



# ALTERNATIVE DISPUTE RESOLUTION SECTION OF THE FLORIDA BAR

ADR Executive Council & All Member Meeting  
Thursday, June 10, 2021  
11:00 a.m.

## Link for Zoom Meeting

<https://us02web.zoom.us/meeting/register/tZAqcOqgrzsqGdE8gSUCB2PkixlszNSeAALA>

**Meeting ID: 847 7381 0035**

**Passcode: 307575**

1. Attendance/Roll Call
2. Chair Welcome – Oscar A. Sanchez
3. Welcome Guest Speaker, F. Scott Westheimer, candidate for President Elect Designate – Oscar A. Sanchez
4. Approval of May Minutes Exhibit A
5. Treasurer’s Report – Kathleen McLeroy Exhibit B
6. Calendar for Upcoming Florida Bar Meetings – Oscar A. Sanchez
  - DRC Annual Conference (officially virtual): August 11 – 13, 2021
  - Fall Meeting (officially virtual): October 13 – 15, 2021
  - Winter Meeting: January 26 – 29, 2022, Rosen Shingle Creek, Orlando
  - Annual Convention: June 22 – 25, 2022, Hilton Bonnet Creek, Orlando
7. RPPTL Construction Law Institute Update – Christy Foley
8. Membership Survey re Virtual Mediations at the request of UF Law Prof. Joan Steans Johnsen – Hadas Stagman
9. Discussion as to the results of the survey concerning an in-person retreat – Patrick Russell
10. Status of ADR CLE Programs – Kim Torres
11. Section Awards – Oscar A. Sanchez
12. Election of New EC Members – Oscar A. Sanchez Exhibit C
13. Election of 2021-2022 Officers – Oscar A. Sanchez Exhibit D

### Slate of Officers:

Chair: Patrick Russell  
Chair-Elect: Kathleen McLeroy  
Treasurer: Christy Foley  
Secretary: Cristina Maldonado  
Past-Chair: Oscar A. Sanchez

14. Next Meeting of ADR EC: July 7, 2021, 8:00 a.m.
15. Old Business
16. New Business
17. Adjourn

**ADR Section Executive Council Meeting Minutes****May 5, 2021**

- I. Meeting started at: 8:05am
- II. Members in attendance:
  - a. Lori Adelson
  - b. Bill Christopher
  - c. Shari Elessar
  - d. Dave Henry
  - e. AJ Horowitz
  - f. Jeff Fleming
  - g. Christy Foley, Secretary
  - h. Michele Jernigan
  - i. Lawrence Kolin
  - j. Ana Cristina Maldonado
  - k. Adam Myron
  - l. Kelly Overstreet Johnson
  - m. Patrick Russell, Chair-Elect
  - n. John Salmon
  - o. Oscar Sanchez, Chair
  - p. Meah Tell
  - q. Kim Torres, Immediate Past Chair
  - r. Glenn Waldman
  - s. Sheridan Hughes, FL Bar Administrator
  - t. Lisa Tipton, PR Consultant
- III. Chair Welcome Presented by Oscar Sanchez
  - a. Congratulations to Kathy McLeroy for getting to argue a case in front of the FL Supreme Court today
  - b. This is our last meeting of the fiscal year
- IV. Approval of April Minutes
  - a. Unanimously approved
- V. Treasurer's Report Presented by Patrick Russell
  - a. Revenue for March 2021 was \$7,444 (about half of that came from CLEs and half came from bar investments)
    - i. In comparison, last March (2020) our revenue was down by about \$2,000
  - b. We spent about \$1,000 on consulting fees in March 2021
  - c. We are poised for a strong end to the fiscal year 2021 due to reduced expenses from the lack of in-person meetings, the increase in members and membership rates, and the

increase in CLEs

- VI. Upcoming FL Bar Meetings Presented by Oscar Sanchez
  - a. Annual Convention, June 9 – 12, 2021
    - i. Will mostly be Virtual
  - b. Fall Meeting, October 13 – 15, 2021
    - i. Will be Virtual
  - c. Winter Meeting, January 26 – 29, 2022 will be in-person at the Rosen Shingle Creek in Orlando
  - d. Annual Meeting, June 22 – 25, 2022 will be in-person at the Hilton Bonnet Creek in Orlando
  - e. DRC, August 11 – 13, 2021
    - i. Will be Virtual
  
- VII. Construction Law Institute Presented by Christy Foley
  - a. Big thanks to Kathy, Chris, Shari, and Adam for helping with this event (both in-person and virtually)
  - b. If you're able to help with the virtual booth on May 20<sup>th</sup> or May 21<sup>st</sup>, then email Christy to let her know
  
- VIII. Membership Efforts Presented by Oscar Sanchez
  - a. Encourage your lawyer friends and colleagues to join the ADR Section when they renew their FL Bar dues
  - b. If you're on social media, then promote the section on social media and/or like/share the Section's posts that promote membership
    - i. If you just link to the membership page on our website ([FlaBarADR.com/membership](http://FlaBarADR.com/membership)), a nice graphic will pop up automatically
  
