



AAA Mediation.org™

**FN-5090611 MN-5090611 LN-5090611,  
Esq.**

**Chicago, Illinois**



**Current Employer-Title** Independent Mediator

**Work History** Independent Mediator, 2018 – Present; Partner/Of Counsel, McKool Smith, 2012-2016; Special Counsel, Cadwalader Wickersham & Taft, 2008-2012; Partner, Morgan & Finnegan, 2004-2008; Solo Practice, 2001-2004; Counsel, Howrey & Simon, 1998-2001; Attorney-Advisor/Senior Investigative Attorney, United States International Trade Commission, 1987-1997.

**Experience** Thirty years of experience litigating global business disputes, including international trade, unfair competition, and IP cases – first for the federal government and later for Am100 law firms and IP boutiques. Litigations included multinational, multi-forum industry disputes involving telecommunications, pharmaceuticals, biotechnology, semiconductors, chemicals, heavy industry, and consumer electronics. Negotiated global settlement agreements involving multi-party coalitions, and state actors as parties. Served as Senior Investigative Attorney for the federal government (United States International Trade Commission) and conducted international trade investigations and unfair-import trials under Title 19 of the U.S. Code.

**Mediator Experience** Since 2018, conducted more than 50 mediations in Chicago, Illinois, Washington, D.C., New York, New York, Los Angeles, California, Orlando, Florida, and most recently, online. Mediations included parties from North and South America, Asia, Europe, and the Middle East – including parties from the Peoples Republic of China, Hong Kong, South Korea, Japan, Denmark, Switzerland, United Kingdom, Italy, Germany, Israel, and Uruguay. Mediations included ten Fortune 500 companies as parties and more than one third of the Am100 law firms as lead counsel. Most mediations have included an amount in dispute in excess of 10 million dollars and some have included an amount in dispute exceeding 100 million dollars. Mediations addressed disputes in litigation before United States District Courts and the United States International Trade Commission – including multi-district and parallel litigation before the USPTO, EPO, and the courts of the UK, France, Germany, Italy, and Poland.

**Representative Issues Handled as a Mediator** Recent mediations involved disputes concerning medical devices, industrial equipment and automation, hospital construction, and consumer electronics products. Nearly all recent mediations have involved parties from different countries. Issues in dispute have included patents, trademarks, gray market, trade secrets, unfair trade practices, international trade, economic injury and damages,

licensing, and commercial contract disputes. Active pro bono conciliation and restorative justice ADR practice has included mediation of intra-denominational church governance disputes, restorative justice work with pre-release Federal prisoners, and refugee family interventions.

<b>Mediator Style &amp; Process Preferences</b>	I approach each mediation with an initial study of how the parties describe themselves in publicly available documents. If the dispute involves active litigation, I will review all the key pleadings and orders in the case. I strongly believe in preliminary ex parte teleconferences with outside counsel to discern the nature of the dispute, perceived bases of impasse, and potential options for settlement. I also use the preliminary conferences to identify matters to be addressed in follow-up, ex parte mediation statements, and to tailor the mediation to maximize likelihood of success. I tend to use and share Visio decision-tree diagrams to develop a shared understanding of commonly-known options and directions of a dispute in the absence of settlement. I tend to rely on caucuses, but will recommend and use joint sessions of all participants or a subset of participants as suggested by the circumstances and agreed to by the parties.
<b>Education</b>	Georgetown University Law Center (LLM, International & Comparative-1986); Drake University (MPA-1984; JD-1984; BA-1981)
<b>Professional Licenses</b>	Admitted to the Bar: District of Columbia (1999), Illinois (2016); United States Court of Appeals for the Federal Circuit (2003)
<b>Professional Associations</b>	ITC Trial Lawyers Association; American Intellectual Property Law Association; World Intellectual Property Organization; U.S. International Trade Commission
<b>Recent Publications &amp; Speaking Engagements</b>	Recent Speaking Engagement: International Arbitration Center in Tokyo, webinar panelist on “Managing Coronavirus Impact on Litigation Operations—Mediation & Arbitration” (2020)
<b>Mediation Rate</b>	\$450 Per Hour
<b>Languages</b>	English
<b>Citizenship</b>	United States of America
<b>Locale</b>	Chicago, IL

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.