

DATE: 4/14/10

CPR Panelist Questionnaire

This form will permit CPR staff to access your information when disputants seek panelists.

1. IDENTIFICATION DATA

Name John G. Bickerman
Courtesy title:
Applicable suffix:
Firm/Company: Bickerman Dispute Resolution, PLLC
Street: 1201 New York Ave., NW, Suite 625
PO Box (if any):
City: Washington
State: DC
Zip: 20005
Country: USA
Preferred Phone: 202.289.3330
Secondary Phone: 202.289.0400
(not cell phone) Check here to restrict to CPR Use only
Fax: 202.289.1020
Cell Phone: 202.997.0049
 Check here to restrict cell to CPR Use only
e-mail: jbickerman@bickerman.com
Web Site (if any): www.bickerman.com

Responses to the following questions on Race, Gender and Citizenship are optional.

RACE:

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. X

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above five races.

GENDER: Male X Female

CITIZENSHIP: List Citizenship (*If multiple, list with commas between*):

LANGUAGES: Please check your language ability in any foreign languages below (other than English) and indicate if you are fluent (can conduct an ADR proceeding in that language) or have read-only ability:

French		
Fluent: read-only	Fluent	Fluent
N/A	N/A	N/A

PATENT OFFICE. Are you licensed to practice before the U.S. Patent & Trademark Office? Yes

CERTIFIED PUBLIC ACCOUNTANT. Are you a Certified Public Accountant? Yes

GOVERNMENT SECURITY CLEARANCE: Have you ever had a U.S. Government Security Clearance? Yes

Dates
Level (e.g., Confidential, Top Secret)

Note: A resume may be substituted for Items 2-3.

2. EDUCATION & LICENSES

A. Enter your most significant university educational degrees starting with the most recent.

Year	School	City/State	Degree (spell out acronyms)
1978	Cornell University	Ithaca, NY	Bachelors of Science
1979	Cornell University	Ithaca, NY	Masters of Science
1988	Georgetown University	Washington, DC	Juris Doctor

B. Specify any licenses, jurisdiction and date of licensure: (Include Bar Admissions for lawyers and/or other professional licenses that apply; i.e., Architect, Engineer, etc.) (Spell out acronyms)

License	Year Issued	State/Country	Current (Y or N)
See resume			

3. WORK HISTORY

Provide a list of your work history starting with the **most recent position**.

Use the codes from the table below in Column 5.

Note: Judicial experience appears separately at Question 5, below.

Duties if a Lawyer in this Position	Duties if a Non-Lawyer in this Position
(1) Litigator (law firm, government, public interest) (2) Partner (3) Associate (4) Managing Partner (5) Shareholder (6) Transactional attorney (7) In-house counsel in any capacity (8) General Counsel (9) Assoc. General Counsel (10) Arbitrator (11) Mediator (12) Law Professor: Full Time (13) Adjunct Professor (14) Judge (must specify title)	(Specify duties and division/department tersely) (16) Engineer: Civil, Structural, Mechanical (17) Architect (18) Contractor (19) Sub/Contractor (20) President (21) Vice President (22) Director (23) Head of Division (24) Corporate Business Person: (specify division or department functions tersely; E.g., Corporate Sales; Construction Management; Technology Development) (25) Other

(15) Other	
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<u>Col 1</u> Dates of Service	<u>Col 2</u> Company/Firm Name	<u>Col 3</u> City/State	<u>Col 4</u> Your Title	<u>Col 5</u> Duties/ Functions (See box above)	<u>Col 6</u> Primarily represented Plaintiffs (Insert "P") or Defendants (Insert "D") or leave blank if NA **
	See resume			1	
				1	
				1	
				1	
				1	
				1	
				1	
					** Insurance Industry - • Use "P" for Policy Holder Representation • Use "D" for Insurer Representation

4. ADR NEUTRAL EXPERIENCE

a. Neutral and Advocate Roles:

Please provide your best estimate of the number of times you have been a Neutral and/or an Advocate in the following types of ADR procedures, if applicable to you: *

		Overall	Last 12 Months
Arbitration	Total # Neutral Arbitrator Service	11-25	1-5
	# of total as Sole Arbitrator	1-5	1-5
	# of total as Tribunal Chair	6-10	1-5
	# of total as Class Action Arbitrator	1-5	None
	# as Advocate in Arbitration	None	None
Mediation	Total # Neutral Mediator Service	200+	26-50
	# of total as a Co-Mediator	6-10	None
	# of total as a Multi-Party Mediator	51-99	11-25
	# of total as a Process Design Mediator	6-10	None
	# as Advocate in Mediation	6-10	None
Early Neutral Evaluation	Neutral	6-10	None