- IX. CLE Program Update Presented by Kim Torres
  - a. We had a CLE this past month and it went well
  - b. We have some CLEs planned for this summer, including a joint one with the Restorative Justice group
  - c. We have a good presence at the DRC in August (Patrick is presenting, Chris is presenting, Cristina is presenting, Kim is presenting, and Christy is presenting)
    - i. If you're presenting, stay in touch with Christy to talk about how we're branding the section at the DRC
  - d. If you're interested in doing any CLEs, then let Kim know
  
- X. Mediation Academy Update Presented by John Salmon
  - a. Tentatively scheduled for Nov. 6 - 7, 2021 in Tampa
    - i. It starts at 2pm on Friday with a mindfulness session that will be presented by Patrick
  - b. It will be limited to 30 – 50 people
  - c. It will focus on an employment law case

- i. Last time (in 2019), the focus was on a personal injury case
        - d. The back-up date for this year's Mediation Academy is March 2022
        - e. The committee is working on getting faculty together
  - XI. Eldercares Coordination Bill Update Presented by Kim Torres
    - a. Our section endorsed the bill
    - b. It has gone through the FL House and Senate and is now sitting on the desk of the Governor
      - i. If you want to send a note to the Governor to support the bill, then email [governor.desantis@eog.myflorida.com](mailto:governor.desantis@eog.myflorida.com) (reference HB 441)
- XII. Committee Work Presented by Patrick Russell
  - a. Patrick would like to have one-on-one meetings with people on the EC to gauge people's desires to work on different committees in the upcoming bar year
  - b. He's trying to determine whether all 19 committees we currently have need to be kept, whether some can be combined, etc.
  - c. We will also be developing a long-range planning committee to help the section plan for the future and have continuity
    - i. This committee is currently made up of the section's officers (secretary, treasurer, vice chair, chair, and immediate past chair)
- XIII. Nominations for the EC *and* Secretary for the 2021 – 2022 Bar Year Presented by Oscar Sanchez
  - a. The nominating committee is the officers of the section
    - i. They will put together the slate of proposed officers and EC members, which will be presented in June at the Annual Meeting
  - b. If you have nominations, then please email them to Sheridan Hughes so that the nominating committee can consider them
- XIV. End-of-Year Awards Presented by Oscar Sanchez
  - a. If you have a nomination for someone who should be recognized for their outstanding work on behalf of the section this year, then email Sheridan Hughes with your nomination
- XV. Next Meeting
  - a. Our next meeting is the annual meeting
  - b. The meeting will be on Thursday, June 10<sup>th</sup> from 11am to 1pm
  - c. The meeting will be held virtually
- XVI. In-Person Retreat Presented by Patrick Russell
  - a. If we want to have an in-person retreat, it would likely have to be done in September or October and would likely take place somewhere central, like Orlando
  - b. Typically, it's a cocktail hour and dinner on Friday as well as a half-day meeting on Saturday

- c. Patrick is trying to gauge people's interest in the event being held in-person, so the EC members will likely be receiving an invite to an online poll to vote on the idea of having this event

XVII. Meeting Ended at: 8:46am

THE FLORIDA BAR  
Alternative Dispute Resolution General  
For the Ten Months Ending Friday, April 30, 2021

