

ASSOCIATION OF ATTORNEY- MEDIATORS

Presents its

ADVANCED ATTORNEY-MEDIATOR TRAINING



THE GOOD, THE BAD, AND THE UNINFORMED

Friday, September 15, 2017

Embassy Suites Dallas Love Field, 3880 W Northwest Highway, Dallas

8:00-8:15 am **Conference Check-in, Registration and Continental Breakfast**

8:15-8:30 am **Welcoming Remarks**

Debra Leo, AAM National President, Birmingham, AL
Brenda Rachuig, AAM Executive Director, Dallas, TX
Paul Clote, AAM National President-elect, Houston, TX,
Moderator

8:30-9:30 am **The Holy Trinity of Mediation: Ethics, Effort and Results**
Christopher Nolland, Dallas, TX

If you haven't heard a Chris Nolland presentation, you haven't been to the best mediation CLE programs! Chris has a unique perspective, serving as the "Go To" mediator or arbitrator for complex commercial cases; and as special negotiation/settlement counsel for national law firms. Chris will share his insights in how to achieve the best results ethically while expanding your mediation practice and the professional responsibility you have.

(1.00 hour ethics)

9:30-10:30 am **Highly Effective Opening Statements**

Moderator: **Ross Stoddard, Irving, TX**
Panelists: **Hon. Elizabeth ('Peach') Ray, Houston, TX**
A. Martin Wickliff, Cozen O'Connor, Houston, TX

As the old saying goes, "You don't get a second chance to make a first impression". An effective opening statement can set a tone of civility and compromise for the entire mediation. A lackluster and uninspiring opening statement, on the other hand, can make the parties feel unmotivated early in the day. You will hear condensed openings from three experienced mediators, who also will discuss "do's and don'ts." Bring your own suggestions and questions to make this an interactive learning session.

(1.00 hour)

10:30 - 10:45 am Break

10:45-11:15 p.m. The Future of International Conflicts in Global Commerce
David T. Lopez, Houston, TX

In spite of current uncertainty over existing and proposed international trade agreements, rapidly evolving technology, together with improvements in transportation and the natural growth of multinational enterprises will foster the continued expansion of globalization. Just as the 1958 New York Convention (providing for enforcement of international arbitral awards) brought increased confidence and reliance on arbitration in international commerce, a similar treaty the United Nations is now developing would provide for the enforcement of mediation agreements. This will open exciting potential for mediators. Some nations already are taking specific actions. How can individuals and professional organizations maximize the benefit of this upcoming development?

(.50 hour)

11:15 - 12:15 pm Why Speak to the Fisherman When You Can Speak to the Fish!

Facilitator: **Christopher Nolland, Dallas, TX**

Panelists: **Hal Gillespie, Gillespie Sanford, LLP, Employment Law, Dallas, TX**

Jim Hartnett, Hartnett Law Firm, Probate Litigation, Dallas, TX

Gary Eisenstat, Ogletree, Deakins, Nash, Smoak &

Stewart, P.C., Labor and Employment Law, Dallas, TX

Andy Payne, PayneMitchell Law Group; Personal Injury Law, Dallas, TX

At other mediation programs, mediators have spoken about what they believe lawyers want at mediation. This program will do something different. We will speak directly to the “fish” (the lawyers) rather than the “fishermen” (mediators) about what they really want. This panel will consist of experienced non-mediator litigators who will let us know – unfiltered and uncensored - what they really want, like, and don’t like at mediation. This is an opportunity to learn directly from your target market!

(1.00 hour)

12:15 - 1:15 pm Buffet Lunch – across the atrium in the Garden Room
The Behavior Detective
Robin Barnhart, Dallas, TX

Robin Barnhart is a former body language trainer and micro-facial trainer in the Behavior Detection Program within the Department of Homeland Security. Robin understands that communicating can be difficult and shares with you, that what we say with our bodies can impact the outcome of conversations and relationships. And being able to understand their silent message gives you power. Using stories, images and real life examples, Robin will give you knowledge to change the impact you have on others. Robin will leave you with knowledge that will “change what you see and change how you listen”. But best of all, you will change how you think and feel about yourself. You are the biggest winner!