		Overall	Last 12 Months
	Advocate	None	None
Facilitation of Multi-Party Defense	Neutral	1-5	None
	Advocate	None	None
Mini-trial Chair	Neutral	1-5	1-5
	Advocate	None	None
Private Judging	Neutral		
	Advocate	None	None
Reg – Neg	Neutral	1-5	None
	Advocate	None	None
Special Master	Neutral	1-5	1-5
	Advocate	None	None
Summary Jury Trial	Neutral	None	None
	Advocate	None	None
Dispute Review Board Member	Neutral	None	None
Dispute Review Board Chair	Neutral	None	None
Partnering Neutral	Neutral	None	None
Ombudsperson		None	None
Other			

*If you feel that the numerical range you checked off does not fully reflect the depth of your experience (e.g., you served as mediator just once but it was an unusually protracted and complex matter, please describe:

5. PROFESSIONAL AND ADR CONCENTRATIONS

I want to be considered as an: Arbitrator Mediator

CPR maintains the following Specialty Rosters that may involve peer review. Please indicate whether you wish to be considered for any such rosters:

- | | |
|---|--|
| <input type="checkbox"/> Arbitration Appeal(Appellate Judges only) | <input type="checkbox"/> Franchise |
| <input type="checkbox"/> Banking, Accounting and Financial Services | <input type="checkbox"/> General Counsel (former GCs of Fortune 500 corporations only) |
| <input type="checkbox"/> Bio-Tech | <input type="checkbox"/> Healthcare & Life Sciences |
| <input type="checkbox"/> Certified Public Accountants | <input checked="" type="checkbox"/> Insurance |
| <input checked="" type="checkbox"/> Construction | <input checked="" type="checkbox"/> Insurer-Policy Holder Coverage |
| <input type="checkbox"/> E-Discovery | <input checked="" type="checkbox"/> International |
| <input type="checkbox"/> Employment | <input type="checkbox"/> Judicial Roster |
| <input type="checkbox"/> Energy, Oil & Gas | <input type="checkbox"/> Sports Law |
| <input type="checkbox"/> Entertainment | <input type="checkbox"/> Taxation |
| <input checked="" type="checkbox"/> Environmental | <input type="checkbox"/> Technology |
| | <input type="checkbox"/> Trademark |

A number of the specialty panels (Construction, Employment, Energy, Insurance, International and Technology) require completion of an addendum at the end of this questionnaire. If you have indicated an interest in a specialty panel other than those, please describe your qualifications for the specified panel(s), e.g., percent of time spent in training or practice in that area, description of cases handled, etc.: **Would like to be considered for National Panel:** see attached cv__.

Without this information, we cannot evaluate your experience in the field.

Please detail your areas of concentration with “P” for a primary area of practice and “S” for a subsidiary area of practice. Note: these are areas in which you already have experience, rather than areas in which you are interested.

AREAS of Concentration	Col.2 Professional Concentrations/Specialties (as lawyer, business person, advocate or judge but not as arbitrator or mediator)	Col. 3 Arbitrator Concentrations	Col. 4 Mediator Concentrations
<i>Construction Specialists</i>			
Construction Defects			P
Claims for Delay			S
Claims for Extras			
General Building Construction			S
Government Contracts			S
Hazardous Waste			P
Health Facilities			
Industrial (Mills, Refineries, Pharma)			
Insurance Indemnity & Contribution			P
International (incl. FIDIC)			
Manufacturing Construction			
Marine			S
Mold			S
Petroleum			
Power			
Sewage/Solid Waste			S
Available Under Construction Expedited Rules			
Telecommunications			
Transportation (Bridges, Roads, Tunnels, etc.)			
Water Supply			S
Construction Other			
<i>Employment Specialists</i>			
Civil Rights and Compensation			
Employee Benefits/Erisa			
Executive Compensation			
FLSA			
Statutory Discrimination Claims			
Other - Employment			
<i>Energy, Oil & Gas Specialists</i>			
Electric Generation			