	April	YTD 2021	FY 20-21 Budget	Prior Year April	YTD 2020
3001-Annual Fees	\$135	\$44,460	\$29,750	\$105	\$33,355
3002-Affiliate Fees		\$855	\$245		\$385
<b>Total Fee Revenue</b>	<b>\$135</b>	<b>\$45,315</b>	<b>\$29,995</b>	<b>\$105</b>	<b>\$33,740</b>
3351-Sponsorships		\$3,000	\$250		
3391 Section Profit Split	\$3,333	\$37,890	\$3,000	\$5,690	\$26,895
3392-Section Differential		\$675	\$525		\$1,520
<b>Other Event Revenue</b>	<b>\$3,333</b>	<b>\$41,565</b>	<b>\$3,775</b>	<b>\$5,690</b>	<b>\$28,415</b>
3561-Advertising			\$150		
<b>Advertising &amp; Subscription Revenue</b>	<b>\$</b>	<b>\$</b>	<b>\$150</b>	<b>\$</b>	<b>\$</b>
3899-Investment Allocation	\$3,410	\$25,672	\$2,982	\$3,250	(\$3,894)
<b>Non-Operating Income</b>	<b>\$3,410</b>	<b>\$25,672</b>	<b>\$2,982</b>	<b>\$3,250</b>	<b>(\$3,894)</b>
<b>Total Revenue</b>	<b>\$6,878</b>	<b>\$112,552</b>	<b>\$36,902</b>	<b>\$9,045</b>	<b>\$58,261</b>
4134-Web Services	\$70	\$1,030	\$500	\$1,250	\$4,990
4311-Office Supplies		\$50	\$100		\$57
4999-Other Office Expense		\$70			\$2
<b>Total Staff &amp; Office Expense</b>	<b>\$70</b>	<b>\$1,150</b>	<b>\$600</b>	<b>\$1,250</b>	<b>\$5,048</b>
5051-Credit Card Fees	\$138	\$332	\$500	\$86	\$257
5101-Consultants	\$1,000	\$9,500	\$12,000		\$6,000
5121-Printing-Outside			\$300		\$127
<b>Total Contract Services</b>	<b>\$1,138</b>	<b>\$9,832</b>	<b>\$12,800</b>	<b>\$86</b>	<b>\$6,384</b>
5501-Employee Travel			\$1,762		(\$247)
5531-Board/Off/Memb Travel					\$2,241
<b>Total Travel</b>	<b>\$</b>	<b>\$</b>	<b>\$1,762</b>	<b>\$</b>	<b>\$1,994</b>
6001-Post 1st Class/Bulk		\$47	\$25		\$5
6311-Mtgs General Meeting			\$5,500		\$337
6451-Committee Expense		\$223	\$3,000	\$10	\$670
7001-Grant/Award/Donation		\$2,252			
7999-Other Operating Exp		\$150	\$5,000		\$4,615
<b>Total Other Expense</b>	<b>\$</b>	<b>\$2,672</b>	<b>\$13,525</b>	<b>\$10</b>	<b>\$5,626</b>
8021-Section Admin Fee	\$54	\$18,126	\$15,426	\$54	\$17,406
8101-Printing In-House			\$300		\$2
8121-Graphics & Arts			\$1,500		
<b>Total Admin &amp; Internal Expense</b>	<b>\$54</b>	<b>\$18,126</b>	<b>\$17,226</b>	<b>\$54</b>	<b>\$17,408</b>

	April	YTD 2021	FY 20-21 Budget	Prior Year April	YTD 2020
9692-Transfer Out-Council of Sections		\$500	\$500		\$300
<b>Total InterFund Transfers Out</b>	<b>\$</b>	<b>\$500</b>	<b>\$500</b>	<b>\$</b>	<b>\$300</b>
<b>Total Expense</b>	<b>\$1,262</b>	<b>\$32,280</b>	<b>\$46,413</b>	<b>\$1,400</b>	<b>\$36,760</b>
<b>Net Income</b>	<b>\$5,616</b>	<b>\$80,272</b>	<b>(\$9,511)</b>	<b>\$7,645</b>	<b>\$21,501</b>

**Andrew Needle** received his undergraduate degree from Cornell University and received his J.D. degree, with honors, from the University of Miami in 1977. He was admitted to The Florida Bar in 1977 and is a board-certified civil trial lawyer and a Florida Supreme Court Certified Circuit Court Mediator. He is qualified to practice before the U.S. District Court, Southern and Middle Districts of Florida; the U.S. Court of Appeals, 11th Circuit; and the U.S. Supreme Court. He is a member of the American Bar Association (Insurance, Negligence and Compensation Law Section); the American Association for Justice (AAJ) (sustaining member); the Florida Justice Association (FJA diplomate); EAGLE (sponsor); the Dade County Bar Association (board of directors 1981 through 1983); The Florida Bar Young Lawyers Division Board of Governors (1983 through 1987); The Florida Bar Board of Governors (1997 through 2003); the Miami-Dade County Trial Lawyers Association; and a charter member of the Miami chapter of the American Board of Trial Advocates (ABOTA). He has been an editorial consultant to Matthew Bender Law Books' Florida Tort Law Series; author of "Post Trial Motions", Florida Civil Trial Practice, Chapter 18, Third through Thirteenth Editions; Inside The Minds- Representing Plaintiffs in Medical Malpractice Cases "Current Challenges in Handling Medical Malpractice Actions: Statutory Protections, Expenses, and Societal Misconceptions", Thomson Reuters/Asparatore 2012 as well as author of numerous other publications. Mr. Needle has been named one of South Florida's Top Lawyers in the area of medical malpractice by the South Florida Legal Guide, 2002-2021 editions, and since being selected as a "Heavy Hitter" in health care law by the South Florida Business Journal, in 2006, has been named to Best Lawyers in America 2007-2021 in Medical Malpractice and Personal Injury, and Florida Super Lawyers for over 15 years running. Although currently devoting a sizeable portion of his time to medical malpractice litigation and construction-related injuries and deaths, he has been a frequent lecturer on diverse areas of personal injury practice, and the firm continues to handle all aspects of the personal injury practice.