(No CLE Credit Requested for Lunch)

1:15 - 2:15 pm Survey & Analysis of What Mediation Clients Value the Most
Joseph Paulk, Tulsa, OK

What factors do our clients **value** when deciding on a mediator? What are the most important traits of a mediator? How important are the amenities – the facility, the lunches, the music, the extras? What do mediators do that irritate them? Joe Paulk surveyed a large number of mediation participants with those questions and more, and the results are fascinating. The responses are from a true cross-section of mediation participants -- plaintiff attorneys, insurance defense counsel, corporate counsel, coverage counsel, claims professionals, CFO's and other regular, experienced mediation attendees. Many of them handle cases nationally. Their responses were not specific to the case they were attending, but encompassed all of their mediation experiences. The insights gained from their answers are invaluable to understand what our clients really value and how we can all meet and exceed their expectations.

(1.00 hour)

2:15 - 3:15 pm Dealing with Strong/Difficult Personalities in Mediation
Dean Kilgore, Austin, TX

Mediation participants may not be at their best when they come to your office. Conflict has a way of bringing out less-than-mature responses in many people, and when the personalities are prickly, problematic or punchy to begin with, the stage is set for fireworks. We will discuss some of those personalities, and what you need to do to be prepared to engage in a productive and non-judgmental way with these participants.

(1.00 hour)

3:15 - 3:30 pm Break with refreshments: CLE sign-up sheets will be available at the break.
Your bar number is required for state sign-in sheets. *Please sign on each state sheet in which you wish to receive credit. **Certificates of Attendance** will be available at the end of the day.*

3:30 - 4:30 pm ADR Neutrals' Disclosures—Do They Meet Party Expectations and Are They Effective to Ensure Against Actual and Apparent Conflicts?
Linda Michler, Bethel Park, PA and Outer Banks, NC
Daniel Yamshon, Sacramento, CA

There is little controversy that neutrals have a duty to disclose conflicts of interest. However, there is not a consensus over how detailed disclosures should be, and at times, what actually constitutes a conflict of interest. The spectrum of opinion ranges from minimal disclosure to disclosing anything that could create the perception of a conflict of interest. Given this disparity, parties and counsel, particularly those who use different neutrals and providers for various cases, may not understand the ramifications of this inconsistency. Does this affect the self-determination of the parties? Should the extent of disclosure affect the choice of neutrals? In some instances, it appears that mediation disclosures may be less extensive than those required of an arbitrator. This panel will touch on guidelines and requirements of the major ADR providers, professional organizations, and those jurisdictions with statutory or rule of court requirements. This program will specifically raise the question of whether parties expect mediation disclosure to be as extensive as disclosure in arbitration and other party expectations. The panelists will be soliciting questions and comments from attendees throughout the discussion. The panel recognizes that AAM members bring important experience to these sessions and most have given a great deal of thought to the issue of disclosure; the attendants at the program will be a major resource for the discussion.

(1.00 hours)

4:30-5:30 pm A Day in the Life of an Ethical Mediator
Mediator: **Lisbeth Bulmash, Dallas, TX**
Panelist: **Robert Berliner, Chicago, IL**
 Jimmy Lawson, Lakeland, TN
 Debra Leo, Birmingham, AL

A mock mediation has been scripted with challenging conflicts of interest and other ethical issues. Panelists will engage in role-playing as clients and attorneys. The purpose is to focus on ethics issues, how to prevent them and how to solve them once they arise. Attendants at the program will watch the mock mediation play out, and then address whether they would have done the same or differently if they were actually involved in the mediation. This will be a fun and stimulating exercise to spot-the-issue and deal-with-the-ethics in real time.

(1.00 hour ethics)

5:30 pm Adjourn

5:30-6:15 pm Networking Reception

Please join us for networking and recapping the day with mediator colleagues from across the country. Refreshments will be served in the atrium outside of our meeting room. Guests of the hotel for Friday night will show their room key card and all other attendees will need a wrist band. (No additional charge for the wrist band.) Please see Brenda for the wrist band if you wish to attend. *We welcome you with or without a reservation.* Unlimited beer, wine, cocktails, and sodas, as well as appetizers, are available in the atrium at the Manager's Reception, with the serving line being across the atrium.

