



AAA Mediation.org™

**FN-4296721 MN-4296721 LN-4296721,  
Esq.**

**Plano, Texas**



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**Current Employer-Title** Culhane PLLC, Partner - Attorney, Arbitrator & Mediator

**Panelist Video** <https://www.adr.org/videoresume?paramName=309291077>

**Profession** Arbitrator, Attorney, Educator, Mediator

**Work History** Partner/Attorney/Arbitrator/Mediator, Culhane PLLC (formerly Culhane Meadows PLLC), 2015 - Present; Attorney/Arbitrator and Mediator, Phillips & Reiter PLLC (now Reiter, Brunel & Dunn, PLLC), 2009 - 2015; Senior Vice President and Deputy General Counsel, HealthMarkets Companies, 2006 - 2009; Vice President and General Counsel, Saxon Publishers Inc., 2001 - 2004; Senior Vice President and General Counsel, Southwestern Life Holdings Inc./Southwestern Life Insurance Company, 2000 - 2001; Vice President and Associate General Counsel, Consecoco Companies/Transport Companies, 1995 - 2000; Vice President and General Counsel, Statesman National Life Insurance Company/ACAP Corporation/American Capitol Insurance Company/Fortune National Corporation/Fortune National Life Insurance Company, 1990 - 1995; Attorney, Mayor Day & Caldwell (now Hunton Andrews Kurth LLP)/Cox & Smith Incorporated (now Dykema), 1985 - 1990.

**Experience** Broad and varied experience as arbitrator and mediator and as general counsel, both in-house and outside. Have taught alternative dispute resolution, business law, government, and other law-related courses at law school and undergraduate levels.

Manufacturing:

Outside counsel to leading manufacturer of devices to detect exposure of shipments to shock, high or low temperatures, tipping and other mishandling in transit. Also outside counsel to leading manufacturer of specialty industrial lubricants & coatings.

Experience in product hardware and software development and related contracts, corporate governance, patent infringement litigation, and domestic & international product liability claims and

distribution networks. Handled merger & acquisition transactions by which businesses or product lines were sold and shareholder dispute concerning composition of board of directors.

#### Educational Publishing:

General counsel for leading producer of mathematics learning programs. Leading role in successful turnaround efforts and sale of company to major publisher. Handled corporate governance and counseled sibling owners on family business relationships pre- and post-sale.

Experience in product development and related contracts, protection & licensing of copyrights, trademarks and other intellectual property, and litigation with author over royalties and with manufacturing agent over billing & accounting practices and self-dealing. Handled real estate matters including warehouse leasing and construction of warehouse addition using American Institute of Architects (AIA) forms.

#### Insurance:

General counsel or senior legal officer for six different insurers.

Life, accident & health experience includes: Marketing, sale, underwriting, administration, claims, reinsurance and regulation, as well as individual, class action and regulatory litigation, of and under group, association group and individual major medical, limited benefit medical, disability, universal life, whole life, term life and annuity coverages. Reinsurance (financial, acquisitive & surplus relief); third-party administrator (TPA); managed healthcare network (PPO & HMO); ERISA; usual, customary & reasonable charge (UCR); pre-existing condition; coverage; claims; structured settlement; and contestability (misrepresentation, fraud, insurable interest, viatical transfer).

Property & casualty experience includes: commercial general liability, casualty loss and surplus lines coverages; personal lines homeowner and auto coverages.

Also experienced in financial and market conduct regulation of insurers, including: fraud investigation; investment; risk-based capital and minimum capital & surplus; credit for reinsurance ceded; financial reporting; and financial and market conduct examinations.

Handled numerous merger & acquisition transactions by which insurers or insurance coverages in force with associated assets were bought or sold. Handled securities periodic and transactional reporting under Securities Exchange Act of 1934, corporate governance, office leasing, and oil & gas leasing.

Managed litigation dockets of up to hundreds of cases with annual budgets up to \$20 million. Used arbitration and mediation to reduce multiple litigation dockets and budgets by one-half or more.

#### Labor & Employment:

Handled labor & employment matters, including discipline, reduction in force (RIF), executive-level and other unusual terminations, transition of payroll & benefits programs to vendors, and internal investigation of wrongful termination, harassment (sexual and non-sexual), employee theft, statutory discrimination and wage & hour claims as well as abusive insurance claims handling practices and systematic copyright infringement in production of print, audio and video materials in-house.

## **Mediator Experience**

Mediator in over 250 cases, including over 90 employment cases.

Wide variety of commercial and consumer disputes: contract & warranty (commercial and consumer); real estate title & ownership (boundary, partition, covenant, easement, adverse possession, homeowner association); real estate transaction (mortgage lending & foreclosure, contract-for-deed); landlord-tenant (lease, eviction); construction (commercial and residential); insurance (coverage and first- and third-party claims); personal injury (vehicle accident, slip-&-fall, assault); collections (lender & credit card debt, sworn account, legal fees, telephone and other collection practices); consumer fraud & deceptive trade practices (common law & statutory); professional liability (medical, dental & legal malpractice, real estate broker liability); trusts, wills & probate (administration, fiduciary duty, undue influence); and intellectual property (copyright, royalties); banking transactions & related civil rights claims.