Electrical Transmission			
Electric Distribution			
Electric/Power Marketing			
Alternative/Renewable Energy			
Oil & Gas			
Oil/NG Exploration/Production			
Natural Gas Pipeline			
Nuclear			
Oil/NG Marketing			
Oil Pipelines			
Coal Industry			
Liquefied Natural Gas			
Refining & Petrochemical			
Selected Upstream Issues			
Selected Natural Gas Issues			
Selected Oil Issues			
Risk Management Services			
Rural Electric Co-op Industry			
Expropriation			
Other – Energy			
<i>Healthcare & Life Sciences</i>			
Biotech			
Food, Drug & Cosmetics			
Healthcare			
Hospital Law			
Licensing (Medical)			
Life Sciences			
Malpractice (Medical)			
Managed Care			
Medical Devices			
Medical Research Ventures			
Peer Review			
Pharmaceuticals			
Physicians			
Reimbursement Disputes			
<i>Insurance Specialists</i>			
Construction Defect Insurance			P
Directors & Officers Insurance			S
Environmental Insurance			P
Fidelity Bond			S
Financial Institutions Insurance			
Insurance General			P
Insurance Health			

Insurance Life			
Insurance Property & Casualty			P
Reinsurance			S
Insurance Telecommunications			
Insurance Other			
<i>Technology/Intellectual Property Specialists</i>			
Aeronautics			
Biology			
Biotechnology			
Business Methods			
Materials (polymers, ceramics, etc)			
Chemistry			
Computers & Software			
Electrical			
Electronics			
Intellectual Property			S
Internet			
Mechanical			
Medical Devices			
Nanotechnology			
Optics			
Patents			S
Pharmaceuticals			
Privacy/EU Safe Harbor			
Robotics/Machine Vision			
Semiconductors			
Signal Process/Video/CommSysts			
Telecommunications			
Textiles			
Other - Technology/IP			
<i>General Concentrations</i>			
Accounting - Forensic			
Accounting - General			
Accounting - Litigation			
Accounting - Valuation			
Administrative law			S
Agriculture			
Antitrust			S
Asbestos			S
Automotive			
Aviation/Aerospace			
Banking			

Bankruptcy			
Business Disputes			P
Chemicals			
Civil Rights & Liberties			
Class Action (Defendant Side)			
Class Action (Neutral)			P
Class Action (Plaintiff Side)			
Commercial Law			P
Commodities			
Communications & Media			
Community Organizations			
Computer law			
Construction			P
Consumer Affairs			
Contract-Government			S
Contract-Manufacturing			
Copyright			
Corporate (Financing)			
Corporate (General)			
Corporate (Governance)			
Corporate (Transactions)			
Corporate (Underwriting)			
Debtor/Creditor			
Defamation/First Amendment			
Domain Name			
Employment			S
Energy, Oil & Gas			
Entertainment			
Environmental (Cleanup)			P
Environmental (General)			P
Environmental (Regulatory)			P
False Advertising/FTC			
Financial Services			
Franchise			
Fraud/Misrepresentation			S
Housing & Urban Development			
Information Technology			
Insurance			P
Intellectual Property			S
International (Environmental)			S
International (General)			S
International (Trade)			S
International (Transactions)			S

Labor Relations			
Leasing			
Licensing (General)			
Licensing (Software)			
Malpractice (Legal)			S
Manufacturing			
Maritime			
Merger & Acquisition			
Mining			S
Municipal Law			S
Natural Resources			P
Non-Profit Organizations			
Partnership Disputes			S
Patents/Trade Secret			S
Personal Injury			S
Product Liability			P
Professional Fees			S
Real Estate (Banking & Finance)			
Real Estate (Development)			
Real Estate (General)			
Real Estate (Land Use/Zoning)			S
Real Estate (Leasing)			
Regulated Industries			
Reinsurance			S
Religious Entities			
RICO			
Securities			
Sports Law			
Taxation (Corporate)			
Taxation (General)			
Taxation (Individual)			
Taxation (International)			
Taxation (Partnership)			
Technology/Science			
Torts (Business & Property)			S
Torts (General)			
Torts (Mass)			P
Torts (Toxic)			P
Trademark			
Trade Secrets			
Transportation			
Trusts & Estates			
Unfair Competition			

Water Law			P
Workouts			

Representative Matters; e.g.:

1. FIAT v. Suriname, 88 Civ. 6639 (SDNY Oct. 11, 1989) (advocate; motions to confirm/vacate arbitral award).
2. Medical device manufacturer v. Patentholder (arbitrator in multimillion dollar patent dispute).
3. See attached cv

6. ADR ROSTER LISTINGS

Complete tables if you are currently listed on the roster or panel of neutrals maintained by any ADR organizations (e.g., AAA, JAMS, CEDR, ICC, International Academy of Mediators, Regional Provider, Government Agency Roster, Court Roster, Other?) Include CPR Institute Panels you are already on, if any.

