unforeseen conditions, design errors and omissions, change order claims, delays and disruption claims, schedule impacts, lost profits, extended general conditions claims, home office overhead claims, out of sequence work, wrongful termination, replacement costs, liquidated damages claims, water damage, asbestos abatement, breach of contract, cardinal change claims, fraudulent change orders and billings, hazardous conditions, noise abatement, labor inefficiencies, material escalations, geotechnical issues, acceleration claims and contractor's license issues including claims of disgorgement.

Mediator Style & Process Preferences

Mr. Tomeo's ADR practice focuses primarily on construction related disputes. He provides an evaluative approach to mediation to assist parties in better understanding the strengths and weaknesses of their respective cases. As a licensed attorney, construction consultant and construction expert for decades, a unique skill-set has been developed to assist in construction related disputes. Although the parties ultimately control the process, construction related disputes are better served by a mediator that has subject matter expertise.

Mr. Tomeo believes in investing time before the mediation to understand the specific issues in dispute. Will work tirelessly to explore all settlement options, and will use industry knowledge and prior experience to ensure that the process is not simply shuttling of numbers between the parties.

Education

California Western School of Law (JD-1994); University of California, San Diego (BA-1991).

Professional Licenses

Admitted to the Bar: California, 1994.

Professional Associations

American Arbitration Association; American Bar Association (Construction Forum); Associated General Contractors (Legal Advisory Committee); National Bond Claims Association; Orange County Bar Association; Surety Claims Association of Los Angeles; Surety Claims Institute.

Mediation Rate

\$5,500 Per Day

Languages

English

Citizenship

United States of America

Locale

Newport Beach, 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.