MCLE Credits by State

Alabama: 7.50 hours including 2.00 ethics hours
Arkansas: 5.50 general hours and 2.00 ethics hours
Arkansas CME: 7.50 hours
California: California attendees will request credit under California's Preapproved Jurisdiction rules. Paperwork will be provided.
Illinois: 7.50 hours including 2.00 ethics hours
Louisiana: 7.50 hours including 2.00 ethics hours
Mississippi: Pending
Missouri: 9.0 hours including 2.4 ethics hours
North Carolina: 7.50 hours including 2.00 ethics hours
Oklahoma: 7.00 general hours and 2.50 ethics hours
Pennsylvania: 5.50 substantive and 2.00 ethics hours
Tennessee: 5.50 general hours and 2.00 dual hours
Tennessee CME: 5.50 general CME hours and 2.00 dual CME hours
Texas: 7.50 hours including 2.00 ethics hours

AAM will be pleased to facilitate obtaining MCLE credit in other states. Please contact us as soon as possible (1-800-280-1368 or aam@attorney-mediators.org) if you would like our assistance in this regard.

**Association of Attorney-Mediators
Advanced Attorney-Mediator Training
September 15, 2017
Dallas, Texas
Speakers and Panelists**



Robin Barnhart is an expert in body language. Working for the Department of Homeland Security as an Instructor in the only scientifically validated program for body language gives her the official title as an expert but the years she has spent as a Behavior Detection Officer, business owner, speaker and consultant has given her the real-life, in-your-face experience that gives her knowledge substance. You understand that first impressions matter. Whether you are in a mediation, interviewing for a job or meeting someone on a personal level, you and the person you are with give message's, without words, that cannot be taken back. How do you control the message you are giving? Can you understand why you have a certain response? What about the messages given during meetings or negotiations? Can you understand these clues? Can you impact the outcome? Robin understands that communicating can be difficult and shares with you, that what we say with our bodies can impact the outcome of conversations and relationships. And being able to understand their silent message gives you power. Using stories, images and real life examples, Robin will give you knowledge to change the impact you have on others. Robin will leave you with knowledge that will "change what you see and change how you listen". But best of all, you will change how you think and feel about yourself. You are the biggest winner! To contact Robin please call 214.228.7164.



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 member of the AAM Board of Directors and is currently 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 Court in Will County, Illinois, which has grown from one to over 20 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. 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, and is currently a member of the Naval War College Foundation.



Lisbeth Bulmash, Attorney, is co-founder of Mediators360. She graduated from the University of Michigan with a Bachelors of Arts and from the Boston University School of Law with a Juris Doctorate. Ms. Bulmash has practiced law since 1989. Her experience in litigation has involved work in a variety of settings including a law firm specializing in defense, a law firm representing primarily plaintiffs and in a national property casualty insurance company. These varied legal experiences prepared Ms. Bulmash for her career in Mediation. She has a unique way of anticipating the needs and interests of the parties. Lis Bulmash has been a mediator since 2002. Before practicing in the state of Texas, Ms. Bulmash had an active mediation practice in Ohio. She has been admitted to five bars including Illinois, Michigan, New York, Ohio and Texas. For over a decade, she has engaged solely in the practice of mediation. Her disputes have ranged from small cases to cases that are larger and more complex. She mediates all types of cases including but not limited to, civil and commercial cases, probate cases, employment cases as well as eminent domain cases. Ms. Bulmash received a designation of Credentialed Distinguished from the Texas Mediator Credentialing Association for 2013-2014. She is currently the Chair of the ADR Section of the Dallas Bar Association. She serves on the ADR Advisory Council for the State Bar of Texas. Ms. Bulmash is active in the Dallas Bar Association. In addition, she is currently Secretary of the North Dallas Chapter of the Association of Attorney-Mediators.



