

LEO G. STERN
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SUMMARY OF QUALIFICATIONS

- Alternative Dispute Resolution – Over 45 years’ alternative dispute resolution experience, including selection by litigants as a mediator and arbitrator in more than 1,000 cases. In the past three years, selected as a neutral in over 100 cases, ranging in size from several thousand dollars to multimillions in controversy, comprising hearings of less than one day to over three weeks. Qualified neutral under Rule 114 of the Minnesota General Rules of Practice (1994 -). Membership on arbitration (1978 -) and mediation (1985 -) panels of the American Arbitration Association (AAA), International Centre for Dispute Resolution (ICDR) and the National Association of Securities Dealers (NASD) n.k.a. The Financial Industry Regulatory Authority (FINRA, 2003 -). Mediator for States of Minnesota and Wisconsin Education ADR programs (IEP Mediations and Facilitated IEPs, 2006 -). Hearing officer for Minneapolis Public Housing Authority (2008 - 2016). Instructor for the AAA’s continuing training program for mediators and arbitrators, having served in this capacity since the program’s 1998 inception.

- Litigation – More than 45 years’ experience as a trial attorney with proficiency in litigation of complex business problems, environmental cases, insurance coverage disputes, and defense of malpractice claims. Practice in federal and state courts. As an advocate, has represented hundreds of clients in mediations and arbitrations.

- Recognition – Chosen by peers as “Best Lawyer” in the practice of ADR in Minnesota in *Best Lawyers in America* (Woodward/White, Inc. 2006-2026) and also by peers in *Minnesota Monthly* (2006-2022). Ranked within the Third Tier of Law Firms (small firms) by *U.S. News & World Report* (2013-2026) and *Best Lawyers*.

PROFESSIONAL EXPERIENCE

Stern Law Office

Principal October 2009 to present

- Continuing practice as a business litigator, mediator, and arbitrator.

Fredrikson & Byron, P.A. – an international law firm of 240+ attorneys

Of Counsel, with work emphasis as an ADR neutral October 2005 to 2009

Vice President, Litigator 1984 to September 2005

Past Chair of Litigation Department

PROFESSIONAL EXPERIENCE (CONTINUED)

Past Chair of interdisciplinary Environmental Law Department

Past member of the Practice Quality Committee in charge of peer review of shareholders

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Wright, West & Diessner

Partner, Litigator

1977-1984

In 1984, the firm merged with Fredrikson, Byron, Coburn, Bisbee & Hansen; renamed Fredrikson & Byron.

Cox, King & Stern

Partner, General Practitioner

1970-1977

Adjunct Professor

William Mitchell College of Law (Advanced Ethics)

1999-2004

University of St. Thomas School of Law (Civil Procedure: 2001 and 2002)

2001-2006

(ADR: Spring Semester 2004, 2005, and 2006)

Visiting

Iliria Royal University (Civil Litigation), Prishtina, Republic of Kosovo

ProfessorSpring 2009
(three weeks)

University of Rijeka Law Facility (The Federal Judicial System), Rijeka, Croatia

Spring 2007
(four weeks)

Károli Gáspár University (The American Legal System), Budapest, Hungary

Spring 2006
(five weeks)**REPRESENTATIVE EXPERIENCE**

• Retained and sits as an arbitrator and mediator for a wide range of problems. Examples of service as a neutral include franchise terminations; claims for payment of commissions; claimed violations of restrictive covenants; claims to apportion environmental damages; claims of breach of contracts for sales of goods and services; disputes involving claimed violations of computer software sales, licensing, and consulting agreements; claims seeking enforcement of dealership and sales agent agreements; disputes arising from sales of businesses; disputes concerning real estate sales, leases, financing, and related issues; disputes arising from personal property leases; personal injury claims; insurance disputes concerning automobile, life/health/disability, excess loss, crop, trade credit, business interruption/property coverage, comprehensive general liability, and related coverages; construction disputes; products liability claims; partnership disputes; class actions; commercial and consumer lending disputes; trademark, tradename, and tradedress claims; copyright infringement claims; patent infringement claims; professional negligence (malpractice) disputes; employer-employee termination-related litigation; corporate governance and derivative disputes among board members, officers, review committees, and shareholders; shareholder conflicts and buyout disputes; securities litigation including suitability, futures trading, hedging, churning, fraud, private placement memorandum inadequacies, and related issues; disputes as to eligibility for and appropriate terms of an Individual Education Plan (IEP); extensive community mediation problems, e.g., neighbor-to-neighbor disputes concerning noise, fences, litter, etc.; landlord-tenant disputes concerning

REPRESENTATIVE EXPERIENCE (CONTINUED)

rent payments, security deposits, habitability, etc.; consumer/debtor – financing agency disputes concerning payments, defaults, security, etc.