Rev. April 29, 2021



**GILBERT K. SQUIRES, P.E., BCS, FCCA, CIArb  
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**SUMMARY BACKGROUND**

**MR. GILBERT K. SQUIRES IS:**

**A GLOBAL MULTICULTURAL - MULTILINGUAL - MULTIDISCIPLINARY SERVANT LEADER, BOARD CERTIFIED SPECIALIST INTERNATIONAL LAWYER, BOARD CERTIFIED SPECIALIST INTERNATIONAL LITIGATOR & ARBITRATOR, MEDIATOR, BUSINESS AND LITIGATION ATTORNEY, ZOOM PROFICIENT SPECIAL MAGISTRATE OF THE CITY OF NORTH MIAMI BEACH.**

Admitted to practice in Florida, the District of Columbia, and the State of New York, the Supreme Court of the United States, and other Federal Courts, Mr. Squires distinguishes his successful career by the professional depth and personal diversity along with service to the profession exemplarily as the 103rd President of the Miami-Dade County Bar Association and ten years earlier as the 62nd President of the Miami Beach Bar Association. He serves the Florida Bar on the International Litigation and Arbitration Certification Committee, as a Volunteer Fee Dispute Arbitrator, and previously on Vision 2016 and Vice-Chair of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County Florida. The former President of Conoco Mexico, Ltd., a subsidiary of now ConocoPhillips, based in Mexico City, Mexico, Mr. Squires is a Texas Registered Professional (Petroleum) Engineer who began his career an Offshore Drilling Engineer for Exxon (now ExxonMobil). Squires attended Law School at night while working and professionally advancing at Conoco. He earned a Juris Doctor from Oklahoma City University School of Law (1993) and a Bachelor of Science in Mechanical Engineering from Texas A&M University (1980). A dual United States of America and Republic of Panama Citizen, native Spanish speaker fully bi-lingual to English, speaks Portuguese, French, and Italian; Squires has lived and worked globally. Squires is a Fellow of the College of Commercial Arbitrators and a Diplomate in International Arbitration from the Chartered Institute of Arbitrators, for nearly twenty years, on the American Arbitration Association and International Centre for Dispute Resolution's Roster of Complex Business, Energy, Oil & Gas, Construction, and Maritime Arbitrators. An avid chess player and yoga practitioner, Squires is a Tomiki Ryu Aikido Roku Dan (6th Degree Black Belt) who's learned and practiced Martial Arts for over fifty years. Throughout his life, Gilbert mentors students and professionals globally. He is a recognized Super Lawyer, Florida Legal Elite, Top 100 Best of the Company Litigator, and previously in the Top 25 Alternative Dispute Resolution Firms.

Good Afternoon,

Thank you for your consideration to join the Executive Council of the ADR Section of the Florida Bar.

My brief bio and experience:

In 1995 I graduated from Florida State University School of Law, *cum laude*. During my second and third year of law school I clerked for Novey & Mendelson, a family and real estate law firm. In my last semester of law school I also interned at the Florida Supreme Court for Justice Gerald Kogan.

Following law school graduation, I moved to Miami, Dade County where I worked for a boutique litigation firm, Caruana, Langan, Lorenzen and Mendelsohn, specializing in commercial litigation and family law.

After a few years at that firm, I went to work at an aviation defense litigation firm, Thornton, Davis and Murray, where I focused on aviation disasters, products liability and personal injury cases.

In 2000, I moved to Boca Raton and worked at Sachs, Sax and Klein as a litigation associate, focusing in the areas of homeowners' association, commercial, construction and eminent domain disputes.

After my children were born, for approximately seven years, I worked as a freelance litigation support attorney, doing research, drafting memoranda of law, conducting all aspects of discovery and assisting attorneys in every aspect of their litigation cases.

In 2011, I returned to private law practice at the law firm of Feldman & Schneiderman, practicing exclusively in the area of family law.

I received my certification as a Circuit Court Mediator in 2010, Family Law Mediator in 2013 and Dependency Mediator in 2014.

In 2013, I left the practice of law to open my own mediation firm, South Florida Divorce Mediations. Since then I have focused 100% of my work on family law mediations.

Starting in 2014, I have worked regularly as a contract mediator for the 15<sup>th</sup> judicial Circuit Family Division and mediated family law cases for attorneys and *pro se* divorce clients.

In July 2018 I was appointed to the MEAC (Mediator's Ethics Advisory Council) and in April 2021 I was elected vice-chair of MEAC.

In 2019, I presented an Ethics workshop at the Dispute Resolution Center's August conference and have presented two mediator ethics workshops for the 15<sup>th</sup> judicial circuit court mediators.

I would love to get more involved in the ADR section of the Florida Bar.

Approximately 6 months ago I started attending the ADR committee meetings and worked on the sub-committee of "Connecting the Dots."

I would be honored to serve on the ADR Executive Council.

Please let me know if there is any other information that I can provide to you to assist in your consideration.