Gary Eisenstat is board certified in labor and employment law by the Texas Board of Legal Specialization and a Fellow of the College of Labor and Employment Lawyers. He defends and tries labor and employment cases in federal and state courts and arbitration proceedings throughout Texas and the Southwest. He has also handled a wide variety of complex commercial disputes, ranging from corporate and partnership matters to real estate and securities disputes. He frequently appears before governmental administrative agencies and tribunals. Gary has extensive experience representing management in traditional employment law matters, including wage and hour disputes and claims for discrimination, wrongful termination, sexual harassment and whistleblower/retaliation disputes, as well as covenants not to compete, theft or misappropriation of trade secrets, unfair competition claims, and agency disputes. Gary's also counsels his clients in pre-litigation employment matters, including employment compliance and class action avoidance. When he is not litigating or advising his clients, he is frequently tapped to mediate and arbitrate difficult and complex employment and commercial disputes throughout Texas. In recognition of his excellence, Gary's peers have named him to both the Best Lawyers in Dallas as listed in D Magazine and the top 100 Lawyers in Texas for the past few years and he has been named to the Legal 500 in the United States. For many years, Gary has been included in the Best Lawyers in America and as a Texas Super Lawyer. He is a frequent lecturer and speaker at various CLEs and other conferences on a variety of employment, commercial litigation and ADR topics. When he is not in the courtroom, advising clients, or mediating a dispute, you can find Gary on most Saturdays in a local glass blowing studio working with hot glass—his favorite activity after his family.



Hal Gillespie a partner of Gillespie Sanford LLP, represents individual clients, corporate executives and unions in arbitration, mediation, civil trials, and appeals involving discharge, discrimination, sexual harassment, and employment matters.

He has tried many major jury trials and arbitration hearings involving employment law, including claims of age discrimination, race and national origin discrimination, tortious interference with contract, defamation, sex discrimination, sexual harassment, retaliation, disability discrimination, and breach of contract. In 2011 and again in 2013, Hal was rated as one of the top 10 lawyers in Texas by SuperLawyers.com. He has been rated one of the top 100 Texas Super Lawyers in Texas since 2003. In 2002, 2007, and 2012 *Texas Lawyer* listed him as the “Go-To Lawyer” in Texas for the past five years in the area of Labor and Employment Law. Hal has been named as among the best 500 attorneys in the United States by Lawdragon.com. Hal is “AV” rated in Martindale-Hubbell. Hal Gillespie is board certified in labor and employment law by the Texas Board of Legal Specialization. Hal is the past Chairman of the Dallas Bar Association Labor and Employment Law Section. He served on the Court Advisory Committee for the Northern District of Texas. He is past President of the North Texas Chapter of the Industrial Relations Research Association and a member of the National Employment Lawyers Association (NELA) and the Board of Directors of its Dallas-Fort Worth Chapter. Hal is a co-founding and active member of the Texas Employment Lawyers Association (TELA). He is a member of the Lawyers Coordinating Committee of the AFL-CIO. He is a member of the College of Labor and Employment Lawyers. He is a member of the American Board of Trial Advocates and a Fellow in the College of Labor and Employment Lawyers.



Jim Hartnett has been a lead attorney in many of Texas’s biggest probate and trust cases in counties all over Texas. He has tried many probate and trust cases to verdict and has argued numerous cases in various appellate courts around the state; including, the Texas Supreme Court. In 2002 and 2013, he was selected by *Texas Lawyer* as Texas’s “Go-To” attorney for trust and estate matters. In 2007, *Texas Lawyer* named him one of the “Top Notch” lawyers for trusts and estates. He is listed in “The Best Lawyers in America,” and is regularly named a “Super Lawyer” in *Texas Monthly*, and one of the best lawyers in Dallas by *D Magazine*. Stepping outside of his usual area, Jim’s jury verdict in *Cruciani v. Budd, et al*, a 2010 negligent misrepresentation case, is

included in *The Texas Lawyer’s Verdict Hall of Fame*. After graduating from Cistercian Preparatory School, Jim enrolled at Austin College in Sherman, Texas, where he played varsity basketball whilst obtaining a degree in business administration. Upon graduation, he entered the University of Texas School of Law and was admitted to the State bar in 1983. Jim has been a partner in The Hartnett Law Firm since 1988. He is a member of the Dallas Bar Association and the State Bar of Texas. Jim is a former Barrister in the Patrick Higginbotham American Inn of Court, a past council member of the Dallas Bar Association – Probate and Estate Planning Section, and a fellow of the Texas Bar Foundation. Jim serves on the Board of Trustees of Austin College. He also received Cistercian Preparatory School’s Distinguished Alumnus Award in 2004.



