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FN-9103 MN-9103 LN-9103, Esq.

Hope Valley, Rhode Island

Current Employer-Title Arbitrator and Mediator
U.S. Naval War College - Adjunct Professor
Roger Williams University School of Law - Adjunct Professor

Profession Arbitrator, Mediator, Hearing Officer, Consultant, Fact-Finder, Educator, Retired Chief Justice

Work History Adjunct Professor, U.S. Naval War College, 2003-Present; Chief Justice, Supreme Court of the State of Rhode Island, 2001-2008; Judge, U.S. Military Courts of Review, 2003-2007; Adjunct Professor, Roger Williams University School of Law, 1996-Present; Associate Justice, Rhode Island Superior Court, 1995-2001; Judge of Probate/Deputy Probate Judge (1986-1992), Town of West Greenwich, 1984-1995; President, Frank J. Williams, Ltd., 1978-1995; Judge of Probate, Town of Hopkinton, 1978-1982 and 1984-1990; Associate, Leonard Decof, Ltd., 1976-1978; Visiting Lecturer on Business and Legal Practice, Rhode Island School of Design, 1975-1981; Associate, Tillinghast, Collins & Graham, 1970-1975; Captain, U.S. Army, 1962-1967.

Experience Subject matter of representative cases mediated or adjudicated, with claims up to \$25 million, include the following:

Commercial cases, including cases related to the sale of securities, deceptive trade practices, lender liability claims, banking law, financial transactions, guaranties, mortgages, leases, corporate stock, redemption of stock, partnerships, fraudulent transfers and claims under the Limited Liability Company Act.

Construction cases, including cases related to construction contracts, bidding, requests for proposals, third-party professional negligence claims, indemnification claims, permits, mechanics' liens the State Purchases Act.

Contract Law, including interpretation of arbitration clauses; interpretation of health insurance contract; interpretation of construction contracts; and claims involving oral contracts for sale of property.

Insurance Law, including coverage disputes.

Toxic Torts, including landmark public nuisance claims brought against lead paint manufacturers.

Constitutional challenges, including challenges involving state Mechanics' Lien statute; challenge to a Lead Hazard Mitigation Act; constitutionality of legislation concerning proposed casino; constitutionality of sex offender registration act.

Premises Liability, including cases involving trespassers, invitees and licensees and cases involving social host liability.

Property Law, including disputes over easements and rights-of-ways; zoning ordinance interpretation; permit process for affordable housing projects.

Municipal matters, including a wide range of municipal law cases having served as solicitor for numerous communities.

Wills, Trusts and Estates, including claims of undue influence in the formation of wills and trusts; analysis of purchase money resulting trusts; interpretation of the Slayer's Act; bequests involving adoptees.

Mediator Experience

Over 30 years experience as Chief Justice (R.I.), trial justice, and attorney, mediating and settling disputes relating to employment, pensions, finance, real estate, banking, labor, accounting, securities, insurance, energy. Also handled disputes over dissolution of accounting, construction and other professional firms. Special experience in dispute resolution in construction matters. Cases involve amounts from \$50,000 to \$4 billion.

Representative Issues Handled as a Mediator

Issues in state pensions, collective bargaining, construction, complex commercial litigation--including appeals. Also included are disputes relating to real estate, condominiums, banking, and surety.

Mediator Style & Process Preferences

As a student and author about Abraham Lincoln, I adhere to his advice to lawyers, "Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser--in fees, expenses, and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good man...Never stir up litigation."

Education

Bryant College (MST-1986); Boston University (BA, Government and History-1962; JD-1970).

Professional Licenses

Admitted to the Bar: Rhode Island, 1970; Rhode Island Supreme Court, 1970; U.S. District Court, District of Rhode Island, 1970; U.S. Court of Appeals, First Circuit; U.S. Supreme Court, 1976.

Professional Associations

The Lincoln Forum (Founding Chair); Rhode Island Bar Association (Young Lawyers Advisory/Clerkship Committee, Past Chair); Supreme Court of Rhode Island (Past Board of Bar Examiners); Board of Bar Examiners (Past Chair); The American Law Institute; National Association for Court Managements; American Judges Association. OTHER: U.S. Abraham Lincoln Bicentennial Commission (Executive Committee); The Ulysses S. Grant Association (President); The John E. Fogarty Foundation for Persons with Mental Retardation (Trustee); U.S. Trade Representative's Intergovernmental Policy (Advisory Committee); Combat Infantrymen's Association; Bristol Statehouse Foundation (Honorary Chair); Rhode Island Committee for the Humanities (Board of Directors); Lincoln Museum at Lincoln College (Board of Governors); National Association for the Advancement of Colored People (Providence Chapter); Military Order of Foreign Wars of the United States; Lincoln Cottage (Board of Advisors); Boy Scouts of America (Narragansett, Past Board of Directors); South County Hospital (Past Board of Directors).

Recent Publications & Speaking Engagements

Co-editor, PHILOSOPHER, FOUNDER, AND STATESMAN, Ohio University Press, 2008; chapter author, "The End of the Beginning: Abraham Lincoln and the Fourteenth and Fifteenth Amendments," LINCOLN AND FREEDOM: SLAVERY, EMANCIPATION, AND THE THIRTEENTH AMENDMENT, Southern Illinois University Press, 2007; chapter author, "Abraham Lincoln and Civil Liberties: Then and Now," LINCOLN REVISITED: NEW INSIGHTS FROM THE LINCOLN FORUM, Fordham University Press, 2007; co-author, EMANCIPATION PROCLAMATION: THREE VIEWS - SOCIAL, LEGAL, PICTORIAL, Louisiana State University Press, May 2006; co-author, THE GREAT PRESIDENTIAL TRIUMVIRATE AT HOME AND ABROAD: WASHINGTON, JEFFERSON AND LINCOLN, Nova Publishers, 2006; JUDGING LINCOLN, Southern Illinois University Press, 2002; co-editor, GEORGE WASHINGTON AND ABRAHAM LINCOLN, Savas Publishing Co., 2001; co-author, CLASSIC CASES IN AMERICAN CONSTITUTIONAL LAW, West Group, 2001; co-author, LINCOLN LESSONS: REFLECTIONS ON AMERICA'S GREATEST LEADER, Southern Illinois University Press; co-author, "Still a Frightening Unknown: Achieving a Constitutional Balance Between Civil Liberties and National Security During the War on Terror," ROGER WILLIAMS LAW REVIEW, vol. 12, no. 3, Spring 2007.

Mediation Rate

\$400 Per Hour

Languages

English

Citizenship

United States of America

Locale

Hope Valley, 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.