

CPR Panelist Questionnaire

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

Date: 2/8/11

1. IDENTIFICATION DATA

Name James C Moore
Courtesy title: Mr
Applicable suffix:
Firm/Company: Law Office of James Moore
Street: 251 Windemere Rd
PO Box (if any):
City: Rochester
State: New York
Zip: 14610
Country: US
Preferred Phone: -5852311124
Secondary Phone: -5852880888
(not cell phone) Check here to restrict to CPR Use only
Fax: -5852322152
Cell Phone: 585 732-0424
 Check here to restrict cell to CPR Use only
e-mail: jcmoore1939@gmail.com
Web Site (if any):

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. yes

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 yes 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:

Read-Only	Fluent	Fluent
French	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 1965-66

Level top secret (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)
1961	Cornell University	Ithaca, New York	BS
1964	Cornell Law School	Ithaca, New York	LLB

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)
	1964	New York	yes

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	(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

(12) Law Professor: Full Time (13) Adjunct Professor (14) Judge (must specify title) (15) Other	Sales; Construction Management; Technology Development) (25) 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 **
1966-2010	Harter Secrest&Emery	Rochester, New York	1,2,3	1	D
				10	
				11	
1964-66	US Army	Virginia, Vietnam	JAGC	1	
				1	
				1	
				1	
					** Insurance Industry - <ul style="list-style-type: none"> • 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	26 - 50	1 - 5
	# of total as Sole Arbitrator	11 - 25	1 - 5
	# of total as Tribunal Chair	6 - 10	1 - 5
	# of total as Class Action Arbitrator	None	None
	# as Advocate in Arbitration	26-50	None
Mediation	Total # Neutral Mediator Service	100+	11-25
	# of total as a Co-Mediator	None	None
	# of total as a Multi-Party Mediator	26-50	6-10

		Overall	Last 12 Months
	# of total as a Process Design Mediator	None	None
	# as Advocate in Mediation	51-99	None
Early Neutral Evaluation	Neutral	6-10	None
	Advocate	None	None
Facilitation of Multi-Party Defense	Neutral	6-10	None
	Advocate		
Mini-trial Chair	Neutral	None	None
	Advocate	1-5	None
Private Judging	Neutral		
	Advocate	6-10	1-5
Reg – Neg	Neutral	None	None
	Advocate	None	None
Special Master	Neutral	1-5	1-5
	Advocate	None	None
Summary Jury Trial	Neutral	1-5	None
	Advocate	None	None
Dispute Review Board Member	Neutral	None	None
	Advocate		
Dispute Review Board Chair	Neutral	None	None
	Advocate		
Partnering Neutral	Neutral	None	None
	Advocate		
Ombudsperson	Neutral	None	None
	Advocate		
Other	Neutral		
	Advocate		

*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 checked="" type="checkbox"/> Employment | <input type="checkbox"/> Judicial Roster |
| <input type="checkbox"/> Energy, Oil & Gas | <input checked="" type="checkbox"/> Sports Law |
| <input type="checkbox"/> Entertainment | <input type="checkbox"/> Taxation |
| <input checked="" type="checkbox"/> Environmental | <input type="checkbox"/> Technology |
| | <input checked="" 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.: Construction: more than 40 years litigating and managing disputes involving: claims of design error, failure of contractor performance, evaluating damage claims, dealing with sureties, addressing scope of services disputes, disputes between contractors and subcontractors, failure of funding sources (in all, more than 1000 construction related disputes). Employment: claims of discrimination based upon illness, age, lack of performance; disputes involving overtime pay or uneven levels of compensation. Energy: disputes between contractors and oil refinery over unsatisfactory work; dispute between electrical energy supplier and contractors over performance issues. Insurance: more than 40 years litigating and managing disputes involving existence of

coverage and extent of coverage between insureds and insurers and reinsurers and with sureties

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	p	P
Claims for Delay	P	P	P
Claims for Extras	P	P	P
General Building Construction	S	S	S
Government Contracts	S	S	s
Hazardous Waste			
Health Facilities	S	S	S
Industrial (Mills, Refineries, Pharma)	S	S	S
Insurance Indemnity & Contribution	P	P	P
International (incl. FIDIC)	S	S	S
Manufacturing Construction	P	P	P
Marine			
Mold			
Petroleum			
Power	S	S	S
Sewage/Solid Waste	P	P	P
Available Under Construction Expedited Rules	S	S	S
Telecommunications			
Transportation (Bridges, Roads, Tunnels, etc.)	P	P	P
Water Supply	S	S	S
Construction Other	P	P	P
<i>Employment Specialists</i>			
Civil Rights and Compensation			
Employee Benefits/Erisa			
Executive Compensation			
FLSA			
Statutory Discrimination Claims	S	S	S
Other - Employment			
<i>Energy, Oil & Gas Specialists</i>			
Alternative/Renewable Energy			

Coal Industry			
Rural Electric Co-op Industry			
Electric Distribution	S	P	P
Electric Generation			
Electric/Power Marketing			
Electric Transmission			
Expropriation			
Liquefied Natural Gas			
Natural Gas Pipeline			
Nuclear			
Oil & Gas			
Oil/NG Distribution			
Oil/NG Exploration/Production			
Oil/NG Marketing			
Oil Pipelines	P		
Refining & Petrochemical			
Risk Management Services			
Selected Natural Gas Issues			
Selected Oil Issues			
Selected Upstream Issues			
Solar			
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	P	P
Directors & Officers Insurance			
Environmental Insurance			
Fidelity Bond	P	P	P
Financial Institutions Insurance			