Dean M. Kilgore is an experienced attorney-mediator practicing in Austin, Texas. He devotes his time exclusively to mediation and arbitration, and generally handles complex matters involving construction, intellectual property, insurance and commercial disputes, as well as significant tort cases. Kilgore has mediated and arbitrated thousands of matters since establishing his ADR practice in 1995. Kilgore was also a skilled trial lawyer for 20 years prior to 1995. He is a regular speaker at CLE conferences, and believes that a deep understanding of people is the single most important attribute of an advanced mediator.



David T. López has been active in ADR since 1995, was a JAMS mediation and arbitration panelist and presently is on AAA and ICDR panels. He is a fellow of the Chartered Institute of Arbitrators, served as president of the Houston Bar Association ADR Section and has been active in state and national bar groups, including serving as subcommittee chair of the ADR Committee of the ABA Section of Litigation, and editor of an upcoming ABA book on arbitration. He has been an active litigator since being graduated first in his class at South Texas College of Law in 1971 and still maintains a limited litigation practice of complex and international cases. He received a journalism degree from The University of Texas, where he was managing editor of the daily student newspaper and editor of the monthly magazine. Prior to being admitted to the Bar, he was a prize-winning journalist for Texas newspapers and director of public affairs and publications for an international trade union organization which was based in Mexico City and published in Spanish, Portuguese and English. He has conducted labor negotiations training in Peru and Bolivia and dispute resolution training in Mexico, Panama and Ecuador.



James D. "Jimmy" Lawson has owned his own practice, James D. Lawson, P.C., located in Lakeland (Shelby County), Tennessee since March, 2013. His law practice emphasizes construction law, construction litigation, insurance defense and issues of insurance coverage, along with alternative dispute resolution services. Prior to obtaining his license to practice law in Tennessee, he was an associate (1986-1993) and a partner (1993-2008) at Hilburn, Calhoun, Harper, Pruniski & Calhoun, Ltd., in North Little Rock, Arkansas. After moving to Memphis, he was associated with the Law Offices of William M. Jeter, PLLC, in Memphis, Tennessee (July, 2008-February, 2013). He left the Jeter Firm in 2013 to focus his practice on mediation. Over his thirty-one (31) year career as an attorney, Jimmy has handled a wide variety of civil cases, representing plaintiffs and defendants, in state and federal courts throughout Arkansas and Tennessee. He has been associated with Hamlin Dispute Resolution, LLC, based in Little Rock, Arkansas, since May, 2012, and regularly mediates civil cases of all varieties throughout Arkansas and western Tennessee. In October, 2016, he obtained his certification as a family law mediator in Arkansas and has been mediating in that field as well for the last six months. He is a frequent speaker on the topic of mediation for the Arkansas Bar Association, the Pulaski County (Arkansas) Bar Association, and the Arkansas Alternative Dispute Resolution Commission, and he has contributed his time to assist with mediation courses that are offered by the University of Arkansas School of Law (Fayetteville, AR) and the Bowen School of Law at UALR (Little Rock, AR). Jimmy resides in Lakeland, Tennessee with his wife, Vicki. He has been a member of AAM since 2012.