Warm Regards,

Hadas  
South Florida Divorce Mediations  
Hadas Kohn Stagman  
Attorney-at-Law  
561-376-6601  
350 Camino Gardens Blvd., Suite 302  
Boca Raton, FL 33432  
Florida Supreme Court Certified Family,  
Dependency and Circuit Court Mediator, No. 08060FRD  
[www.sfDivorceMediations.com](http://www.sfDivorceMediations.com)

Joan Stearns Johnsen is a Senior Legal Skills Professor at the University of Florida Levin College of Law. She specializes in Alternative Dispute Resolution related skills including negotiation, mediation, and arbitration. Professor Johnsen also coaches the International Commercial Arbitration Moot Court Competition Team. Prior to joining the faculty of the Levin College of Law, Professor Johnsen practiced full time as a commercial neutral mediating and arbitrating complex commercial, financial, and employment matters. She continues to mediate and arbitrate and is on the panel of the American Arbitration Association, is a Distinguished Neutral for the International Center of Conflict Prevention and Resolution (“CPR”), is a Fellow of the Chartered Institute of Arbitrators, (“FIArb”), and is certified by the International Mediation Institute, (“IMI”). Professor Johnsen began her career as a litigator for the Commodity Futures Trading Commission in Washington, D.C. and for Smith Barney in New York. Professor Johnsen was also the Associate General Counsel of the Commodity Exchange, Inc. (COMEX) in New York. Professor Johnsen is active in the leadership of the American Bar Association. She is the current Chair Elect of the Section of Dispute Resolution and is the co-chair of the Mediation Sub-Committee of the ADR Committee of the Litigation Section. Professor Johnsen is also an academic board member of the Miami International Arbitration Society and a member of the New York State Mediator Ethics Advisory Committee.

Shari Elessar, is the founder of Back On Track Mediation, is a member of both Florida and New York bars, a former wall street commercial litigator at Cravath for four years, and former in-house counsel managing litigation at multibillion-dollar corporations such as Blyth, Inc. and Suffolk Construction, with a focus on resolution of difficult issues and litigation. Shari has extensive legal background, a proven ability to work with people of all backgrounds, and the acumen to get to the core of, and resolve, the various challenges which litigants face. She is also known for her extensive volunteering, mentoring, education and outreach.

Shari is a Florida Supreme Court Certified Mediator in County and Circuit Civil court, and a Florida Supreme Court Qualified Arbitrator. Shari earned her legal degree from the University of Chicago law school, studied overseas for one year at Oxford University and graduated from Cornell University, summa cum laude. Her breadth of legal and business expertise includes business and technology issues, consumer products, employment, securities, real estate, and construction law.

After working on Wall Street, Shari moved to real estate and construction, including serving as regional General Counsel of Suffolk Construction, a national construction firm, and then jumped to the developer side, practicing as General Counsel, managing the assets and litigation for Palm Beach real estate mogul and developer, Robert L. Miller, whose operations included multiple properties such as Jupiter Pointe Marina, and other marinas statewide, equestrian facilities, shopping malls, and various residential and commercial properties.

As an entrepreneur, Shari then shifted from construction and real estate, into spearheading the growth of ApparelMagic, a B2B cloud software ERP, into national recognition. Shari served as a full equity partner managing the non-coding operational side, such as sales, marketing, finance, legal, PR and human resources, before selling most of her interest and shifting to alternative dispute resolution.

In addition to helping people try to resolve their differences through mediation and alternative dispute resolution, Shari enjoys lecturing at Palm Beach State college, judging/coaching with Nova law school's moot court events, including with their most recent 2020 National Championship team, working with the federal courts in their Civil Discourse outreach program with local teens and volunteering as a guardian ad litem.

In 2019, Shari's team received the prestigious Inns of Court local regional Cup, which she accepted on behalf of her team as the group leader, which recognized her pupillage group for its outreach, ethics and professionalism. Shari also serves on the Board of the Craig S. Barnard Inns of Court, as its Education Chair. In 2021, the National Inns of Court published its award winning CLE on Daubert and Frye, produced by Shari and her pupillage group.

Shari is also committed to educational outreach through the ADR section of the Florida Bar, most recently serving as a committee member at the Florida Bar's Arbitration Advocacy Institute held virtually in November, 2020. Shari's articles on mediation may be found in the Common Ground, the Alternative Dispute Resolution's bi-annual publication for the Florida Bar. Her column, Tips from the Masters, highlights collective wisdom from the masters, as a mediator's guide to successful mediation. Her goal as a mediator and arbitrator is to help attorneys and clients alike pursue every opportunity for positive resolution and ensure that every voice is heard.

# Tiffany N. Comprés, MCIArb, Board Certified Expert in International Law

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## Experience

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### **FisherBroyles LLP**

May 2020 – Present

#### Partner

- Represent clients before international arbitral tribunals, including the International Chamber of Commerce International Court of Arbitration (ICC), the International Centre for Dispute Resolution (ICDR), Fruit & Vegetable Dispute Resolution Corporation (DRC), and other tribunals, U.S. courts, and U.S. agencies in cases with amounts in controversy ranging from \$50 thousand to \$90+ million under the Perishable Agricultural Commodities Act (PACA), the U.N. Convention on Contracts for the International Sale of Goods (CISG), U.S. law, and foreign law.
- Serve as arbitrator for international commercial arbitration disputes.
- Clients primarily from the international food industry, energy, oil & gas, mining, and machinery industries.
- Handle all ancillary litigation related to international arbitration proceedings, such as confirmation of foreign arbitral awards in Federal and state courts and parallel domestic court proceedings in aid of arbitration.

