

DATE: 12/18/09

## CPR Panelist Questionnaire

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

### 1. IDENTIFICATION DATA

Name FRANK A. DUSEK  
Courtesy title: MR.  
Applicable suffix: CPA, CFE  
Firm/Company: WEISS, SUGAR, DVORAK + DUSEK, LTD.  
Street: 20 N. WACKER DRIVE, SUITE 2250  
PO Box (if any):  
City: CHICAGO  
State: ILLINOIS (IL)  
Zip: 60606  
Country: U.S.A.  
Preferred Phone: 312-332-6622  
Secondary Phone: 847-272-9485 (HOME)  
(not cell phone)  Check here to restrict to CPR Use only  
Fax: 312-332-6622  
Cell Phone: 847-624-5645  
 Check here to restrict cell to CPR Use only  
e-mail: FDusek@wsdd.com  
Web Site (if any): wsdd.com - frankdusek.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.

**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 Female

**CITIZENSHIP:** List Citizenship (If multiple, list with commas between): U.S.A.

**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:

Fluent	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)
1983	ROOSEVELT UNIV	CHICAGO, IL	MASTER OF BUSINESS ADMIN
1971	UNIV. OF IL-CHGO	CHICAGO, IL	BACHELOR OF SCIENCE -

<MBA>  
<B.S.>

**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)
CPA	1973	IL / U.S.A.	Y

### 3. WORK HISTORY

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

Partner, Weiss Sugar Voreck & Duska, LTD., CPAs - 1/86 to date

Use the codes from the table below in Column 5.

#25 - other - CPA Firm

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

(15) Other

<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 **
				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
<b>Arbitration</b>	Total # Neutral Arbitrator Service	None 36	None 4
	# of total as Sole Arbitrator	None 10	None 0
	# of total as Tribunal Chair	None 24	None 3
	# of total as Class Action Arbitrator	None 0	None 0
	# as Advocate in Arbitration	None 0	None 0
<b>Mediation</b>	Total # Neutral Mediator Service	None 3	None 1
	# of total as a Co-Mediator	None	None
	# of total as a Multi-Party Mediator	None	None
	# of total as a Process Design Mediator	None	None
	# as Advocate in Mediation	None	None
<b>Early Neutral Evaluation</b>	Neutral	None	None

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

\*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 checked="" 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 checked="" type="checkbox"/> Certified Public Accountants               | <input checked="" type="checkbox"/> Insurance  |
| <input checked="" type="checkbox"/> Construction                               | <input 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 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, 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.:

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.

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

Natural Gas Pipeline			
Oil/NG Distribution			
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 &amp; 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			
Directors & Officers Insurance			
Environmental Insurance			
Fidelity Bond	Expert witness		
Financial Institutions Insurance			
Insurance General			
Insurance Health			
Insurance Life			
Insurance Property & Casualty			
Reinsurance			
Insurance Telecommunications			
Insurance Other			
<i>Technology/Intellectual Property</i>			

<b>Specialists</b>			
Aeronautics			
Biology			
Biotechnology			
Business Methods	Accts Expert Witness		
Materials (polymers, ceramics, etc)			
Chemistry			
Computers & Software			
Electrical			
Electronics			
Intellectual Property			
Internet			
Mechanical			
Medical Devices			
Nanotechnology			
Optics			
Patents			
Pharmaceuticals			
Privacy/EU Safe Harbor			
Robotics/Machine Vision			
Semiconductors			
Signal Process/Video/CommSysts			
Telecommunications			
Textiles			
Other - Technology/IP			
<b>General Concentrations</b>			
Accounting - Forensic	CPA/CFE		
Accounting - General	↓		
Accounting - Litigation			
Accounting - Valuation			
Administrative law			
Agriculture			
Antitrust			
Asbestos			
Automotive			
Aviation/Aerospace			
Banking			
Bankruptcy			
Business Disputes	Accts Expert Witness		
Chemicals			
Civil Rights & Liberties			
Class Action (Defendant Side)			
Class Action (Neutral)			

Class Action (Plaintiff Side)			
Commercial Law			
Commodities			
Communications & Media			
Community Organizations			
Computer law			
Construction			
Consumer Affairs			
Contract-Government			
Contract-Manufacturing			
Copyright			
Corporate (Financing)			
Corporate (General)			
Corporate (Governance)			
Corporate (Transactions)			
Corporate (Underwriting)			
Debtor/Creditor			
Defamation/First Amendment			
Domain Name			
Employment			
Energy, Oil & Gas			
Entertainment			
Environmental (Cleanup)			
Environmental (General)			
Environmental (Regulatory)			
False Advertising/FTC			
Financial Services			
Franchise			
Fraud/Misrepresentation			
Housing & Urban Development			
Information Technology			
Insurance			
Intellectual Property			
International (Environmental)			
International (General)			
International (Trade)			
International (Transactions)			
Labor Relations			
Leasing			
Licensing (General)			
Licensing (Software)			
Malpractice (Legal)			
Manufacturing			

Maritime			
Merger & Acquisition			
Mining			
Municipal Law			
Natural Resources			
Non-Profit Organizations	Acctg Exp+RT L. tues		
Partnership Disputes			
Patents/Trade Secret			
Personal Injury			
Product Liability			
Professional Fees			
Real Estate (Banking & Finance)			
Real Estate (Development)			
Real Estate (General)			
Real Estate (Land Use/Zoning)			
Real Estate (Leasing)			
Regulated Industries			
Reinsurance			
Religious Entities			
RICO			
Securities			
Sports Law			
Taxation (Corporate)			
Taxation (General)			
Taxation (Individual)			
Taxation (International)			
Taxation (Partnership)			
Technology/Science			
Torts (Business & Property)			
Torts (General)			
Torts (Mass)			
Torts (Toxic)			
Trademark			
Trade Secrets			
Transportation			
Trusts & Estates			
Unfair Competition			
Water Law			
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.

