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ABRAMS MEDIATION & NEGOTIATION, INC.

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MEDIATION PHILOSOPHY/STYLE: *Classical and innovative mediation skills in a creative settlement environment. Powerfully committed to practical business solutions. Skilled negotiator invests parties and counsel in success of process.*

ATTORNEY-MEDIATOR with national ADR practice

- ◆ Successfully mediated thousands of cases since 1986
- ◆ Receives mediation referrals from state and federal judges, attorneys, NASD Dispute Resolution, and parties in civil, securities and workplace issues; *e.g.*, complex securities, commercial, employment discrimination, business torts, contracts, intellectual property, bankruptcy and personal injury. Among the more noteworthy cases he has resolved are:
 - Complicated multi-party securities disputes - class action suit against financial institution for breaches of fiduciary duty – products liability, design defects and warranty claims against primary, excess, and umbrella carriers in connection with major household appliances – extensive securities practice - asbestos class action – patent and trademark infringement actions against various manufacturers – discrimination claims against public and private employers – partnership dissolution and allocation of assets and liabilities – unfair competition and trade secrets - helped forge new relationships between companies in comprehensive negotiation of environmental dispute in Alaska between native peoples and landowner.
- ◆ Served on task force to draft landmark 1987 Texas ADR law
- ◆ Recipient of Steve Brutsche' Award for Excellence; Association of Attorney Mediators, 1988
- ◆ Co-founded mediation and training firms in Dallas, TX (U.S. Arbitration & Mediation, Inc. Southwest - 1986-90), Portland, OR (Institute for Conflict Management, Inc. 1991-96), Los Angeles, CA (Mediation & Effectiveness Training Institute 1996 - 1997), and Dallas, TX (Abrams Mediation & Negotiation, Inc. 1998 – present)
- ◆ Mediator, Victim-Offender Rehabilitation Program, 1995-1996

ARBITRATOR

- ◆ NASD Arbitrator – selected as Chairperson for numerous securities disputes
- ◆ Outstanding reputation for fairness and integrity

TRAINER, FACILITATOR AND SPEAKER

- ◆ National reputation as a trainer, and speaker on mediation skills, advocacy in ADR, partnership/team building, communication, interest-based negotiation, and harassment/diversity
- ◆ Designed customized training materials and checklists used by thousands of mediators
- ◆ Guest Speaker, Mediation in Bankruptcy Cases, with Hon. Governor Mario Cuomo, Hon. Secretary of State Cyrus Vance, Hon. Chief Judge Burton Lifland, April 1996
- ◆ Lead Mediation Trainer, NASD Dispute Resolution & USBC, SDNY
- ◆ Guest speaker, Association of Attorney-Mediators, Dallas, TX, April 2004

CONFLICT RESOLUTION CONSULTANT

Adviser to courts, securities organizations, governmental agencies, private and public corporations on dispute resolution systems design

FORMER BUSINESS LITIGATION ATTORNEY

- ◆ Licensed to practice law since 1980 (OR, TX, and FL - inactive)
- ◆ Former trial lawyer and partner in Dallas, TX: Brice & Mankoff
- ◆ Litigation and appellate experience in employment discrimination, business torts, contracts, intellectual property, complex commercial law, bankruptcy, securities, antitrust, trademark infringement, franchise, and general business disputes

PUBLICATIONS

- ◆ *“Anatomy of Mediation: What to Expect, How to Prepare & How to Win”*, Indian Institute of Arbitration and Mediation, 2010, http://arbitrationindia.com/pdf/tia_latest.pdf
- ◆ *Mediation Skills Training Manual* - used in public and private mediation trainings, including those sponsored by the National Association of Securities Dealers, U.S. Bankruptcy Court for the Southern District of New York, and other clients.
- ◆ *Partnering Skills in a Diverse and Demanding Work Environment* - public and private trainings, including the Veterans Affairs Medical Centers in Portland, OR, Vancouver, WA, Canandaigua, NY, Buffalo, NY, Batavia, NY, Decatur, GA, and other clients
- ◆ *The Mediation of Mediation* (2002); *Advocacy in Mediation, Arbitration & Mediation*, State Bar of Oregon (1996); *Rushing Headlong into a Mediation?*, *Arbitration Quarterly of the Northwest* (1993); *Mediation of Claims Involving Insurance Companies*, 2:1 *The ADR Report* (Fall 1993); *A Better Way*, 1:1 *ADR Advance Sheet* (Sept. 1992); *Mediation - Make Your Practice More Profitable*, 23 *Texas Lawyers Forum* 4 (1989); *Combined Processes (mediation, arbitration, & other ADR procedures)*, *Third Handbook of Alternative Dispute Resolution*, State Bar of Texas (2002); *Alternative Dispute Resolution - Powerful Tools in the Attorney's Arsenal*, Dallas Training Materials (1988); *Mediation as an Effective Settlement Tool*, *Texas Trial Lawyers Forum* (1988); *Mediation of Claims Involving Insurance Companies*, 52 *Texas Bar Journal* (1988); *Insurance Mediation*, *Handbook of Alternative Dispute Resolution - New Horizons for the Texas Judicial System*, State Bar of Texas (1987); *plus practical training manuals/materials*; Founding editor of Oregon State Bar ADR newsletter (1992-1995)

PROFESSIONAL ASSOCIATIONS

Texas Bar Association; USDC, NDTX mediation panel; NASD Dispute Resolution mediation panel; NASD Dispute Resolution arbitration panel; U.S. Bankruptcy Court, SDNY mediation panel; Association of Attorney-Mediators

EDUCATION

- ◆ Florida State University College of Law, Tallahassee, FL, *J.D. with High Honors*, June 1980
Law Review, Moot Court, Order of the Coif
- ◆ Pace University, Pleasantville, NY, *B.A., Magna Cum Laude*, May 1977

COMMUNITY SERVICE

- ◆ Arbitrator, NASD Dispute Resolution, 1995 - present
- ◆ Board Member, Jewish Federation of Portland, 1992-1996
- ◆ Volunteer, Contact Crisis Hotline, 1999 - 2002
- ◆ Volunteer with “at-risk” kids at Hexter Elementary School, 2002 - 2004