a. ARBITRATOR ROSTERS of ADR ORGANIZATIONS

Organization	Arbitration Roster (& any sub-roster)	Years on Roster	Estimate Average Amount in Claim in Cases from Each Organization	Best Estimate of the Number of Cases on which You Served as an Arbitrator for this Organization
<i>Example:</i> AAA	<i>Large Complex Case Panel</i>	<i>3 years</i>	<i>\$3 Million average</i>	<i>2 cases</i>
AAA	Not a panel member, but have done several AAA administered arbitrations		\$3-5 million	5

b. MEDIATOR ROSTERS of ADR ORGANIZATIONS

Organization	Mediation Roster (& any sub-roster)	Years on Roster	Estimate Average Amount in Claim in Cases from Each Organization	Best Estimate of the Number of Cases on which You Served as a Mediator for this Organization
<i>Example:</i>	<i>Los Angeles</i>	<i>2 years</i>	<i>\$2 Million average</i>	<i>4 cases</i>

JAMS	Panel			
CPR (including Wellington)	Panel of Neutrals; Insurance; Asbestos; Environment	15 years	\$50mm+	50+
International Academy of Mediators	Distinguished fellow	1 year		
US District Court for DC	Panel of Neutrals	20 years		
American College of Civil Trial Mediators	Roster of Neutrals	2000-2006		
United States Institute for Environmental Conflict Resolution	Roster of Neutrals	Original member to present	Natural resource and tribal claims are extremely hard to value	15
ABA Section of Dispute Resolution	Former Chair	15 yrs		

7. ADR TRAINING

a. List MEDIATOR Skills Training Sessions you have taken

Sponsoring Organization & Location	Primary Model Fostered by Training: (e.g., Facilitative, Evaluative, Transformative, Caucus, Non-Caucus)	% of Time Spent in Role-Plays/Exercises	Year Taken	Duration: Hours of Training
Cornell	Labor / Caucus	50%	1975	1 semester
US Dist. Ct.	Evaluative	75%	1989	24 hours
Georgetown Law (taught as an adjunct for 7 yrs)	Almost all of the above. See attached article.	60%	1996-2003	Semester long course

b. **Statement of Philosophical Approach to Mediation**

Serving as a mediator or facilitator in complex, large group processes involving parties with diverse and sometimes conflicting concerns requires sensitivity to the needs and negotiating styles of the parties. No one style is appropriate for all groups. Initially, a more reserved style may be appropriate as parties have the opportunity to express themselves and interact with other interests. If communication becomes difficult because of emotion or the inability to understand others, the neutral may need to manage the dialogue to clarify the messages being exchanged. Various tools can be used to encourage parties to consider different potential options and viewpoints.

My approach depends on the case and the format requested by the parties, but generally I take a less evaluative approach, and encourage parties themselves to reach a mutually beneficial outcome. When requested, and where the parties and the process would be best served, however, I will assist on a more evaluative level. I believe that persistence, a not-too-large ego, and good humor are all good characteristics of a facilitator/mediator of complex, multi-interest disputes.

See the attached article that appeared in the *National Law Journal* in November 2009.

c. List ARBITRATOR Skills Training Sessions you have taken

Sponsoring Organization & Location	Skills Emphasized	% of Time Spent in Role-Plays/Exercises	Year Taken	Duration: <u>Hours</u> of training
A BA	All	0%	2007	20

8. ADR REFERENCE INFORMATION

You must provide references from each side of the same case.

CPR may not publish reference contact information.

Reference as Arbitrator

	Dispute Type, Amount in Dispute and Year	Name of Counsel, Firm Name and Location of Firm	Phone and E-mail address
for Claimant	Contract claim, \$600,000 2009	Jeffrey M. Schwaber, Stein, Sperling, Bennett, De Jong, Driscoll	(301) 340-2020 jschwaber@steinsperling.com

		& Greenfeig, P.C. Rockville MD	
for Respondent		Gerald W. Heller, Linowes and Blocher, LLP Bethesda MD	(301) 654-0504 gheller@linowes-law.com

Reference as Mediator

	Dispute Type, Amount in Dispute and Year	Name of Counsel, Firm Name and Location of Firm	Phone and E-mail address
for Claimant	Insurance Coverage, \$40 Million, 2008	John G. Buchanan,III Covington & Burling Washington, DC	(202) 662-5366 jbuchanan@cov.com
for Respondent		Roger Warin Antonia B. Ianniello Steptoe & Johnson, LLP Washington, DC	(202) 429-6280 (202) 429-8087 RWarin@Steptoe.com aianniello@steptoe.com

9. OTHER

Provide any honors, publications or other information you believe are relevant to your application.