## 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 <i>Arbitrator</i> 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	LCCP	10 years	86,000,000	12 Cases
CPR	CPR Panel	2 years	100,000,000	2
FIMRA	Securities	9 years	876,000	21
Private	LCCP		100,000,000	1

### 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 <i>Mediator</i> for this Organization
<i>Example:</i> JAMS	<i>Los Angeles Panel</i>	<i>2 years</i>	<i>\$2 Million average</i>	<i>4 cases</i>
AAA	Chicago	3	1,000,000	1 Case

## 7. ADR TRAINING

### a. List MEDIATOR Skills Training Sessions you have taken

*See attached list*

FRANK A. DUSEK

12/18/2009

## ARBITRATION AND MEDIATION TRAINING

DATE	NAME OF SPONSOR/ LOCATION	TITLE OF PROGRAM	HOURS
TOTAL HOURS			133.2
02/11/2000	AAA-CHICAGO	COMMERCIAL ARBITRATOR I TRAINING	8.0
05/26/2000	AAA-CHICAGO	CONTINUING ARBITRATOR EDUCATION	4.0
07/11/2000	AAA-NEW YORK	CONSTRUCTION ARBITRATOR I TRAINING	8.0
07/21/2000	AAA-CHICAGO	CONTINUING ARBITRATOR EDUCATION	4.0
09/15/2000	AAA-CHICAGO	CONTINUING ARBITRATOR EDUCATION	4.0
11/10/2000	AAA-CHICAGO	CONTINUING ARBITRATOR EDUCATION	4.0
12/07/2000	NASD-CHICAGO	NASD ARBITRATOR TRAINING	11.0
12/05/2001	NASD-CHICAGO	CHAIRMAN TRAINING	11.0
10/23/2001	AAA-CHICAGO	CONST. ARBITRATOR UPDATE	2.0
05/16/2002	AAA-CHICAGO	COMMERCIAL ARBITRATOR II TRAINING	14.0
09/02/2004	AAA-CHICAGO	ARBITRATION AWARDS	3.0
10/04/2004	NASD-ONLINE	EXPUNGEMENT ONLINE MINI-COURSE	1.5
05/23/2005	NASD-ONLINE	VAR. ANNUITIES: EXCHANGE SUIT. ISSUES	0.2
08/23/2005	AAA-CHICAGO	ARBITRATOR ETHICS & DISCLOSURE	3.0
09/23/2005	DEPAUL UNIV. LAW S	MEDIATION CERTIFICATION	40.0
11/16/2006	AAA-ONLINE	CHAIRING AN ARBITRATION PANEL	3.5
07/03/2007	NASD-ONLINE	REVISED CODE OF ARBITRATION PROCEDURE	2.5
09/24/2007	AAA-ONLINE	DEALING WITH DELAY TACTICS IN ARBITRATION	2.0
09/26/08	AAA-CHICAGO	ROADMAP-TO EFFICIENT & COST EFFECTIVE ARB	3.0
06/11/09	FINRA	DISPUTE RESOLUTION EXPUNGEMENT	1.0
09/28/09	AAA-ONLINE	MANAGING CASES INVOLVING SELF-REPRESENT	3.5

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

b. Statement of Philosophical Approach to Mediation

**DDDD**

c. List ARBITRATOR Skills Training Sessions you have taken

Sponsoring Organization & Location	Skills Emphasized	% of Time Spent in Role-Plays/Exercises	Year Taken	Duration: Hours of training

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

*See attached*

	Dispute Type, Amount in Dispute and Year	Name of Counsel, Firm Name and Location of Firm	Phone and E-mail address
for Claimant	1,000,400,000		
for Respondent	18,000,000		

Reference as Mediator

*Accounting*

	Dispute Type, Amount in	Name of Counsel, Firm Name and	Phone and E-mail address

**Frank Dusek**

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**Full Name:** Mr. Terry F. Moritz Esq  
**Last Name:** Moritz  
**First Name:** Terry  
**Job Title:** Partner  
**Company:** Goldberg Kohn et al

**Business Address:** 55 East Monroe Street  
Suite 3700  
Chicago, IL 60603

**Business:** +1 (312) 201-3903  
**Business Fax:** +1 (312) 332-2196

**E-mail:** terry.moritz@goldbergkohn.com  
**E-mail Display As:** terry.moritz@goldbergkohn.com

Element Counsel

**Frank Dusek**

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**Full Name:** Ms. Emily Nicklin Esq.  
**Last Name:** Nicklin  
**First Name:** Emily  
**Job Title:** Partner  
**Company:** Kirkland & Ellis

**Business Address:** Chicago, IL

**E-mail:** enicklin@kirkland.com  
**E-mail Display As:** enicklin@kirkland.com

Respondent Counsel

	<b>Dispute and Year</b>	<b>Location of Firm</b>	
for Claimant			
for Respondent			

**9. OTHER**

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

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):

1 to 25% 10%

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 checked="" type="checkbox"/> Insurers/Sureties |
| <input type="checkbox"/> Government Entities       | <input type="checkbox"/> Engineers/Architects         |
| <input checked="" 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 checked="" type="checkbox"/> Litigation                            | <input type="checkbox"/> Dispute Management (in house) |
| <input type="checkbox"/> Arbitration (as Neutral or representing parties) | <input type="checkbox"/> Transactions                  |
| <input 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):

1 to 25%

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:



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:

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):

1 to 25%

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

Litigation

Prosecution

Transactions

ADR

Conflict Management

Other

Describe 'Other'