



**Association of Attorney-Mediators  
Presents its  
Advanced Attorney-Mediator Training & Annual Meeting**

**“Meet Me in St. Louis  
Mediation: Meeting People Where They Are”**

Friday, April 28, 2023 – Saturday, April 29, 2023

**SPEAKERS AND PANELISTS BIOS**



**Courtenay Bass** is a full-time mediator and a charter member of AAM. She has conducted more than 5000 mediations. Courtenay was the 2004 recipient of AAM's Brutsché Award. She has been on the faculty of many mediator training programs in the U.S. and in New Zealand and Buenos Aires, Argentina, including the ABA Institute on Jury Persuasion, the faculty of the Texas College for Advanced Judicial Studies (Mediation Program for Judiciary), and various Dallas Bar Association and National Institute of Trial Advocacy mediation and ADR training programs. Courtenay also taught mediation with both the American Academy of Attorney Mediators and the Attorney Mediators Institute. She has been honored multiple times as a Texas Lawyer Super Lawyer, as well as by D Magazine and Best Lawyers in America and multiple other organizations. She is a full-time mediator with Gilbert Mediation Group in Dallas, TX.

**Trey Bergman, J.D.** has practiced complex commercial litigation since 1980 at all levels of state and federal court, is Board Certified in Civil Trial law by the Texas Board of Legal Specialization and has mediated and arbitrated more than \$95 Billion in disputes since 1990. Trey is a past national president of the Association of Attorney-Mediators and a Steve Brutsche' Award recipient. Trey is a frequent speaker and author for the State Bar of Texas, American Bar Association and numerous national and local bar associations and organizations throughout Texas and the nation, has trained more than 5,000 attorneys, judges and law students to mediate and arbitrate throughout the United States, Canada, England, Mexico, Samoa and Turkey and is a former adjunct professor at South Texas College of Law and Pepperdine Law School teaching classes in mediation and negotiation. Trey is a past Chair of the Texas State Bar ADR Section, and a past Chair of the Texas State Bar MCLE Committee. As President of the Bergman ADR Group in Houston, Texas, Trey now devotes his practice exclusively to serving as a mediator and arbitrator. Trey is a Fellow, Board member and Tutor in the Chartered Institute of Arbitrators, a Fellow and Board member in the College of Commercial Arbitrators, a panelist with ICDR and the American Arbitration Association, is AV-Preeminent rated by Martindale-Hubbell, has been named "Texas Super Lawyer" by Texas Monthly Magazine every year since its inception in 2003 and has been voted #1 Best Individual Mediator/Arbitrator in Houston by U.S. News-Best Lawyers Survey. Trey is also a certified cave diver, licensed skydiver and licensed sailplane pilot.



**Robert W. Berliner, Jr.** is a practicing mediator, arbitrator and attorney and is often retained as an expert witness in real estate, legal malpractice and other matters. He has also been a principal in many real estate and other business ventures. He is a former member of the Board of Directors of the Association of Attorney-Mediators and former President of the Illinois Chapter of AAM, of which he was also a co-founder. Mr. Berliner founded and leads a program sponsored by that Chapter that provides pro bono mediation services to the Small Claims and Eviction Court in Will County, Illinois, which has grown from one to over 15 participating mediators since 2010. Mr. Berliner frequently presents continuing legal education and other educational programs on mediation, legal and real estate subjects, and has been an adjunct professor at Stuart Graduate School of Business, Illinois Institute of Technology, where he taught real estate

investment. Mr. Berliner began his career with a small Chicago law firm and, after 10 years with that firm, founded his own firm.

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## SPEAKERS AND PANELISTS BIOS CONTINUED

Thereafter, he became a senior officer and general counsel of Jupiter Industries, Inc., and a partner and general counsel of Jupiter Realty Corporation. Jupiter Industries, Inc., was a diversified conglomerate with revenues of over \$1 billion and interests in construction and engineering, transportation, retailing, insurance, manufacturing and real estate, and Jupiter Realty Corporation was a real estate company with interests in office buildings, shopping centers, apartment buildings and hotels all over the country. Mr. Berliner received an A.B. degree from Harvard College and a J.D. from Harvard Law School. He also served as a Lieutenant in the United States Navy, where he was Supply Officer on a nuclear-powered Polaris missile submarine. He has been named an Illinois Super Lawyer (Alternative Dispute Resolution) 2013-2023 and received the 2018-2019 John C. McAndrews Award for Pro Bono Service from the Illinois State Bar Association.

