



AAA Mediation.org™

**FN-4800955 MN-4800955 LN-4800955,
Esq.**

Westchester, Pennsylvania

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Current Employer-Title Glidden ADR, LLC

Panelist Video <https://www.adr.org/videoresume?paramName=769515575>

Profession Attorney, Arbitrator, Mediator

Work History Of Counsel, Unruh Turner Burke & Frees P.C., 2007 - 2022; Solo Practitioner 2001 – 2007; Partner, Phebus Tummelson Bryan & Knox, 1995 – 2001, Associate, Phebus Tummelson Bryan & Knox, 1990 – 1994.

Experience Thirty-two years of experience in civil litigation, complex litigation, appeals, and ADR processes. Advocacy has included litigation in the areas of construction, general commercial contract disputes, banking, real estate, and commercial landlord/tenant. Representation has varied between serving as counsel for plaintiffs and for defendants.

Case Examples - Advocate:

Construction: Represented a Homeowner's Association in a dispute involving systemic stucco and stone masonry construction defects. Represented a Homeowner's Association in a construction dispute involving a systemic defective chimney installation. Represented residential homeowner in dispute involving an architect's defective design and builder's defective construction. Represented numerous individual homeowners in a variety of multiparty residential construction defect claims. Represented several builders in numerous multi-party construction defect claims involving, exterior building envelope defects, roof defects, water infiltration claims, mold claims, and fire suppression system defects. Represented a developer against an engineering firm for faulty storm water management and site balancing work. Represented a school district in defending claims brought by a contractor on a public school construction project following a termination for cause, with related claims involving the Surety and delay claims asserted by prime contractors. Represented a sewer authority in defending claims brought by a contractor challenging retainage and other payments pursuant to the PA "Prompt Payment Act." Defended builders in actions involving claims under the PA Home Improvement & Consumer Protection Act ("HICPA") and the PA Unfair Trade Practices and Consumer Protection Law ("UTPCPL"). Represented a school district in litigation involving a public bidding dispute. Have also handled mechanic's lien claims for builders, subcontractors, and property owners. Dollar value of the above cases ranges from \$25,000.00 - \$3,000,000.00.

Commercial: Represented several commercial landlords in disputes involving lease default and restoration claims. Represented several Bank clients on matters involving commercial loan defaults. Represented buyers and sellers in general real estate disputes and claims involving the PA Real Estate Seller's Disclosure Law ("RESDL"). Represented insureds in disputes involving insurance

claims. Dollar value of these cases ranges from \$10,000.00 - \$400,000.00.

Technology proficiency includes conducting numerous two-party and multi-party mediations and arbitrations using on-line programs. Working knowledge of Primavera software.

Mediator Experience	Served as a mediator for disputes involving, personal injury/commercial premises liability, business disputes, commercial contract breaches, construction defect disputes, residential and commercial real estate disputes, and disputes involving homeowner's associations.
Representative Issues Handled as a Mediator	Mediated personal injury/commercial premises liability claims involving customers injured in "big box" stores; all manner of residential real estate seller's disclosure claims, and residential and commercial real estate contract termination and deposit disputes; and disputes between business partners as well as business dissolutions, and multi-party residential construction defect disputes.
Mediator Style & Process Preferences	I feel mediation is an under-appreciated option for the resolution of disputes, and as a mediator I strive to provide parties and their counsel with a positive mediation experience. I mediate disputes pre-suit, or at the appropriate time in the life of a litigated case. My expectation is that the parties and their counsel are coming to the mediation in good faith with a desire to work through and resolve their dispute. As a mediator I bring subject matter expertise, and my goal is to analyze and help streamline complex issues to assist parties with achieving appropriate and cost-effective solutions to their dispute. I am also sensitive to the people challenges and emotional components that can sometimes infuse disputes. I engage in active listening and productive communication to work creatively and constructively with parties and their counsel to achieve successful mediated outcomes.
Education	Pepperdine University School of Law Straus Institute for Dispute Resolution, Professional Skills Program (Certificate, Advanced Mediation - 2010); University of Illinois College of Law (J.D. - 1990); Columbia University (M.A. - 1984); Keene State College (B.A. - 1980).
Professional Licenses	Admitted to the Bar: Pennsylvania (1997); United States Court of Claims (1993); U.S. District Court: Central District of Illinois (1990), Eastern District of Pennsylvania (1997), Western District of Pennsylvania (2016); U.S. Court of Appeals: Third Circuit (1997), Seventh Circuit (1991); U.S. Supreme Court (1997).
Professional Associations	Pennsylvania Council of Mediators ("PCM") - President. (2017 to present); American Bar Association - Alternative Dispute Resolution Section Member, (Past Co-Chair Mid-Atlantic Region - Women in Dispute Resolution ("WIDR") Group), Reviewer for Annual ADR Conference RFP submissions; Pennsylvania Bar Association - Member of the Alternative Dispute Resolution Committee, serve as a member of ADR Subcommittee on legislative initiatives for expanding ADR processes in the Commonwealth of Pennsylvania; Member Pennsylvania Bar Association Collaborative Law Committee, Chester County Bar Association - Chair, Alternative Dispute Resolution Section. Member Association for Conflict Resolution (Greater Philadelphia Chapter).
Recent Publications & Speaking Engagements	"Party Self-Determination in Mediation" Association for Conflict Resolution (Philadelphia Chapter), 2022; "Online Arbitration & Mediation – Pros and Cons" Chester County Bar Association, 2021; "Participant Perspectives on Virtual Mediation – Tips for Success" Chester County Bar Association, New Matter, 2021; "Participant Perspectives on Virtual Mediation – Tips for Success" Pennsylvania Council of Mediators, Newsletter, 2021; "Improve Your Practice with PCM Learning Opportunities for Mediators" CLE program for the Chester County Bar Association, 2021; Chester County Bar Association, "Unconscious Bias in Mediation" Presenter, 2019; "Mediation in Pennsylvania" Pennsylvania Bar Association Quarterly, 2019; Pennsylvania Council of Mediators, "Building Mediation Skills", 2019; "Five Elements for Effective Mediating" CLE Presentation for the Chester County Bar Association, 2019; "Overview of Mediation in Pennsylvania" Moderator & Presenter at the Pennsylvania Council of Mediators Annual Conference, 2019; "Strategies for Making Difficult Conversations Less Difficult", 2019; "Mediate This: Experienced Mediators Role Play a Real Life Dispute" CLE Presentation for the Chester County Bar Association, 2018; Pennsylvania Council of Mediators, "Elevate Thinking and Break Impasse with Science", 2018; Pennsylvania Council of Mediators, "Making Conflict Work, 2018; "Impasse in Mediation" CLE presentation for the Chester County Bar Association, 2018; "Implicit Bias and Mediation" CLE presentation for the Chester County Bar Association, 2017; "Will Your ADR Neutral Disclosures Meet Party Expectations?" Presentation at the American Bar Association Alternative Dispute Resolution Section Annual Spring Conference, San Francisco, 2017; "Mediator Conflict Disclosures: Ethical Conundrums" CLE

program for the Chester County Bar Association, 2017; “ADR Neutral Disclosures: Do They Meet Party Expectations and Are They Effective to Ensure Against Actual and Apparent Conflicts?” Panel participant for CLE program sponsored by the Women’s Bar Association of Western Pennsylvania, 2017.

Mediation Rate	\$350 Per Hour
Languages	English
Citizenship	United States of America
Locale	Westchester, PA

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.