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**Nature of law practice:** Construction and commercial mediations and arbitrations; formerly Griffin Cochrane & Marshall's senior trial lawyer with over thirty years experience in construction and commercial disputes. Selected by peers for inclusion in the 2005-2006 edition of The Best Lawyers in America in which, for the first time, mediators were included under the category, "Alternative Dispute Resolution." He has also been included in all subsequent editions.

**Education and Educational Achievements:** AB, *magna cum laude*, Harvard College, 1957

- Chairman, Kirkland House Committee Crimson Key Society
- Junior Class Marshall
- Permanent Class Officer

LL.B., Duke University Law School, 1963

- Managing Editor, Duke Law Journal, 1962-63

**Work History:** Partner, Griffin Cochrane & Marshall (1980-99); Partner, Trotter, Bondurant, Griffin, Miller & Hishon (1977-80); Associate and Partner, Smith, Currie and Hancock (1964-77); Law clerk to J. Spencer Bell, Judge, US Court of Appeals for the 4th Circuit (1963-64).

**Dispute Resolution Training:** Advanced Mediation Workshop (Harvard Law School); AAA Construction Industry Training Workshop.

**Dispute Resolution Experience:** Approved mediator for general mediation (Georgia Office of Dispute Resolution). Member, AAA construction and commercial arbitration panels. Panel member, Henning Mediation & Arbitration Service; International Chamber of Commerce, International Court of Arbitration construction panel. Has served as counsel, party appointed, or neutral arbitrator in over 50 arbitrations. Has served as counsel or mediator in several hundred mediations.

**Representative Cases Handled:** *Mediations:* Has served as mediator in a number of multi-million dollar disputes, including: \$20 million dispute concerning interpretation of insurance policy and coverage, arising out of environmental pollution and resulting cleanup; \$15 million dispute over a South American gas-fired power plant; \$11 million dispute over a New York co-generation power plant; \$7 million dispute over a Texas Air Force fuel cell shop project. Mediated a dispute over contractor's claims for contract balance and extras and owner's counterclaims for delayed and defective construction on multi-million dollar Florida condominium project (settlement involved formation of partnership between owner and developer to market and sell remaining units over time). Mediated a seven-party dispute over structural failure at a Georgia shopping center. Co-mediated a twelve-party (2 plaintiffs, 10 defendants) \$9 million wrongful death action arising out of structural collapse at Phillips Arena, Atlanta, Georgia.

*Arbitrations:* Has served as party appointed and neutral arbitrator in privately-administered, AAA-administered, and ICC-administered arbitrations. Served as party selected, Federal District Court appointed, sole arbitrator in dispute between 5R Constructors, LLC, Delta Air Lines, Inc., and the City of Atlanta over cancellation of \$360 million contract for Runway Five at Hartsfield International Airport. Open arbitration with public attendance, including media representatives.

**Court Admissions:** Trial and Appellate Courts, Georgia and North Carolina  
U.S. District Court (Georgia and North Carolina)  
U.S. Court of Appeals (4th, 5th, 6th, 11th, and Federal Cir.)  
U.S. Claims Court

**Professional Associations:** North Carolina, Georgia and Atlanta Bar Associations; American College of Construction Lawyers (Founding Fellow); Board of Directors, Construction Law Section - Atlanta Bar Association (1992-93); Member, Construction Law Committee of the State Bar of Georgia; American Arbitration Association Advisory Committee for Large, Complex Commercial Cases Program; Panel Member, American Arbitration Association (construction and commercial arbitrations, construction mediations) (Atlanta, Georgia); Panel Member, CPR Institute for Dispute Resolution (New York City); Panel and Advisory Board Member - Construction Dispute Committee: Duke University Private Adjudication Center (Durham, North Carolina); Master Emeritus, Beckley Inn of Court; Who's Who In American Law.

**Teaching Experience:** Only neutral invited to lecture on mediation issues (topic: "mediating complex cases") at the 2004 Annual Neutral's Conference, sponsored by the American Arbitration Association.  
Lecturer, Negotiations and Mediation (American Institute for Professional Training and Development, Inc.)  
Lecturer, Practical Construction Law (Federal Publications)  
Lecturer, Masters Institute in Construction Contracting (Federal Publications)  
Adjunct professor, Construction Law (full credit course), Georgia Institute of Technology, 1970-80  
Adjunct professor, Construction Law (full credit course), Colorado State University, 1974, 1976, and 1979  
Over 100 speeches presented in the past 30 years to bar associations, universities, and public and private organizations.

**Articles and Publications:** *Practical Construction Law*, (Co-Author), FEDERAL PUBLICATIONS  
*What Can Go Wrong with Subcontractor Bonds* (Co-Author), CONSTRUCTOR, February 1993, at 40-42.  
*Construction Briefings* (Co-Author), *Subcontract Risk Allocation: The Prime Contractor's Approach*, FEDERAL PUBLICATIONS, 1978  
Book Review: Sweet, *Legal Aspects of Architecture, Engineering and the Construction Process*, 1971 DUKE LAW JOURNAL 1025.

**Community Activities and Public Service:** Member *emeritus*, Human Relations Commission of the City of Atlanta  
Leadership Atlanta  
Counsel and Co-Author, Crime and Health Committee, Atlanta Commission on Crime and Juvenile Delinquency, OPPORTUNITY FOR URBAN EXCELLENCE, 1966  
Board of Directors *emeritus*, Atlanta Legal Aid Society, Good Government Atlanta, Council on Battered Women

**Compensation:** *Mediation Proceedings:* For two-party mediation, \$2,100 per party per day. For three-party mediation, \$1,750 per party per day. For four-party mediation, \$1,400 per party per day. For five-party mediation, \$1,150 per party per day. Fee negotiable for six parties or more mediation. Daily rate includes pre-mediation study time and post-mediation follow-up. Committed to all necessary follow-up, which is often key to a successful outcome for the mediation process. No charge if mediation rescheduled or if cancelled at least two weeks prior to scheduled date; if cancelled within two weeks, normal per-day compensation charged, unless able to fill time set aside.

*Arbitration Proceedings:* \$400 per hour arbitration fee. No charge if arbitration rescheduled or if cancelled at least two weeks prior to scheduled date; if cancelled within two weeks, hourly rate for 7.5 hours per day charged for one-half scheduled days unless able to fill time set aside.