Debra Leo's subject matter expertise includes conflict resolution, harassment, accommodation, and other specialized workforce issues. Her experience in the employment law arena spans over 40 years. Ms. Leo built and managed EEOC's mediation program for the states of Alabama, Mississippi and northwest Florida. She offers in-depth knowledge of laws, regulations and trends that affect the workplace. Having had the opportunity to examine and analyze a wide array of personnel practices, policies and systems, she brings a vast knowledge of best practices and common pitfalls that affect a wide range of businesses, institutions and industries. With over 20 years of mediation experience, she has resolved over 2,500 disputes with a resolution rate exceeding 90%. Ms. Leo has lectured and trained extensively on employment issues and conflict resolution skills and techniques. As well as designing and delivering training for EEOC, FBI, Department of Labor, FMCS, and other federal agencies, she has designed and delivered training for private employers, corporations, institutions and entities. Ms. Leo offers services in mediation, arbitration, training and consulting. Debra currently serves as President on the AAM Board of Directors.



Linda Michler received her law degree from Duquesne University School of Law. She is a former practicing attorney who now does only mediations, early neutral evaluations, consulting and arbitrations for cases and claims involving business and financial matters including real estate, employment, lending, shareholder, franchise, and healthcare disputes. She also has experience with government contracts, franchise disputes, product liability, professional malpractice, commercial/business matters, and bankruptcy disputes. The principal of Professional Dispute Resolution, she has over 25 years' experience on ADR matters, serving as an arbitrator, mediator, and early neutral evaluator/consultant. She serves as a mediator for several organizations, including FINRA, the BBB, the W.D. of PA (district and bankruptcy courts). In addition to once maintaining an active private law practice, she has served as Assistant District Counsel, Special AUSA with the US Small Business Administration, taught legal courses at Robert Morris University, Duquesne University, Community College of Allegheny County and has been a presenter for several CLE providers including the National Business Institute, and the Allegheny County and Washington County Bar Associations. She has been in-house counsel for a global data and risk management software company. Ms. Michler is currently admitted to practice in all Pennsylvania, North Carolina and New York Courts, and the following federal courts: W.D. Pa., E.D. Pa., M.D. Pa., E.D. N.C., Court of Appeals for the Third Circuit, and Supreme Court. She is a frequent presenter, having spoken before the ABA, FBA, National Business Institute and numerous other organizations.



Chris Nolland is an attorney-mediator in Dallas, Texas. Chris' resume as an attorney shows a distinguished record from his student days forward. After law school, Chris Nolland served as an appellate law clerk and thereafter practiced law in New York City and Dallas, Texas. He was a partner in a well-known national business litigation firm. In 1993, Mr. Nolland began his own practice with an emphasis on complex business and commercial disputes, bankruptcy and debtor/creditor related matters and with an additional focus on the development of a mediation/arbitration practice. Since that time, Mr. Nolland has mediated or arbitrated over 1,500 cases and has earned a reputation as the "go to" guy for the resolution of complex disputes. Over the past 15 years Nolland has established a practice as Special Settlement Counsel, acting as the primary negotiator for one party ***in a non-neutral role***. Nolland has been engaged as Special Settlement Counsel in over 100 significant matters, primarily business disputes. Special Settlement Counsel activities now account for over 50% of Mr. Nolland's practice. Mr. Nolland is an Adjunct Professor of Law at SMU Law School and for the past nineteen years has taught a full semester course on Negotiation to 2nd and 3rd year law students and LLM candidates. Mentoring younger attorneys has always been one of his greatest satisfactions and he easily connects with younger attorneys and students, and they with him. He is a frequent speaker at ADR programs and training courses, including AAM's Advanced Trainings, and has been profiled in legal and business publications. Chris has made an unusually rich and diverse contribution to the ADR movement, to litigants, to his fellow mediators, to students, and to the young attorney-mediators and negotiators who will be serving the public when our generation has retired. Chris is the recipient of the Steve Brutsche' Award for 2016.