**David Cosgrove** represents financial professionals and entities throughout the nation. He also assists advisers and broker-dealers with regulatory inquiries, investigations, and audits as well as defrauded investors. Beyond the financial industry, he is an award-winning trial attorney with a focus on commercial, and investment-related litigation. Prior to his return to private practice in 2006, Mr. Cosgrove served as Missouri's Commissioner of Securities, Chief Counsel for the Missouri Attorney General's Office's Consumer Protection Division, and Chief Legal Counsel to Governor Bob Holden. Mr. Cosgrove received a Bachelor of Arts degree in Economics, cum laude, and his law degree from the University of Notre Dame. Mr. Cosgrove received the distinguished Lon O. Hocker Award for trial advocacy from the Missouri Bar Foundation, as well as an Award of Appreciation from the North American Securities Administrators Association.



**David Freniere's** practice focuses on representing and counseling broker/dealers, registered investment advisers and financial professionals. From 1992 to 2012, Mr. Freniere served as head of litigation for LPL Financial LLC. During that period, Mr. Freniere managed LPL's corporate insurance program (E&O, D&O, general liability and excess SIPC), personally handled hundreds of litigation and regulatory matters, and managed dozens of outside counsel throughout the country. Mr. Freniere was a member of several executive level committees at LPL responsible for critical broker/dealer reporting. He also served as a director of The Private Trust Company and was on FINRA's District Committee for District 11. Mr. Freniere has extensive experience defending cases involving suitability, selling away, excessive trading, switching, portfolio concentration and product due diligence. Mr. Freniere also regularly represents clients before the SEC, FINRA and state securities regulators. From 2012 to 2021, Mr. Freniere was affiliated with the law firm Markun Zusman Freniere Compton LLP, where he continued to handle a wide variety of matters relating to broker/dealers and investment advisers, including cases involving sales practices and employment terminations. Mr. Freniere also counsels and represents financial professionals in connection with the purchase and sale of their practices. From 1989 to 1992, Mr. Freniere was an enforcement attorney with the United States Securities and Exchange Commission.



**David Herzog** is a partner with Hoover Hull Turner LLP and a Fellow of the American College of Trial Lawyers. From 1980 to 2000, David was an associate and then a partner at Baker & Daniels, serving as Managing Partner of the firm's Indianapolis office from 1998 to 2000. He then became Executive Vice President, General Counsel, and Secretary of Conesco, Inc., a Fortune 500 company based in Carmel, Indiana. David returned to what is now Faegre Drinker Biddle & Reath as a partner in 2003, serving as Leader of the 130-person Business Litigation Practice Group from 2009 through 2016. He joined Hoover Hull Turner in 2019. David is listed in The Best Lawyers in America in four categories and has been named a Best Lawyers Indianapolis Lawyer of the Year eight times.



## SPEAKERS AND PANELISTS BIOS CONTINUED

**Brian Hewitt** is a partner of the Indianapolis law firm Lewis Wagner LLC. The firm focuses on probate, trust and commercial litigation, estate planning and closely held business representation, trucking and all forms of insurance defense. Brian has served as a mediator for over 30 years and has conducted over 3,000 mediations, including over 1,000 will and trust mediations. He also continues to engage in the full-time practice of probate litigation, estate planning, commercial law, and business litigation. Brian continues his law practice because he believes it keeps him abreast of critical subject matter; an essential tool he applies as mediator. Brian has spoken about dispute resolution to Bar and Mediator Associations across the United States, including state and regional mediator groups, the Association of Attorney Mediators and the American College of Trust and Estate Counsel. His publications are used by mediators nationally. Specifically, he created and champions The Personality Driven Approach to Dispute Resolution, which focuses on the management of almost twenty specific personalities that drive behavior in a dispute and in the resolution of that dispute. Brian's core belief is that human conflict should be resolved, not litigated and that mediation is the single most valuable tool to resolve human conflict in American society.



