



AAA Mediation.org™

FN-6386 MN-6386 LN-6386, Esq.

Providence, Rhode Island

Current Employer-Title Heald & Foye, Ltd. - Shareholder

Profession Attorney, Arbitrator, Mediator

Work History Shareholder, Heald & Foye, Ltd. 2022-Present; Heald & LeBoeuf, Ltd., 2004-2021 Owner, Heald & Associates, 1985-2004; Associate, Visconti & Heald, 1980-1985; Associate, Abeden & Visconti, 1975-1980; Law Clerk, Rhode Island Superior Court, 1975.

Experience Experienced attorney in construction law including litigation, arbitration, mediation, public bidding and contract law, mechanics' lien law, surety and bond law. Represents general contractors, subcontractors, suppliers, owners, sureties and insurers in claims and disputes involving private and public projects. Projects range in value from \$5,000 to \$10 million plus, and have included: private residences, public works, roads, bridges, federal, state and municipal buildings, apartments, condominiums, schools, hospitals, higher education facilities, transportation, retail, warehouses, office buildings, water and sewer treatment facilities. Disputes involve claims for payment, contract balance, extras, changes, defective work, incomplete work, delay, disruption, differing site conditions, scope issues, termination, suspension and design error. Frequent writer speaker on construction law topics.

Mediator Experience Extensive experience representing general contractors, subcontractors and owners in mediation under AAA rules and by agreement of parties in litigation. Served as a mediator in several matters by appointment of the parties.

Representative Issues Handled as a Mediator Recent Cases: Resolution of T&M contract for the removal and replacement of stucco exterior on historic Newport building; resolution of dispute involving general contractor (insurance), trade contractor (insurance) and owner on claim related to excessive building settlement; resolution of dispute between residential contractor and homeowner: new construction, multiple claims back and forth.

Mediator Style & Process Preferences Mediation is a process over time rather than a one-day event. It is important that the parties outline and exchange their positions well in advance of the scheduled date for mediation. That process may include a private discussion with each party and counsel prior to the scheduled mediation. At the scheduled mediation I will first explain how the process works and what is expected from each party. It is important that each of the parties (in addition to counsel) have an opportunity to speak and tell their story. I strive to be patient, listen carefully and respectfully to each party so that I understand what is important to them. I may follow up with questions to further identify the issues in dispute. Every mediation is different. Some just involve money. Others may be driven by emotional issues or other dynamics. I would attempt to discern the nature of the dispute prior to the mediation session and structure the process to address the issues presented. If requested by the parties, I would be willing to make evaluative observations based upon my experience and understanding of such matters.

Technology Proficiency Familiar with and regularly use online communication programs including Microsoft Google Meet and Zoom. Willing to utilize online platforms for mediation.

Education	University of Richmond (JD-1975); Washington College (BA-1970).
Professional Licenses	Admitted to the Bar: Rhode Island, 1975; District of Columbia, 1980; Massachusetts, 1986.
Professional Associations	Rhode Island Bar Association; Massachusetts Bar Association; American Bar Association (Forum Committee on Construction; Public Contract Law Section).
Recent Publications & Speaking Engagements	"A Practical Guide To Construction Law in Rhode Island, Second Edition", MCLE New England January 2023.
Mediation Rate	\$300 Per Hour
Languages	English
Citizenship	United States of America
Locale	Providence, RI

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.