Joe Paulk brings a unique range of experience — successful trial lawyer, resourceful mediator, experienced trial consultant, energetic law school instructor, national author, and lecturer — to all his endeavors. As a trial lawyer in more than 100 jury trials over 20 years, Joe represented both plaintiffs and defendants in all types of disputes. Twenty-five years ago, he began to transfer this experience to the emerging field of dispute mediation. Since 1992, Joe has mediated over 3,700 cases throughout the United States. His company, Dispute Resolution Consultants, Inc., is now one of the preeminent mediation firms in the Southwest with offices and mediators in Tulsa, Oklahoma City, Norman, and Fayetteville. From 2001 to 2010, Joe served as an adjunct professor of law at the University of Arkansas and University of Tulsa law schools, teaching courses in mediation and negotiation. His articles have been published in law journals at both law schools and in various national professional publications. At the urging of clients, Joe began offering jury advocacy consulting services in 2002. Since then, he has conducted many pretrial research and witness preparation sessions nationally. Joe's work has helped plaintiff attorneys secure judgments totaling nearly \$70 million and has also yielded many successful results for defense attorneys. Earlier this year Joe announced his partnership with Opveon Litigation Services, LLC, a leading provider of litigation support and consulting services for law firms across the country. Joe Paulk remains an active member of the American Board of Trial Advocates, American Society of Trial Consultants, Association of Attorney-Mediators, International Academy of Mediators, Oklahoma Bar Association, National Academy of Distinguished Neutrals, and various other local and national professional organizations.



Andy Payne is the founding partner of PayneMitchell Law Group. Helping people is what draws Andy to his practice of handling significant personal injury cases. Andy is an experienced and effective trial lawyer. He is double Board Certified — Personal Injury Trial Law by the Texas Board of Legal Specialization and Civil Trial Law by the National Board of Trial Advocacy. Andy has also been inducted into the American Board of Trial Advocates (ABOTA), which is an invitation only organization limited to the top trial lawyers that also exhibit exemplary character, ethics and professional standards. Fewer than one percent of practicing lawyers hold these distinctions. D Magazine repeatedly selects Andy as one of the “Best Lawyers in Dallas.” Texas Monthly Super Lawyers recognizes Andy as one of the Top 100 Lawyers in both DFW and in the State of Texas. In addition, he has been selected for inclusion in “The Best Lawyers in America” and has been named the Lawyer of the Year by that publication. He has also earned Martindale-Hubbell’s highest rating (AV) through a peer review evaluation. Andy also has a deep commitment to pro bono representation. His firm has been a cornerstone donor to Equal Access to Justice Campaigns over the last decade. Andy graduated at the top of his class from Baylor Law School, where he served as Executive Editor of the Baylor Law Review. Andy serves on the State Bar Pattern Jury Charge Committee, which drafts form jury charges in products liability cases used by all trial courts in the State of Texas. He also serves on the State Bar Grievance Committee and has chaired Personal Injury seminars for both the State Bar and the Texas Trial Lawyers Association. An Adjunct Professor of Products Liability at the SMU Dedman School of Law, Andy is a frequent lecturer at professional meetings both in Texas and nationally. Andy is a Director Emeritus of the Dallas Trial Lawyers Association, a Fellow of the Texas Bar Foundation and the Dallas Bar Foundation, and a member of the Texas Center for Legal Ethics & Professionalism. He is a Fellowship Member and on the Board of Directors for the Texas Trial Lawyers Association, and has served on both the Texas Bar Association and Dallas Bar Association Board of Directors. He is also a member of the American Association for Justice’s Leader’s Forum.



Judge Elizabeth Ray has spent the last 39 years gaining a broad range of experience in civil litigation -- 14 years as a trial lawyer, 22 years as a District Court judge, 2 years as a General Counsel of a global water desalination company and the remainder as an arbitrator/mediator/trial specialist. She is Board Certified by the Texas Board of Legal Specialization in Civil Trial law and is a member of ABOTA. Judge Ray is an experienced arbitrator, having performed over 25 +/- arbitrations, and mediated over 200 disputes. She was trained and certified as a mediator in 1991. She also serves as a trial specialist, advising attorneys in high-stakes civil litigation with a specialty in complex commercial cases and international litigation. She has recently been accepted into the Chartered Institute of Arbitrators and is a member of several other mediation organizations. Judge Ray was named Trial Judge of the Year by the Texas Board of Trial and Appellate Specialists and also selected as one of ten Women on the Move by the Texas Executive Women. She was elected twice by her 58 judicial peers to be their Administrative Judge, the first female to hold that position.