• Has tried complex jury and bench cases as lead counsel, supervising associates and legal assistants. Representative litigation includes corporate and partnership governance disputes; disputes concerning valuations of corporate stock and statutory rights of minority shareholders; disputes concerning enforcement of shareholder buyout agreements; litigation concerning

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directors' and officers' fiduciary responsibilities, etc.; disputes concerning challenged partnership actions and partners' fiduciary responsibilities; trademark, tradename, tradedress, and related intellectual property issues; patent infringement actions; fraud claims; litigation concerning various types of commercial contracts; unfair competition litigation; disputes concerning sales of businesses; negligence claims; franchise and dealership litigation; disputes concerning real estate development, sales, and leases; employment disputes; first party and third party insurance declaratory judgment actions; disputes concerning business interruption/property, directors and officers, ERISA, professional liability, toxic tort and hazardous waste, and comprehensive general liability and related coverage issues, e.g. triggers, multiple and continuing occurrences, allocation among carriers, existence of an occurrence, etc.; professional negligence litigation; etc.

- Has significant experience in defense of medical malpractice claims, including orthopedic, cardiac, pulmonary, neurological, gynecological, etc., and in medically related issues, including work with hospitals concerning regulatory and management issues and with medical device manufacturers in development and sales of products.

EDUCATION

J.D., *cum laude*, University of Minnesota Law School, 1970
Staff member, Minnesota Law Review, 1968-1970
B.A., Political Science, University of California at Davis, 1967
U.S. Army, First Lieutenant, Honorable Discharge

ADR TRAINING

Special Education: Annual Mediator Training, State of Minnesota (2007-2020)
Special Education: Annual Mediator Training, State of Wisconsin (2009-2020)
AAA Seminar Addressing The Challenges of Demanding Arbitration:
The Hearing Phase, The Award, and Beyond (04/17)
MNSEMS: Child Find under The Individuals with Disabilities Education Act (IDEA) (12/15)
MSBA ADR Section: Big Changes of Rule 114 (09/15)
MSBA ADR Section: Blind Mediation (12/10)
Wisconsin Special Education Mediation Training (40 hour course)(06/09)
NASD n.k.a. FINRA New Panel Member Training (04/03)
CPR Institute for Dispute Resolution Mediator Training (06/02)
AAA Mediator Conference Workshop, New Orleans, LA (03/01)
AAA Advanced Case Management Issues, Train the Trainer Course (12/00)
AAA Mediator Conference Workshop, Chicago, IL (09/00)

ADR TRAINING (CONTINUED)

AAA Fundamentals of the Arbitration Process, Train the Trainer Course (11/98)
AAA Advanced Alternative Dispute Resolution Training (05/94)
Advanced Mediator Training (05/94)
AAA Commercial Mediation (05/94)
Hennepin County Fourth Judicial District, Arbitrator Training
National Institute of Trial Advocacy
College of Advocacy, American Bar Association

BAR ADMISSIONS

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States of California (inactive as of 2000), Minnesota, and Wisconsin
U.S. Supreme Court
U.S. Courts of Appeals, 6th, 7th, and 8th Circuits
U.S. District Courts in California, Colorado, Illinois, Michigan,
Mississippi, Minnesota, New Jersey, and Wisconsin
Upper Sioux Tribal Court

PROFESSIONAL ASSOCIATIONS

American Arbitration Association Commercial (1978) and Employment (2000) Panels
Past Member of AAA Subcommittee on Class Actions of AAA Practice Committee
Past Member of AAA Minneapolis Advisory Committee
Minnesota State Bar Association (MSBA)
Chair of the Arbitration Committee of the MSBA Dispute Resolution Section (2007-2008)
Elected member of the Governing Council of Natural Resources and
Environmental Law Section of MSBA (1989-1995)
Elected member of the Governing Council of Litigation Section of MSBA (1995-1998)
Co-Chair of Committee on Civil Juries of MSBA (1996-1998)
Member of RUAA Committee of MSBA Dispute Resolution Section
Wisconsin State Bar Association
California State Bar Association (inactive as of 2000)

LECTURES AND PUBLICATIONS

- “Certified Civil Arbitration Skills Training,” Minnesota CLE (faculty), November 2018 + 2019
- “The Arbitration Debate—Does One Size Fit All?” Minnesota CLE (faculty), May 2017
- “Best Practices for Conducting Arbitrations,” Minnesota CLE (faculty), July 2016
- “Tricky Issues in Arbitration,” Minnesota CLE (faculty), October 2014
- “Conducting Research and Investigations: The Arbitrator’s Authority,” AAA (instructor), September 2014
- “Principled Deliberations: Decision-Making Skills for Arbitrators,” AAA (instructor), September 2014
- “Mediating the Business Breakup,” Minnesota CLE (faculty), February 2014
- “Advanced Mediation Training,” American Arbitration Association (facilitator), March 2013

LECTURES AND PUBLICATIONS (CONTINUED)

- “2012 Arbitration Update,” Minnesota CLE (faculty), September 2012
- “Advanced Minneapolis Public Housing Authority Officer Training,” Conflict Resolution Center (instructor), March 2012
- “The Supreme Court’s Unprecedented Interest in Arbitration,” Minnesota CLE (faculty), September 2011
- “Advanced Mediation Advocacy,” Minnesota CLE (faculty), June 2011
- “Effective, Efficient and Affordable Mediation,” Minnesota CLE (faculty), May 2011
- Minneapolis Public Housing Authority Hearing Officer Training, Conflict Resolution Center (instructor), February 2011
- Chairing the Three Member Panel, AAA (instructor), December 2010