In 2007-2010, selected by his peers to be included in the Alternative Dispute Resolution section of *The Best Lawyers in America*, regarded as a definitive guide to legal excellence in the Unites States.

Recently published: "Giving Mediation Clients What They Want," *The National Law Journal* (November 14, 2009).

The Addendum should be completed only if you are interested in being considered for the Specialty Panel it covers.

Construction Specialists Addendum

1. What **percentage** of your law practice or business *for the last ten years* has been construction-related (**Required**): 26 to 50%
2. **Have you had significant construction practice in the last ten years** representing or working with the following client groups:

- | | |
|--|--|
| <input type="checkbox"/> Private Owners/Developers | <input type="checkbox"/> Insurers/Sureties |
| <input type="checkbox"/> Government Entities | <input type="checkbox"/> Engineers/Architects |
| <input type="checkbox"/> Contractors | <input type="checkbox"/> Sub-contractors/suppliers |

3. **Have you had significant construction practice in the last ten years** devoted to the following dispute processes:

- | | |
|--|--|
| <input type="checkbox"/> Litigation | <input type="checkbox"/> Dispute Management (in house) |
| <input type="checkbox"/> Arbitration (as Neutral or representing parties) | <input type="checkbox"/> Transactions |
| <input checked="" type="checkbox"/> Mediation (as Neutral or representing parties) | <input type="checkbox"/> Other |

Describe 'Other'

Employment Specialists Addendum

1. What **percentage** of your law practice or business *for the last ten years* has been employment-related (**Required**):
2. **Have you had significant employment practice in the last ten years** representing or working with the following client groups:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> Management | <input type="checkbox"/> Non-executive employees |
| <input type="checkbox"/> Executives | <input type="checkbox"/> Other Describe 'Other' |

3. **Have you had significant employment practice in the last ten years** devoted to the following dispute processes:

- | | |
|---|--|
| <input type="checkbox"/> Litigation | <input type="checkbox"/> Dispute Management (in house) |
| <input type="checkbox"/> Arbitration (as Neutral or representing parties) | <input type="checkbox"/> EEOC or other agency |

Mediation (as Neutral or representing parties)

Other

Describe 'Other'

Energy Specialists Addendum

1. What **percentage** of your law practice or business *for the last ten years* has been energy-related (**Required**):

2. **Have you had significant energy practice in the last ten years** representing or working with the following client groups:

Companies

Regulators

Users

Other

Describe 'Other'

3. **Have you had significant energy practice in the last ten years** devoted to the following dispute processes:

Litigation

Dispute Management (in house)

Arbitration (as Neutral or representing parties)

FERC or other

Mediation (as Neutral or representing parties)

Other

Describe 'Other'

Insurance Specialists Addendum

1. What **percentage** of your law practice or business *for the last ten years* has been insurance-related (**Required**): 51 to 75%

2. Has your insurance-related legal practice or business *in the last ten years* included representation or work with of the following client groups:

Policyholders

Insurance Companies

3. Has your insurance-related professional practice in the last ten years included:

Underwriting

Broker/Producer

Broker/Claims Consultant

Consultant/Expert Witness-Policyholder

Claims

Consultant/Expert Witness-Ins. Co.

Reinsurance

International Specialists Addendum

1. What **percentage** of your law practice or business *for the last ten years* has been international (**Required**): 1 to 25%

Foreign clients 1 to 25%

Foreign opponents 1 to 25%

Negotiations for such clients 1 to 25%

Litigation before foreign courts 1 to 25%

2. What **percentage** of your arbitration or mediation practice or business *for the last ten years* has been international (**Required**): 1 to 25%

International Arbitration 1 to 25%

International Mediation 1 to 25%

3. What **languages** have you used in your international arbitration and mediation practice:

Languages used as an arbitrator

Languages used as a mediator: English

Proceedings conducted in other languages

Awards made in these languages

4. Training or degrees acquired abroad

5. Practice or other relevant sojourns abroad

Technology/Patent Specialists Addendum

1. What **percentage** of your law practice or business *for the past ten years* has been related to technology/intellectual property (**Required**):

2. Has your technology/intellectual property professional practice *in the last ten years* included:

Litigation

Prosecution

Transactions

ADR

Conflict Management

Other

Describe 'Other'