



AAA Mediation.org™

**FN-9621 MN-9621 LN-9621, Esq.**

**Chicago, Illinois**



**Current Employer-Title** Bryce Downey & Lenkov, LLC – Of Counsel

**Profession** Attorney - Construction Law

**Work History** Of Counsel, Bryce Downey & Lenkov LLC, 2016 – Present; Sabo & Zahn, Attorneys at Law, 1981 – 2016; Partner, The Architects Partnership Ltd., 1978 – 1981; Architect, First National Bank of Chicago, 1976 – 1978; Architect, Architectonics, 1972 – 1976; Draftsman, Perkins & Wills, 1968 – 1972.

**Experience** Represents architects, engineers, owners, contractors, and others in the construction process. Entire practice devoted to construction law including litigation, arbitration, mediation and transactional work. Substantial background in real estate law. Lecturer to architecture, engineering, and contractor groups on construction law and to architecture students at University of Illinois and other schools. Previously a practicing architect working on a variety of projects. Extensive computer background since 1967. Set up first Chicago website for a law firm. Extensive knowledge of computer hardware and software, operating systems, graphics, and video. Extensive background in Architectural Works copyrights, representing both sides.

**Mediator Experience** Served as mediator on more than 125 construction cases. About 10% were multi-party cases. The cases involved disputes ranging from less than \$50,000 to over \$4 million. Most involved commercial and industrial projects. A number of cases involved M/E/P systems. One was a large bridge project.

**Representative Issues Handled as a Mediator** Construction cases involving: designers' (architects and engineers) liability to the owner; delay damages; failure of subcontractors to perform; failure to follow the drawings; cost overruns; excessive claims by contractors; design/build issues; shop drawings; construction manager's delay causing damage to contractor; owner delay; attorney's fees; copyright issues; and scheduling issues.

**Mediator Style & Process Preferences** Mediation is the most successful technique for resolving disputes. As mediator, I look for cooperation among the parties. I do not impose my will on the parties, but seek mutual ways to address the various issues. In the mediation, I try to get the parties themselves to be involved, not just the attorneys. I do not use just one strategy, but will try to use whatever will work best considering the people involved. I am a facilitator, but will offer evaluations if that is necessary to move things forward.

I try to align the amount of work I expect each party to do to prepare for the mediation with the amount in controversy. That is, if more money is at stake, I expect each side to put more work in, including the position papers and submittals prior to the mediation. If the amount is very small, I do not expect the parties to incur large fees in preparation.

<b>Technology Proficiency</b>	<p>Learned computer programming (Algol) in college. Coded first law firm website in Chicago in html language. Continued web design for my firm and volunteer websites using various programs. Assembled numerous computers for myself.</p> <p>Proficient in numerous computer programs, such as various Microsoft applications; Adobe products, including graphic (Lightroom, Photoshop, InDesign) and video programs (Premiere Pro, Media Encoder, After Effects), and many others. Very proficient in computer and internet issues.</p>
<b>Education</b>	Illinois Institute of Technology (JD, high honors-1981); Northwestern University (BA-1968).
<b>Professional Licenses</b>	Admitted to the Bar: Illinois (1981); U.S. Court of Appeals, Seventh Circuit. Licensed Architect: Illinois (1975). Registered Interior Designer: Illinois (1992).
<b>Professional Associations</b>	Society of Illinois Construction Attorneys; American Bar Association; Illinois State Bar Association; Chicago Bar Association; American Institute of Architects (National Documents Committee; Illinois Council, Illinois Documents Coordinating Committee; Chicago Chapter, Past Vice President, Advisory Counsel, Past Director); Illinois Society of Architects; Construction Specifications Institute (Chicago Chapter, Past President; Past Director; Committee, Past Chair; North Central Region); Architects Club of Chicago; Association of Licensed Architects; International Mediation Institute (IMI) Certified Mediator.
<b>Recent Publications &amp; Speaking Engagements</b>	LEGAL GUIDE TO AIA DOCUMENTS, Wolters Kluwer, 7th Edition, 2022; Co-author, IICLE book CONSTRUCTION LAW: TRANSACTIONAL CONSIDERATIONS, 2021;LEGAL GUIDE TO AIA DOCUMENTS, Wolters Kluwer, 6th Edition, 2017; LEGAL GUIDE TO AIA DOCUMENTS, Aspen Publishers, 5th Edition, 2008; Chapter for THE ARCHITECT'S GUIDE TO DESIGN BUILD SERVICES, Wiley, 2003; LEGAL GUIDE TO AIA DOCUMENTS, Aspen Publishers, 4th ed., 1998; Co-author, "Alternative Clauses to Standard Construction Contracts," DISK LIBRARY, John Wiley & Sons, 1993; LEGAL GUIDE TO AIA DOCUMENTS, 3rd ed., John Wiley & Sons, 1991, bi-annual supplements, and 4th ed., Aspen Law, 1998, annual supplements; A HANDBOOK OF CONSTRUCTION CLAIMS, 1989; A LEGAL GUIDE TO AIA DOCUMENTS, January 1988, revised April 1989; A/E LAWNEWS, 1984-90; AIA FOCUS, Chicago Chapter, American Institute of Architects; "The Specifier," Construction Specifications Institute, monthly law column.
<b>Locations Where Parties Will Not be Charged for Travel Expenses</b>	Chicago metro area
<b>Mediation Rate</b>	\$625 Per Hour
<b>Languages</b>	English, German
<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.