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- Advanced Mediator Training, AAA (instructor), June 2010
- “Current Controversies in Arbitration,” 12th Annual ADR Institute, MSBA, (faculty), October 2009
- “What Advocates Want (and Don't Want) in Arbitrators; What Arbitrators Want (and Don't Want) in Advocates,” MSBA Bench & Bar Conference (instructor), January 2009
- Visiting Law Professor, three Eastern European universities, spring courses 2006, 2007, 2009
- “AAA Arbitration Roadmap: The Standard for Efficient and Cost Effective Arbitration,” AAA Seminar (instructor), November 2008
- “The Arbitration Process: This is Not Litigation as Usual” *Inside the Minds: Arbitration Best Practice* (contributing author), Aspatore Books, 2008
- “MSBA ADR Arbitration Update,” MSBA (instructor), April 2008
- “Arbitration Series: Ethical Considerations in Arbitration for Neutrals and Lawyer-Advocates” Minnesota CLE (faculty), September 2007
- “Arbitration Awards: Safeguarding, Deciding and Writing Awards,” Second Annual Arbitration Training Institute, ABA Section of Dispute Resolution (faculty), May 2005 AAA Seminar (instructor), February 2004; May 2005
- “Maintaining Balance,” Regional Conference of ABA Student Lawyers Section (instructor), February 2004
- “Arbitration Advocacy,” AAA Seminar (instructor), August 2003; December 2004
- “Advanced Case Management Issues,” AAA Commercial Arbitration Training Workshop (faculty), March 2001; January 2002; July 2002; September 2002; October 2002; January, 2003; July 2003
- “AAA Annual Arbitrator Update 2002 Seminar” (faculty), November 2002
- “Fundamentals of the Arbitration Process,” AAA Commercial Arbitration Training Workshop (faculty), May 1999; June 1999; February 2000; March 2003; May 2005
- “Questioning of Witnesses by Jurors,” Civil Litigation Annual Meeting, MSBA, April 1998
- “Unfair Claims Practices,” Guest Lecturer, Chubb Insurance Group, November 1997
- “Civil Jury Project,” Civil Litigation Institute, MSBA, November 22-23, 1996
- “New Life to MERA,” MSBA; Environmental & Natural Resources Law News, December 1995
- “How to Win Your Dispositive Motions,” Civil Litigation Institute, MSBA, November 13-14, 1995
- “Alternative Dispute Resolution: Tales From The Front,” Fredrikson & Byron, P.A., and Twin Cities Business Monthly, September 29, 1995
- “Environmental Cleanups and the Capitalization Wringer,” MSBA Environmental and Natural Resources Law News, December 1993
- “Releases for Environmental Liability,” MN Defense Lawyers Association, April 17, 1993

LECTURES AND PUBLICATIONS (CONTINUED)

- “The Valdez Principles: Environmental Compliance and Management,” MILE, December 3-4, 1992
- “Risk Assessment: Practice to Policy,” MSBA Environmental and Natural Resources Law Section, May 1, 1992
- “Mediating Cleanup Allocations,” Hennepin County Bar Association, Mediation- Arbitration Section, April 22, 1992
- “Thoughts on Managing Large Deductible Claims,” Minnesota RIMS Conference, February 4, 1992
- “Hazardous Waste in Minnesota: Enforcement of Federal and State Hazardous Waste Laws,” National Business Institute, September 27, 1991
- “Conflicts of Interest in Multiparty Litigation: Ethical Considerations,” Environmental Workshop, MSBA, April 18, 1991
- “Releases of Liability in Environmental Liability,” Minnesota Defense Lawyers Association, November 16, 1990
- “Handling the Director and Officer Claim from the Perspective of Director's Counsel,” MILE, May 8, 1990

COMMUNITY WORK

- Volunteer Lawyers Network, *pro-bono* panel: 1970 to present
- Neighborhood Involvement Program (NIP) (providing social service programs, including medical clinic for uninsured; support services for seniors; and tutoring for youth; with an annual budget of approximately \$2 million); Board Member: 1994-2001; 2004-2009 (Board Chair 1999-2001)
- Dyslexia Institute of Minnesota a/k/a The Reading Center (providing training to educators in methodologies to teach dyslexic students) Board Member 2022-
- Upper Midwest Branch of International Dyslexia Association (IDA-UMB); Board Member: 2005-2011
- International Dyslexia Association (IDA); Board Member: 2012-2013
- The June Stern Family Foundation, Board Member and Treasurer: 2001-2017
- Minneapolis Civil Rights Commission (Past Commissioner)

OTHER INTERESTS

- Sailing (Coast Guard License earned c. 1992) (see www.jealousmistress.net)
- Fishing
- Hiking
- Hunting waterfowl and upland game
- Cooking
- Boat building