Ross W. Stoddard, III is an attorney-mediator with a full-time mediation practice, based in Las Colinas in Irving, Texas. Since 1989, he has conducted 5,000+ mediations involving \$28+ billion in aggregate claims. Ross also served as faculty for the Effective Negotiations course in the SMU Executive MBA Program for 12 years and for 45+ mediation training programs offered through various bar/ADR associations. He authored the chapter on the use of ADR in tort disputes in *The Litigator's Handbook*, published by the ABA Section of Litigation. Ross was a founding director and officer of AAM and the American Academy of Attorney-Mediators, Inc., and served on the Council of the State Bar of Texas ADR Section. Prior to becoming a mediator, his experience as a lawyer was in a broad range of transactions and litigations, primarily in business and contract matters. Ross earned a JD from University of Texas School of

Law following a BBA from Southern Methodist University.



A. Martin Wickliff, Jr. is board certified in Labor and Employment law by the Texas Board of Legal Specialization, and he has substantial experience handling cases in such diverse industries as airline, banking, chemical, clothing, construction, energy, entertainment, financial services, grocery, health care, hospitality, insurance, manufacturing, pharmaceutical, railroad, restaurant, retail, sales, transportation, waste disposal, and wholesale. Marty is a veteran litigator and trial lawyer in all phases of labor and employment law, including advice and counsel, trials, appeals, and administrative proceedings involving all types of discrimination matters and nondisclosure/nonsolicitation disputes, trade secrets, Sarbanes-Oxley and

other whistleblower actions, higher education, defamation, privacy claims, FMLA, and WARN, as well as wage and hour litigation. Marty's trial and appellate experiences also include all types of traditional labor disputes, including union elections and injunction matters before the National Labor Relations Board, labor arbitrations, collective bargaining, and mediations as well as matters before the OFCCP and OSHA. He has also been involved in the implementation and monitoring of compliance and prevention programs, including HR audits, training, and internal investigations. Marty is a member of the Houston chapter of the American Board of Trial Advocates. Marty has received training from the American Arbitration Association as an Arbitrator and Mediator, focusing on labor and employment and disputes. He also handles employment investigations. Marty has regularly spoken on a variety of labor and employment topics on behalf of continuing legal education providers, he has authored several articles, and he has authored the employment law chapter of *Texas Business Litigation* (2014-2017). He has served on the board of directors of the State Bar of Texas (1986-1990) and on the board of trustees and Chair of the State Bar of Texas Insurance Trust; he is also a former director and Chair of the Board of Regents, Texas Southern University of Houston and Chair of the Litigation and Human Resources Committee of the Board; and he is a former member of the board of directors, University of St. Thomas, Houston. Marty has also served as president of the Houston Lawyers Association, as well as boards of various civic and community associations in Texas.



Daniel Yamshon is a mediator and arbitrator on the American Arbitration Association's construction, commercial and large, complex case panels as well as the Financial Industry Regulatory Authority. He has been a mediator for the Resolution Trust Corporation and the Defense Department Office of Hearings and Appeals. He is a fellow of the Chartered Institute of Arbitrators in London and is the former International Subcommittee Chair of the California Bar Association ADR Committee. Daniel sits on the ABA ADR Section's Ethics and International committees and on the International Law Section's Arbitration Committee. He holds a post-grad certificate in International Arbitration from Columbia Law School and a Diploma, (the UK & European equivalent of a Master's Degree) in International Arbitration from the Chartered Institute of Arbitrators. Daniel speaks regularly on ADR topics at ABA and California Bar annual meetings. He has published approximately thirty articles relating to law and ADR in trade, industry and legal journals ranging from Barron's National Business and Financial Weekly to the Harvard Negotiation Law Review. Daniel authored the chapter *Drafting the ADR Clause* in the ABA Construction Industry Forum's book Construction ADR and a chapter in Alternative Dispute Resolution and Peace-building in Africa, published by Cambridge Scholars. He is the lead trainer for the Center for African Peace and Conflict Resolution, has worked on ADR matters in twelve countries on five continents, and has been the lead on programs funded by the US State Department, the US Institute for Peace, the ABA, and the Eurasia Foundation.