Employment mediation experience: wrongful termination; whistleblower; statutory discrimination (race, gender, age, ethnicity, religion); Americans With Disabilities Act (ADA - disability, reasonable accommodation); Family and Medical Leave Act (FMLA); wage & hour (independent contractor status, overtime); retaliation (whistleblower and other); harassment (sexual and non-sexual); contract (including covenants not to disclose or compete); worker compensation (rating, non-subscriber liability); municipal indemnity (police); collective bargaining agreement issues (Federal governmental units).

Multi-party mediation experience includes: Seven wills, trusts and probate cases involving multi-party disputes over various aspects of trust or estate administration and division of property; ten group facilitations (a form of group mediation) for dysfunctional work groups ranging from three to 15 persons; and one municipal indemnity (police) case where municipality, police officer and police association were involved in Federal civil rights case alleging police brutality in connection with an arrest for driving while intoxicated.

**Representative Issues  
Handled as a Mediator**

Mediation experience includes wide variety of commercial and consumer disputes, as well as over 90 employment or employment-related cases involving discrimination and other issues.

**Mediator Style & Process  
Preferences**

Disputes should be resolved efficiently via a procedure that provides fairness and due process. The parties should leave feeling that they had their say even if they did not get everything they wanted.

The mediation procedure should fit the needs of the parties and the case. An initial joint session can be helpful in allowing all participants to get acquainted and air their views. Private sessions then provide a forum for candid discussions.

In-person mediation is preferred by most participants, but videoconference mediation can work well while helping to keep costs low.

Litigation is expensive and time-consuming, and the process may leave parties wondering whether the result obtained was worth the effort. In most cases, intelligent use of mediation will bring the parties to a more efficient resolution faster and at a lower cost.

**Technology Proficiency**

Proficient in and comfortable with computer, software and other technology use generally. Proficient in use of online videoconferencing via Zoom, Microsoft Teams and other similar platforms, online scheduling tools, and other Internet-based communications facilities. Proficient in use of Internet research tools. Proficient in use of various word processing, spreadsheet, database and communications software tools. Comfortable with electronic exchange of documents including pleadings and hearing exhibits.

**Education**

The University of Houston College of Law (J.D., magna cum laude, Order of the Coif, Order of the Barons-1985); Rice University (BA, Managerial Studies and Political Science-1982).

**Professional Licenses**

Admitted to the Bar: Texas (1985), District of Columbia (1987).

Insurance Industry Designations: Fellow, Life Management Institute (FLMI), with distinction; Associate, Insurance Regulatory Compliance; Associate, Customer Service; Underwriting Life and Health Insurance.

**Professional Associations**

State Bar of Texas; The District of Columbia Bar; Association of Attorney-Mediators (Director 2013-2016); Alternative Dispute Resolution Section, State Bar of Texas; Alternate Dispute Resolution Section, Dallas Bar Association.

**Recent Publications &  
Speaking Engagements**

Publications:

Author, "Texas Law on Stockholders' Inspection Rights: How Does It Stack Up Against Delaware Law and the Model Business Corporation Act?", 40 Sw. L. J. 845 (1986).

Teaching & Speaking Engagements:

Associate Faculty (Law & Government), Collin College (2019-Present); Judge, Mock Trial, Arbitration, Mediation and Negotiation Competitions at law school, undergraduate, high school and

junior high school levels (2009-Present); Assistant Coach, Undergraduate Mock Trial & Mediation Programs, University of Texas at Dallas, Richardson, Texas (2011-2020); Adjunct Professor and Founding Director - Employment Mediation Clinic, Texas A&M University School of Law, Fort Worth, Texas (2013-2017) and Texas Wesleyan University School of Law, Fort Worth, Texas (2011-2013); Adjunct Professor, undergraduate Paralegal Studies Program, Texas Wesleyan University, Fort Worth, Texas (2011-2017).

Speaker, "A General Counsel's Inside View of Mediation," Association of Attorney-Mediators North Texas Chapter Meeting (September 2012); Speaker and Panelist, "A Few Very Valuable Nuggets Formed by Experience," Association of Attorney-Mediators Annual Conference and Advanced Training (May 2012); Speaker, "Staying Away from the Courthouse," North Texas Enterprise Center Seminar (May 2010); Speaker and Panelist, "Explaining and Training Bad Faith," American Council of Life Insurers Seminar (October 2009); Assistant Coach, undergraduate Mock Trial and Mediation Programs, University of Texas at Dallas, Richardson, Texas (2011-2020).

<b>Locations Where Parties Will Not be Charged for Travel Expenses</b>	No charge for travel time or expenses for travel within Texas, New Mexico, Oklahoma, Arkansas and Louisiana.
<b>Mediation Rate</b>	\$3,600 Per Day
<b>Languages</b>	English
<b>Citizenship</b>	United States of America
<b>Locale</b>	Plano, TX

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.