### **Shutts & Bowen LLP**

Nov. 2018 – May 2020

#### Partner

- Represented clients before international arbitral tribunals, U.S. courts, and U.S. agencies in cases with amounts in controversy ranging from \$50 thousand to \$90+ million under the Perishable Agricultural Commodities Act (PACA), the U.N. Convention on Contracts for the International Sale of Goods (CISG), U.S. law, and foreign law. Handle all ancillary litigation related to international arbitration proceedings, such as confirmation of foreign arbitral awards in Federal courts and parallel domestic court proceedings.
- Served as arbitrator for commercial arbitration disputes under the ICC and DRC.

### **Sandler, Travis & Rosenberg, P.A.**

Dec. 2015 – Nov. 2018

#### Member of the Firm

- Represented clients from various industries before Federal courts, administrative courts, and international arbitral tribunals in cases with amounts in controversy ranging from \$1 million to \$20+ million, primarily under PACA and CISG. Handled all litigation related to international arbitration proceedings, such as confirmation of foreign arbitral awards in Federal courts.
- Liaised with European and South American counsel for country-specific legal issues as needed.

### **Ver Ploeg & Lumpkin, P.A.**

Nov. 2014 – Nov. 2015

#### Associate

- Represented policyholders in complex insurance coverage and bad-faith cases related to product liability and property damage in federal court, including preliminary investigations, drafting coverage analysis letters to insurers, and all aspects of litigation.

### **Comprés + McCaffery, P.A.**

Jan. 2013 – Jan. 2015

#### Founding Member

- Practice focused on the international agriculture industry, including PACA, international disputes, and cross-border agreements.

### **Proskauer Rose LLP**

Dec. 2010 – Jan. 2013; May – Aug. 2008

#### Associate

- Researched and drafted memoranda of law on various arbitration and litigation cases with respect to matters such as conflict of laws in international arbitration, defective construction, broker fees, and real estate transactions.
- Advised the Abu Dhabi Investment Authority regarding real estate matters in connection with a \$475 million preferred equity investment in a portfolio of 170+ hotel properties across the United States.
- Counseled Malkin Properties in connection with its preparation for an IPO involving a real estate investment trust with a portfolio of 20+ properties, including the Empire State Building.

## Education

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### Georgetown University Law Center

Dec. 2009

Juris Doctor

*Journal:* Georgetown Journal of Gender & the Law

□ *Cultural Chair:* Latin-American Law Students Association

### Université de Paris I, Sorbonne Law School

May 2009

Master II (Master of Laws equivalent) in Droit et globalisation économique (international arbitration and litigation, trade)

### Institut d'Études Politiques (Sciences Po)

May 2009

Master II (Master of Laws equivalent) in Droit et globalisation économique (most coursework in French)

### University of Miami

June 2003

Bachelor of Arts

## Selected Speaking Engagements

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- *Can Force Majeure Save Your International Transactions?*, Organization for Women in International Trade (OWIT), Webinar, 30 April 2020
- *Surviving the Epidemic of Force Majeure Claims in International Contracts*, Florida Bar International Law Section CLE Webinar, panelist focusing on civil law and international law aspects, 9 April 2020
- *Intelligence about Arbitrators & the Future of International Arbitration*, panelist, Florida International University and Shutts & Bowen LLP, 12 November 2019, Miami, Florida
- *Business Beyond Borders: Demystifying Trade with Europe and Latin America*, panelist, OWIT International Conference, 24 October 2019, Tampa, Florida
- *Recognizing and Enforcing Foreign and Domestic Arbitral Awards and Settlement Agreements*, panelist, The World of Arbitration and Mediation in Latin America and the Caribbean Today First Annual Conference, 1 March 2019, Miami, Florida
- *Improve Your Bottom Line with International Arbitration*, Fruit Logistica, 7 February 2019, Berlin, Germany
- Various television interviews on *Metropolis*, Dominican Republic, on PACA, CISG, and international arbitration
- *Exportando a los Estados Unidos: Como beneficiarse de PACA, tratados internacionales, y arbitraje*, Santo Domingo and Santiago, Dominican Republic, 25-27 July 2018, sponsored by Exporta Calidad
- *International Arbitration in the Courts*, seminar for Paraguayan judges in conjunction with the University of Miami, 19 June 2018
- *International Arbitration for Food Importers*, Assoc. of Food Indus. Convention Resource Roundtable, 26 April 2018
- *International Arbitration: Everything You've Ever Wanted to Know but Were Afraid to Ask*, 1 December 2016

## Selected Publications, Awards, Memberships

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- Member, Chartered Institute of Arbitrators
- Board Member, United Fresh, International Advisory Board, 2019-2021
- SuperLawyers, Rising Star in International Law, 2018, 2019, 2020
- Member, International Law Certification Committee of the Florida Bar, 2019-2021
- *The Death of Investment Treaty Arbitration for the U.S. and the EU: Tempest in the Making or Much Ado About Nothing?*, 18 International Law Quarterly, Fall 2017, vol. XXXIII, no. 3
- Legal Editor, *Southeast Produce Weekly* ([southeastproduceweekly.com](http://southeastproduceweekly.com)).