**David A. Hoffman** is the founding member of Boston Law Collaborative, LLC, where he serves as a mediator, arbitrator, and Collaborative Law attorney. He also teaches three courses at Harvard Law School, where he is the John H. Watson, Jr. Lecturer on Law: Mediation; Diversity and Dispute Resolution; and Legal Profession: Collaborative Law. David was named Boston's "Lawyer of the Year" for 2022 in the field of Arbitration by the book Best Lawyers in America and U.S. News & World Report, and also Boston's "Lawyer of the Year" in previous years, including 2021 (Collaborative Family Law) and 2020 (Mediation). In 2021, he was named in Boston Magazine's inaugural list of "Top Lawyers." David has also been selected for the Massachusetts "Super Lawyer" list published in Boston Magazine every year since 2004, when the listing began. In 2014, the American

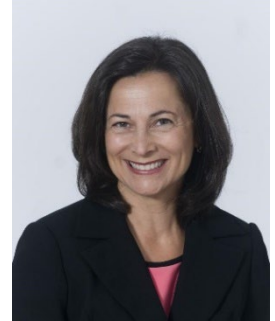
College of Civil Trial Mediators gave David its Lifetime Achievement Award, and in 2015, the American Bar Association Section of Dispute Resolution gave David its highest honor, the D'Almeida-Raven award. David's practice is focused on resolving conflict in business, family, and employment cases. He has served as mediator and/or arbitrator in more than two thousand commercial, family, employment, construction, personal injury, insurance, and other business cases. David has published three books on the subject of dispute resolution: *Mediation: A Practice Guide for Mediators, Lawyers, and Other Professionals* (Massachusetts Continuing Legal Education, 2013); *Bringing Peace into the Room: How the Personal Qualities of the Mediator Impact the Process of Conflict Resolution* (with Daniel Bowling) (Jossey-Bass 2003); and *Massachusetts Alternative Dispute Resolution* (with Prof. David Matz) (Butterworth Legal Publishers 1994, 2d ed. 1996). David is the past chair of the ABA Section of Dispute Resolution and a founding member of the Massachusetts Collaborative Law Council. David is the former president of Kerem Shalom Congregation in Concord, Massachusetts, and a Distinguished Fellow of the International Academy of Mediators. Before founding BLC, David was a litigation partner at Hill & Barlow where he practiced for seventeen years. Before that (in reverse chronological order), David clerked for then-Judge Stephen G. Breyer on the U.S. Court of Appeals for the First Circuit, graduated from Harvard Law School (while serving as a research assistant for Professor Larry Tribe and an editor on the Harvard Law Review), worked as a consultant for the U.S. Small Business Administration, established a woodworking business in upstate New York, and pursued American Studies as a graduate student at Cornell. David lives in a co-housing community in Acton, Massachusetts, with his wife Leslie Warner (a career coach at Tufts); they have five adult children, an adolescent cat, and a rescue Golden Retriever from Serbia.





## SPEAKERS AND PANELISTS BIOS CONTINUED

**Kim Kirn** brings over 35 years of legal experience, including defense work with mega-big firms, plaintiff's work with uber small law firms and in-house positions. Now she exclusively works as a mediator and arbitrator focusing on contract, employment, real estate, construction, personal injury, education and securities disputes. Kim moved into the digital age and completed hundreds of ZOOM mediations including her first multi-million dollar resolution. Kim is an honors graduate of University of Missouri-Columbia and University of Notre Dame Law School. She is licensed in both Missouri and Illinois. Fun fact: Kim went viral on TikTok (over 60 million views) with a video taken by her son of her jumping off a boat and flying through the air.



**Heather McFarlane's** passion as a litigator was always the search for creative solutions, and now she channels that energy to help resolve disputes as a full-time mediator in Houston Texas. Heather spent much of her career representing large corporations in their intellectual property disputes and other complex matters. Today, she mediates a wide variety of commercial and personal injury matters. She also serves as the chair of the ADR Section of the Houston Bar Association and is President of the Houston Chapter of Association of Attorney-Mediators.

