



AAA Mediation.org™

**FN-5088734 MN-5088734 LN-5088734,
Esq.**

York, Pennsylvania



Current Employer-Title Barley Snyder, LLP - Of Counsel

Profession Arbitrator, Mediator, Attorney, Retired Judge

Work History Of Counsel, Barley Snyder LLP, 2019-Present; Mediator/Arbitrator, Scanlon ADR Services, 2017-2020; President Judge/Judge, 19th Judicial District of Pennsylvania, 1998-2017; Partner, Rhoads & Sinon, LLP, 1995-1998; Partner, Kain Brown & Roberts, 1991-1995; Partner, Manifold Linebaugh & Bankenstein, 1973-1991.

Experience As judge tried 200+ jury and non-jury trials. Handled only civil litigation matters last 10 years on Bench & all civil motions, settlement conferences, discovery disputes, injunctions, etc. Mediating civil cases since 2008.

Central PA Business J 2021 Legal Excellence Award for ADR; American Inns of Court (Herbert B. Cohen Chapter) - Civility and Ethics Award, 2019; PBA - Chief Justice Ronald D. Castile Judge's Award, 2015; PBA - "Everyday Leader Award" for work with the Adult Treatment Courts in York County, 2006;

As judge, arbitrator & mediator cases involving:

General Business Disputes:

- *Shopping Center refused to pay tax ferret services in substantially lowering tax assessment
- *Minority shareholders sought buy out by majority shareholders. Majority S/Hs sued minority S/Hs alleging deliberately tried to harm corp's profitability & cause corp to be sold to competitor
- *Lawsuit involving construction of multi-million dollar residence; quality of work, scope of items in contract & construction costs

Insurance:

- *Civil trial judge presided over cases involving contribution or indemnity based upon contract provisions involving insurers, owners, contractors,

& subcontractors; mediated & arbitrated indemnity issue cases since 2017

*Claim against insurance company for failing to do due diligence in locating life insurance beneficiary

Personal Injury Claims:

*Slip and fall at strip mall resulting in multi-million dollar recovery by plaintiff

*Percent of liability oil truck & tractor trailer both struck on-coming pickup truck

*Vehicle on interstate struck in rear by tractor trailer

*Declaratory judgment action on extent of policy coverage where vehicle struck a pedestrian

Professional Negligence Disputes:

*Attorney claim against another attorney & law firm for drafting of partnership agreement & buy out provisions

*Oncology surgeon surgical treatment of enlarged uterus due to numerous fibroids resulted in significant injury to bladder with permanent incontinence. Settlement \$3 million+

*Birth injury involving monitoring electronic fetal heart rate tracing strips & delay in performing emergent cesarean section

*Cervical discectomy at wrong cervical spine level

*Laparoscopic hysterectomy: permanent debilitating injury by suture obstructing distal ureter

Real Estate Valuation Disputes:

*Eminent domain proceeding jury verdict \$1,000,000+; condemning authority offered \$60,000.00

*Jury trial: eminent domain proceeding; verdict \$2 million+ against DOT

Tax Assessment Appeals:

*Real estate value of major department store within large shopping mall but assessed separately

*Tax assessment of manufacturing plant of world-wide motorcycle company; property had significant environmental issues; determination of

property value \$24 million+ affirmed by the Pennsylvania Supreme Court reversing Superior Court

*Determination as to newly constructed surgical center as for-profit or non-profit component of regional non-profit health care provider

*Valuation of a for profit hospital that previously was non-profit facility

Wills and Trusts Disputes:

*Litigation by Trustee against claimant beneficiaries re: ownership of vacation home compound on Caribbean island

*Estate litigation over right to retain commercial retail business & strip mall by beneficiaries opposed to forced sale

E-Discovery Matters:

*Commercial property casualty loss & business interruption: Privilege issue re: emails, internal memos & other documents by insurance company to employees & outside counsel

*Discoverability of internal documentation in suit by minority shareholder; duty to shareholder

Mediator Experience

Since 2018 has served as mediator in more than 50 cases with over 95% success rate. Approved by MCare, NORCAL, and CPPRRG.

Representative Issues Handled as a Mediator

Professional negligence, personal injury, insurance coverage, contribution or indemnity based upon contract provisions (involving insurers, owners, contractors, and subcontractors), property damage, nursing home disputes, consumer agreements, negligence, business interruption, breach of contract, and minority shareholder actions.

Mediator Style & Process Preferences

My thoughts on the role of a mediator have been developed not only through my contact with civil trial attorneys as a judge over 20+ years, but also through courses attended each year on alternative

dispute resolution.

Technology Proficiency	Proficient in and willing to conduct conferences and hearings using Zoom.
Education	University of Pittsburgh School of Law (JD-1972); University of Pittsburgh (BA, Political Science major; History minor-1969).
Professional Licenses	Admitted to the Bar: Pennsylvania (1972); Supreme Court of Pennsylvania (1972); Superior Court of Pennsylvania (1972); Commonwealth Court of Pennsylvania (1972); U.S. District Courts: Middle District of Pennsylvania (1974); U.S. Supreme Court (1983).
Professional Associations	Federal Bar Association; Pennsylvania Bar Association; Pennsylvania Conference of State Trial Judges; York County Bar Association.
Recent Publications & Speaking Engagements	Pennsylvania Conference of State Trial Judges; Pennsylvania Bar Institute; National District Attorneys Association; Pennsylvania Conference of Prothonotaries and Clerks of Court; National Business Institute; Pennsylvania Protection from Abuse Database Convention; York County Bar Association.
Mediation Rate	\$575 Per Hour
Languages	English
Citizenship	United States of America
Locale	York, 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.