## Languages

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### English

Native Speaker

### Spanish

Native Speaker

### French

Fluent

### Italian

Proficient

## Bar Admissions

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- New York
- Florida, Board Certified Specialist in International Law
- Southern District of Florida
- U. S. Court of International Trade

## Selected Representations as Advocate

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- Representation of a U.S. company against a Brazilian international conglomerate in an ICC arbitration over services provided on an energy project in the Dominican Republic. The seat of arbitration was Florida, the applicable law was Dominican Republic law, and the amount in controversy was approximately \$700,000. Ancillary proceedings in support of arbitration were initiated in the state courts of Miami, Florida, and a pre-judgment writ of garnishment obtained over an affiliate of the respondent. Ultimately achieved a settlement for payment of the full sum owed in less than 60 days.
- Representation of a U.S. manufacturer of oil re-refining technology as defendant in connection with an international dispute under ICC Arbitration Rules. The seat of arbitration was Miami, Florida, the applicable law was the CISG, UNIDROIT, and U.S. law. Reduced defendant client's liability from over \$20 million to \$1.5 million.
- Representation of defendant Argentinian and Canadian energy company in an ICDR arbitration against a U.S. provider of turbine enhancement technology. The dispute involved \$1.5 million USD. The applicable law was CISG and Florida law.
- Representation of a U.S. importer against a Uruguayan exporter of citrus in arbitration under the Fruit & Vegetable Dispute Resolution Corporation (DRC) Rules. The applicable law was PACA, and the sum in contention was approximately \$1.5 million USD. Achieved early settlement and preserved the business relationship.
- Representation of two of the largest Spanish producers of clementines against a high-profile American distributor in a dispute in Federal court under PACA; negotiation of a favorable settlement early in the case, including a contract for continuing work the following year between the Defendant and one of the Plaintiffs.
- Representation of defendant US importer against Paraguayan supplier in an ICDR arbitration. Applicable law was the CISG, and the amount in contention was over \$1 million USD. Achieved early settlement.
- Representation of a U.S. importer against a U.S. fresh produce dealer in Federal court under PACA in a case involving boniato, yucca, plantains, papaya, and other similar products; successfully obtained a temporary restraining order under PACA law and ultimately achieved a favorable settlement. The amount in contention was approximately \$400,000 USD.
- Represented a U.S. dealer against a non-paying U.S. buyer of peppers and papaya in a formal PACA administrative action; successfully obtained a judgment in favor of client.
- Representation of a Colombian company in the successful enforcement of its arbitral award against an American company in New Jersey Federal court.
- Representation of a U.S. importer and distributor against a Paraguayan sugar refinery in ICDR arbitration. Applicable law was the CISG, and the amount in controversy was over \$1.2 million.
- Representation of one of the largest Mexican asparagus producers in connection with restructuring and renegotiation of joint ventures with a large high-profile U.S. company.
- Representation of a U.S. importer in a PACA case in Federal court against a Dominican seller of avocados; achieved dismissal.
- Representation of global citrus company in connection with distribution agreements, grower agreements, and investment arrangements under PACA with suppliers and growers in Mexico, Guatemala, Argentina, and other countries.

## Selected Representations as Arbitrator

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- Sole arbitrator in an international arbitration under the ICC Rules between an Ecuadorian company and a Chinese company over a multi-million dollar banana deal. The applicable law was the CISG, the seat of the arbitration was Miami, Florida, and the language of the arbitration was English.
- Sole arbitrator in an international arbitration under DRC Rules between a Canadian importer and a Mexican exporter. The applicable law was Canadian law, the seat of the arbitration was Ottawa, Canada, and the language of the arbitration was Spanish.
- Sole arbitrator in an international arbitration under the DRC Expedited Arbitration Rules between a U.S. company and a Canadian company. The seat of the arbitration was Ottawa, Canada, and the language of the arbitration was English.



## HAROLD OEHLER

Harold Oehler is a full-time Federal and Florida Circuit Civil Mediator. He served as Chairman of the Mediation and Arbitration Section of the Hillsborough County Bar Association from 2020 to 2021.

Prior to becoming a mediator, Harold spent 30 years litigating and mediating civil claims both as a trial lawyer and as General Counsel of a national public company where he was in charge of managing litigation nation-wide, including representing the company at all mediations.

Harold successfully lobbied for laws in several states which utilized mediation to resolve disputes. He received a national service award from his industry for creating a program to resolve consumer claims through pre-suit mediation. Harold has spoken at legal conferences across the country on topics including mediation and litigation for over 20 years.

Harold graduated from the University of Florida College of Law, with honors, where he was President of the Trial Team. He received his undergraduate degree, Magna Cum Laude, from the University of South Florida.