**Beverly Tarr** is the founder of Certified Divorce Mediation with over 20 years of family law mediation experience. Having conducted over 4,000 mediations with a 99% settlement rate she combines business acumen with unparalleled interpersonal skills to manage the mediation process. Her advanced financial expertise and skillful management of the parties and/or the attorneys allows for lasting resolution. Ms. Tarr's typical clients are high net-worth individuals, business owners, physicians, lawyers, entrepreneurs, celebrities, professional athletes, educators, and their spouses. Ms. Tarr addresses audiences world wide and speaks at International World Summits due to the success of her mediation model. She was appointed as a UK Barrister (trial attorney) in 1995. Since 2004 her practice has been dedicated to solving complex matrimonial mediations. Ms. Tarr is recognized as an expert internationally in her field and was selected as a keynote speaker for the World Mediation Summit in Madrid in 2014 and 2016. In addition, she was internationally recognized during her presentation at the World Mediation Organization in Berlin in 2015 and in Greece the same year. She specifically addresses the conferences on her unique model and highly sought after alternative dispute strategies.



**Madison (Matt) Thompson, B.S. (Northeastern)** has worked for over 30 years in the areas of conflict resolution, diversity, and cultural competency. He has worked with large regional banking institutions, higher education institutions, major teaching hospitals, and community non-profit agencies. Matt has more than 20 years of experience in diversity, inclusion, and cross-cultural competency. He recently joined TMG's panel of neutrals and works with the organizational practice. Matt most recently served as the Director of Marketing and Communications at the Charles Stark Draper Laboratory where a portion of his time was dedicated to the Corporate Diversity Initiative.

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## SPEAKERS AND PANELISTS BIOS CONTINUED

Before joining Draper and TMG, Matt was Director of Staff Diversity at the Massachusetts Institute of Technology, where he was responsible for consulting and collaborating across organizational units to introduce diversity initiatives. He served as a member of the Human Resources Leadership Team and chaired the Council for Staff Diversity. At the University of Massachusetts Boston Matt was Director of Affirmative Action and Multi-Cultural Relations where he was responsible for writing and executing the Affirmative Action Plan and investigating and resolving any discrimination complaints. He wrote “Diversity Guide to UMass Boston” to serve as a recruitment and informational tool for current and prospective staff and students. Matt has also held corporate diversity positions at Shawmut National Corporation and The Boston Company. While serving as Assistant Vice President of Community Affairs at State Street Bank, Matt oversaw the State Street Foundation and two school partnerships along with other corporate citizenship initiatives. Matt has refined his expertise in cross-cultural mediation issues and regularly trains staff, managers, supervisors, and higher education faculty in dealing with a diverse community and student body. Matt has also been an affiliate of the Massachusetts Office of Public Collaboration for the past several years and worked on a number of public dialogues and workshops within that role. Certified in Facilitative Leadership®, he is also an affiliate of the Interaction Institute for Social Change based in Boston, Massachusetts. Matt is completing his M.A in Conflict Resolution from the University of Massachusetts Boston. A graduate of the Northeastern University Physician Assistant Program, Matt has sixteen years clinical experience as a Physician Assistant coupled with ten years in the military health care system. He currently teaches Cultural Competence and Conflict Resolution while serving on the admissions committee for the P.A. program. Matt also serves as a Guest Lecturer to several other Physician Assistant programs throughout the country.

**John C. Trimble** is a partner in the Indianapolis law firm of Lewis Wagner, LLP where he defends insurance coverage, bad faith, and complex and catastrophic exposure cases in State and Federal Court across the country. John commits about 40% of his practice to mediation and has served as a mediator for many of Indiana’s highest profile cases. He has conducted or represented a party in more than 3500 mediations. He is Past President of the Defense Trial Counsel of Indiana and the Indianapolis Bar Association and has served on the Board of DRI-The Voice of the Defense Bar. He is also Past President of the Indianapolis Legal Aid Society and a recent Past President of the Association of Attorney Mediators. John’s involvement in mediation dates back to 1989. He is a frequent writer and speaker on an array of mediation topics. He has taught mediation in law schools and is a regular trainer in advanced mediation seminars. He also teaches lawyers how to be effective in mediation. In addition to his practice as a mediator, John is regularly retained as a settlement consultant. In his capacity as defense counsel, mediator, or settlement consultant he has participated in mediation in more than 25 jurisdictions.

