



AAA Mediation.org™

**FN-9070 MN-9070 LN-9070, Esq.**

Wilmette, Illinois



**Current Employer-Title**

Sole Practitioner

Available for arbitration and mediation by videoconference (including Zoom) and teleconference, in addition to in-person proceedings where safe and appropriate.

**Profession**

Attorney, Arbitrator, and Mediator

**Work History**

Attorney/Arbitrator/Mediator, Private Practice, 1996-Present; Of Counsel/Partner/Associate, Pedersen & Houpt, 1977-1999.

**Experience**

Over 20 years of experience in business-related litigation and appeals. Represented clients in the following industries, among others: construction, manufacturing, mechanical contracting, real estate, beverage distribution, toys/games/sports equipment, information technology, transportation, financial services, insurance. Also represented municipalities.

COMMERCIAL: breach of contract, representations and warranties, UCC, relationships with suppliers/distributors/sales representatives/agents; covenants not to compete; business torts; sales practices.

CORPORATE: claims arising from corporate acquisitions (including post-closing adjustments); shareholder claims for waste and mismanagement, fraud, breach of fiduciary duty.

SECURITIES: shareholder claims in connection with the purchase/sale of stock, including alleged violations of securities laws.

EMPLOYMENT: wrongful termination, breach of contract, employment discrimination (age, race/ethnicity, sex), ERISA violations, Biometric Information Privacy Act (BIPA).

OTHER: insurance coverage, partnership disputes.

**Mediator Experience**

Mediator, Circuit Court of Will County, Illinois (small claims). Nineteen cases to date, involving variety of contract, tort, and landlord-tenant disputes.

Mediator, Circuit Court of Lake County, Illinois (small claims and civil mediation program). Twenty-three cases to date, involving variety of contract, tort, and landlord-tenant disputes.

Successfully mediated cases where unrepresented parties used interpreters (American Sign Language, Spanish).

Appointed to panel of neutral appeals committee reviewers in connection with Prudential Policyholder Remediation Plan. Committee approved by the U. S. District Court of the District of New Jersey in settlement of a nationwide class action. Resolved approximately 460 policyholder appeals by mediation, or arbitration following mediation.

## **Representative Issues Handled as a Mediator**

CONTRACTS: loans and other debts; unpaid condominium assessments; dispute over payments due under contract to supply home health personnel; claim against internet provider for improper billing.

CONSTRUCTION: homeowner claims for incomplete or defective construction or repairs; disputes over cancellation of homeowner's contract with builder or architect.

TORTS: property damage; defamation; conversion.

LANDLORD-TENANT: eviction, unpaid rent, damage to property, security deposits, disputes between former co-tenants.

OTHER: claim against bank for improper handling of account; claim that jeweler lost customer's property.

## **Mediator Style & Process Preferences**

As a mediator, I strive to listen carefully to the parties, understand their interests and goals, discover what they are able and willing to do, and work with them to reach a satisfactory resolution. I give the parties a full opportunity to tell me about the situation and, if they wish, their feelings about it. I encourage the parties to talk about what is most important to them and to participate in developing settlement proposals.

I work to develop and earn the parties' trust. They should be able to rely on my neutrality, my integrity, and my commitment to helping them reach an agreement.

I am patient and tenacious in working toward a settlement. I am also flexible, both in the tools I use to help the parties find common ground and in responding to new information or other developments in the negotiation. Where appropriate, I am creative in suggesting possible solutions.

My initial approach is usually facilitative, but could become more evaluative, depending on how the discussion progresses and whether the parties would find an evaluation helpful. I use a combination of joint sessions and private caucuses. In cases where the parties have not wanted to be together in the same room, I have helped them settle their dispute through private caucuses exclusively.

Much of my experience in court-annexed mediation has been in cases where neither party is represented by counsel. In those cases, I pay particular attention to helping the parties understand the mediation process, the advantages of reaching their own decision about how to resolve their dispute, and the possible costs and risks of proceeding with litigation. With their participation, I help them see how their dispute might be resolved and encourage them to reach an agreement.

## **Education**

Case Western Reserve University (JD - 1977); Swarthmore College (BA, with honors - 1973).

## **Professional Licenses**

Admitted to the Bar: Illinois (1977); U.S. District Court: Northern District of Illinois (1977), Northern District of Illinois Trial Bar (1984-1999); U.S. Court of Appeals: Seventh (1979), Third (1993), and Fourth (1999) Circuits; U.S. Supreme Court (1994).

## **Professional Associations**

American Bar Association (Section of Dispute Resolution); Illinois State Bar Association (Section on Alternative Dispute Resolution); Chicago Bar Association (Past Board of Managers; Alternative Dispute Resolution Committee, Past Chair); Lake County (IL) Bar Association; Association of Attorney-Mediators; Fellow, Chartered Institute of Arbitrators (FCI Arb); International Institute for Conflict Prevention and Resolution (CPR).

## **Locations Where Parties Will Not be Charged for**

Chicago, Illinois -- metropolitan area

## **Travel Expenses**

**Mediation Rate** \$400 Per Hour

**Languages** English

**Citizenship** United States of America

**Locale** Wilmette, 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.