## **Patrick Russell Bio**

Patrick Russell is a full-time mediator with Salmon & Dulberg Dispute Resolution. Patrick has been certified as a Florida Supreme Court Civil Circuit Mediator since 2009. Prior to joining Salmon & Dulberg, Patrick was a trial partner with Lydecker | Diaz, an ethics trial lawyer for The Florida Bar, and before that managed his own law firm. Patrick has nearly three decades of legal experience in private practice for both large and small firms, representing both Plaintiffs and Defendants, and this diverse legal experience includes commercial litigation, condominium associations, first-party insurance claims, personal injury and premises liability, and real estate law.

As a mediation philosophy, Patrick's core values are honor, professionalism, and courtesy. He uses an integrated approach to problem-solving by fostering an environment that promotes meaningful and peaceful discussions between the parties. His mediation goal is to unleash peace to have less conflict and more resolution. He promotes cooperation and joint problem solving to enhance resolution opportunities. When parties mindfully listen, speak and act during mediation, they can better understand one another, trust one another, and are in a better position to resolve their differences.



Kathleen McLeroy has extensive experience resolving disputes as a litigator, mediator, and arbitrator. As a trial lawyer, she has substantial experience representing creditors in disputes with debtors in all forums, including state court, federal court, bankruptcy court, and in arbitration proceedings. Kathy is certified by the Florida Supreme Court as a circuit civil and county court mediator. She is also certified to serve as a mediator in matters pending before the U.S. District Court for the Middle District of Florida and the U.S. Bankruptcy Court for the Middle District of Florida. She is also qualified by the Florida Supreme Court to serve as a court-appointed arbitrator. She serves as a mediator or arbitrator in a variety of commercial disputes including commercial foreclosures, contract disputes, title disputes, and bankruptcy disputes.



Christy L. Foley, Esq. has been mediating since 2009. Christy was appointed to the Florida Mediator Ethics Advisory Committee ("MEAC") in 2016. Since 2018, she has served as Chairwoman of MEAC. In 2018, she also opened her own mediation firm, E-Mediation Services, through which she started using virtual conferencing to conduct mediations. She has served as the ADR Section's Membership Committee Chairwoman since 2019 and she served as Secretary of the ADR Section last year. Also, during the 2020-2021 bar year, she served as Treasurer of the EASL Section of the FL Bar, so she has experience handling FL Bar financials.





Ana Cristina Maldonado

Cristina has spent her entire legal career in the field of Dispute Resolution. In ten years, she has mediated over 1,800 cases, working with over 300 attorneys and many hundreds of self-represented parties. She is certified by the Florida Supreme Court as a Mediator in the areas of Circuit Civil, County, Dependency and Family, and is Qualified as an Arbitrator. She has mediated challenging cases in the areas of: family, homeowner's insurance, personal injury, foreclosure, eviction, partnership, eldercare and probate matters.

Born in Venezuela to a Cuban father and an Army Brat mother, Cristina lived outside the continental United States for most of her childhood, in Puerto Rico, Brazil, and Chile. She moved to the United States to attend Amherst College. Before becoming an attorney, Cristina worked in the Washington, DC area as a Program Manager for an international development consulting firm, and managed multi-million dollar contract budget and a team of 15 people working throughout Central America and the Caribbean.

In 2006, Cristina moved to Florida to be closer to family, and pursued a second career as an attorney at St. Thomas University Law School. Having met many "recovering attorneys" while completing her Masters' in Conflict Resolution at George Mason University, she knew that dispute resolution would be her chosen area of the law. Cristina spent four years working with the 15th Judicial Circuit Alternative Dispute Resolution Office as a family and dependency mediator, before starting her own firm, Maldonado Mediation and Law in 2016. She joined Upchurch Watson White & Max in 2019.

A member of the National Academy of Distinguished Neutrals, and appointed by the Supreme Court to the Mediator Qualifications and Discipline Review Board, Cristina is also passionate about mediation education. She has helped train and mentor over 200 new mediators, and is approved by the DRC as a trainer of mediators in Family, Circuit Civil, and Dependency. She lives in Palm Beach County with her husband, their son, and her mother.



Oscar A. Sanchez was the 2019-2021 Chair of the Alternative Dispute Resolution Section of the Florida Bar and serves on several Florida Bar standing committees, including the Professional Ethics Committee. He is a Florida Supreme Court Certified Circuit and Appellate Mediator, a Florida Supreme Court Qualified Arbitrator, and is on the roster of American Arbitration Association Mediators. Oscar serves his alma mater, the University of Florida, on several alumni boards, and is a Past-Chair of the Board of Trustees of the University of Florida Law Center Association, Inc. He is a frequent presenter on the topic of professional ethics, was selected by his peers as one of the Best Lawyers in America, 2013-2021, and is AV Preeminent rated by Martindale-Hubbell. Before founding his statewide mediation firm, OAS Mediation, he was an equity partner in an AMLaw 100 law firm.