Insurance General	P	P	P
Insurance Health			
Insurance Life	P	P	P
Insurance Property & Casualty	P	P	P
Reinsurance	S	S	S
Insurance Telecommunications			
Insurance Other	P	P	P
<i>Technology/Intellectual Property Specialists</i>			
Aeronautics			
Biology			
Biotechnology			
Business Methods			
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			
<i>General Concentrations</i>			
Accounting - Forensic			
Accounting - General			
Accounting - Litigation			
Accounting - Valuation			
Administrative law			
Agriculture			
Antitrust			
Asbestos			
Automotive			

Aviation/Aerospace			
Banking			
Bankruptcy			
Business Disputes	S	S	S
Chemicals			
Civil Rights & Liberties	S	S	S
Class Action (Defendant Side)			
Class Action (Neutral)			
Class Action (Plaintiff Side)			
Commercial Law	S	S	S
Commodities			
Communications & Media			
Community Organizations	S	S	S
Computer law			
Construction			
Consumer Affairs			
Contract-Government	P	S	S
Contract-Manufacturing	P	S	S
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	P	P	P
Intellectual Property			
International (Environmental)			
International (General)	S	S	S

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

Tribal and Indian Affairs			
Trusts & Estates			
Unfair Competition			
Water Law			
Workouts			

Representative Matters

1. dispute between oil refiner and contractor to enhance cracking facility (party appointed arbitrator)
2. dispute between developer of multiple gas station/food marts and design builder over project which developer found unsatisfactory and which led to the failure of a long term relationship (mediator)
3. dispute between electrical supplier and contractor retained to upgrade supply lines (panel chair)

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: AAA</i>	<i>Large Complex Case Panel</i>	<i>3 years</i>	<i>\$3 Million average</i>	<i>2 cases</i>
AAA	large complex case panel	20 years	\$750,000	15 - 20
CPR		8 years	\$250,000	3
ICDR		2	\$2M+	2

b. MEDIATOR ROSTERS of ADR ORGANIZATIONS

Organization	Mediation Roster (& any sub-	Years on Roster	Estimate Average Amount in Claim in Cases from Each	Best Estimate of the Number of Cases on which You Served as a Mediator for this

	<i>roster)</i>		Organization	Organization
<i>Example: JAMS</i>	<i>Los Angeles Panel</i>	<i>2 years</i>	<i>\$2 Million average</i>	<i>4 cases</i>
AAA	New York panel	20 years	\$500,000	75+

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: <u>Hours</u> of Training
AAA	facilitative	minimal	2010	12 - 14

b. Statement of Philosophical Approach to Mediation

I believe in preparation by the parties, their counsel and the mediator prior to mediation; during the mediation the party representatives as well as their counsel should be given an opportunity to speak; the mediator's role is to keep a firm but respectful control over the proceedings and to constantly encourage the parties and counsel to seek common ground; the mediator should be willing to continue negotiations after the conclusion of the formal session even when it appears that the partries have been unable to reach a settlement.

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
;				
AAA	evaluative	0	2010	15

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	commercial; \$2M;2010	George T Shipley;Shipley,Snell;Houston, Tx	713 652-3045; gshipley@ssmlp.com
for Respondent	commercial; \$2M;2010	Michael McIllwrath;GE Oil&Gas; Firenze, Italy	michael.mciwrath@ge.com

Reference as Mediator

Please note, if you are an IMI certified mediator, you may submit your feedback digest in lieu of the below references.

	Dispute Type, Amount in Dispute and Year	Name of Counsel, Firm Name and Location of Firm	Phone and E-mail address
for Claimant	commercial; \$500K; 2009	John Aspland; Fitzgerald, Firth; Glens Falls, NY	518 745-1400
for Respondent	construction; \$800K; 2009	Joel Howard; Couch White Howard; Albany, NY	518 426-4600

9. OTHER

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

Former president, NYS Bar Association; former chair, Dispute Resolution Section; member ABA (House of Delegates 1998 - 2008) and Monroe County Bar Association; Best Lawyers in America; Super Lawyers; Who's Who in the World; Fellow, American College of Trial Lawyers; Elected member, American Law Institute; Executive Committee, Union Internationale des Avocats. Recipient of several awards from community and profession for

service and contributions. Member, several community boards. Author of several articles and book chapters on professional issues. Frequent lecturer to professional and lay groups. Extensive international travel for business and personal matters. Widower.

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**): 51 to 75%
2. **Have you had significant construction practice in the last ten years** representing or working with the following client groups:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Private Owners/Developers | <input checked="" type="checkbox"/> Insurers/Sureties |
| <input type="checkbox"/> Government Entities | <input checked="" 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 checked="" type="checkbox"/> Arbitration (as Neutral or representing parties) | <input checked="" 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**): 1 to 25%
2. **Have you had significant employment practice in the last ten years** representing or working with the following client groups:

- | | |
|--|--|
| <input checked="" 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 checked="" 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**): 1 to 25%

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**): 26 to 50%

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 english

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**): 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'