



AAA Mediation.org™

FN-57037 MN-57037 LN-57037, Esq.

Pittsburgh, Pennsylvania



Current Employer-Title	Dickie, McCamey & Chilcote, P.C. - Shareholder, Director
Professional Summary	Primarily engaged in contract drafting/negotiations, litigation and mediation of construction/surety claims and other construction related disputes. Practice involves representation of owners, general contractors, subcontractors, suppliers, developers, public agencies, design professionals and sureties.
Profession	Attorney
Work History	Shareholder/Director, Dickie, McCamey & Chilcote, P.C. 1984 - Present; Law Clerk, Supreme Court of Pennsylvania, 1981 - 1983. Adjunct Professor, Construction Law, Duquesne University School of Law, 2003 - 2019.
Experience	Trial and arbitration experience includes jury, non-jury and arbitration matters relating to construction claims, surety claims, insurance coverage disputes, design/build issues, differing site condition claims, inefficiency claims, liquidated damage/delay claims, rescission claims, change order disputes, indemnity claims, surety takeover issues, bid protests, False Claims Act claims, scope-of-work disputes, professional standard of care issues, construction defect/subrogation claims, mechanics' liens and ERISA claims relating to unions. These subject matters have included electrical power plants, schools, bridges, heavy highway, office buildings, prisons, high tech manufacturing facilities and large residences. Clients include large manufacturers, general contractors, subcontractors, material suppliers, sureties, state, local and county governmental agencies.
Mediator Experience	Mediated over 150 construction cases including 75 involving contractor and owner, 50 involving contractor and subcontractor and 25 involving owner and design professional. Of these disputes, 5 involved claims of more than \$30 million, 50 involved claims between \$1 million and \$5 million, 50 involved claims of \$500,000 to \$1 million and 50 involved claims of less than \$500,000. Representative projects involved in these mediations include electrical power plants, highway and bridges, office buildings, prisons, schools, hi-tech manufacturing factory, and large residence.
Representative Issues Handled as a Mediator	Handled a variety of construction related subjects including designs/build issues, differing site conditions claims, liquidated damage/delay claims, scope-of-work disputes, professional standard of care issues and construction defects/subrogation claims.

Mediator Style & Process Preferences	Pre-mediation statements are requested to be submitted and exchanged at least one week before the mediation session. Following the submittal of mediation statements, ex parte conferences are conducted with counsel for all parties. The mediation session starts with a brief plenary session with counsel and party representatives. Following the plenary session are breakout sessions. Rarely, if ever, are parties requested to make an opening statement. The exception to this is if it would be helpful for the experts to make a presentation on any complex issue. The breakout sessions commence with the focus on the facts asserted by the parties. This session will typically stay “in the weeds” until all important issues and facts are vetted. Following this phase, a pivot will be made to begin to talk about monetary settlement positions. Parties and counsel will be pushed to overcome inevitable impasses. The secret to resolution is persistence and creativity. Will bring personal experiences with issues and tribunals to the discussion in order to allow the parties to better evaluate positions. Will not give up on a mediation without using all available tools including brackets, mediator proposals and initial evaluations.
Technology Proficiency	Proficient with the use of remote access technology including Zoom and Microsoft Teams.
Education	Duquesne University School of Law (JD, Cum Laude - 1981) Bucknell University (BS - 1978)
Professional Licenses	Admitted to the Bar: Pennsylvania; United States Court of Appeals for the Third Circuit; United States District Court for the Western District of Pennsylvania.
Professional Associations	Allegheny County Bar Association (Construction Law Section) Pennsylvania Bar Association American Bar Association (Construction Industry Forum, TIPS Fidelity and Surety Law Committee) Master Builders Association
Recent Publications & Speaking Engagements	<ul style="list-style-type: none"> • Exculpatory Clauses: “Will Pennsylvania Courts Permit Owners to Convert Termination For Default into Terminations For Convenience” (co-author) Breaking Ground Magazine, March/April 2023, Pgs. 50 – 51; • "When a Win is a Loss" (Author), Breaking Ground Magazine, January/February 2016; • “Pennsylvania Construction Law – Project Delivery Methods, Execution and Completion” (contributing Author), PBI Press 2013; • “Contractors on Projects Involving Federal Funds Dot Their I’s and Cross Their T’s (and mind their P’s and Q’s)” (co-author) Breaking Ground Magazine, September/October 2010; • “Mediation Mini Camp” (co-speaker), Pennsylvania CLE 12/13/2022; • Construction Law Academy, 7-Week Series” (speaker), Pennsylvania CLE 4/26/2018 to 10/4/2018; • Builder Legal Update, The New Mechanics’ Lien Statute and recent Bilt-Rite Decision (co-presenter), Builders Association of Metropolitan Pittsburgh 4/24/2007.
Mediation Rate	\$450 Per Hour
Languages	English
Citizenship	United States of America
Locale	Pittsburgh, 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.