

DATE: july 10, 2009

CPR Panelist Questionnaire

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

1. IDENTIFICATION DATA

Name Thomas Benjamin Salzer
Courtesy title: Mr.
Applicable suffix:
Firm/Company: n/a
Street: 5 Averstone Dr. East
PO Box (if any):
City: Washington Crossing
State: PA
Zip: 18977
Country: USA
Preferred Phone: 2679804748
Secondary Phone: 8568638034
(not cell phone) Check here to restrict to CPR Use only
Fax: 8568638044
Cell Phone: 2679804748
 Check here to restrict cell to CPR Use only
e-mail: tomsalzer@verizon.net
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*): USA

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 1972-1994

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)
1986	Catholic Univ. of America	Washington, DC	JD
1980	Univ. of Michigan	Ann Arbor, MI	MS Civil Engineering
1972	Tufts Univ.	Medford, MA	BS Chemical Engineering

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)
	1986	PA	Y
	1987	Washington DC	y
	1982	Tennessee	N

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	(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)

(14) Judge (must specify title) (15) Other	(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 **
7/2002	APG	Glassboro	President	20	
1991-2002	Foster Wheeler Constructors	Clinton, NJ	General Counsel of subsidiary corp.	8	
1988-2001	Cohen & Green	Philadelphia, PA	Associate member of law firm	3	
1986-1987	US Government - FERC	Washington, DC	legal staff	9	
1981-1985	PEPCO	Washington DC	environmental affairs co-ordinator	16	
1972-1980	US Navy	n/a	Officer	16	
				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	26 - 50	6 - 10
	# of total as Sole Arbitrator	6 - 10	1 - 5
	# of total as Tribunal Chair	6 - 10	1 - 5

**Overall Last 12
Months**

# of total as Class Action Arbitrator	None	None
# as Advocate in Arbitration	6-10	1-5

Mediation	Total # Neutral Mediator Service	26-50	6-10
	# of total as a Co-Mediator	1-5	None
	# of total as a Multi-Party Mediator	None	None
	# of total as a Process Design Mediator	None	None
	# as Advocate in Mediation	6-10	1-5

Early Neutral Evaluation	Neutral	None	None
	Advocate	None	None

Facilitation of Multi-Party Defense	Neutral	None	None
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Mini-trial Chair	Neutral	None	None
	Advocate	None	None

Private Judging	Neutral		
	Advocate	None	None

Reg – Neg	Neutral	None	None
	Advocate	None	None

Special Master	Neutral	None	None
	Advocate	None	None

Summary Jury Trial	Neutral	None	None
	Advocate	None	None

Dispute Review Board Member	Neutral	None	None
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Dispute Review Board Chair	Neutral	None	None
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Partnering Neutral	Neutral	None	None

Ombudsperson		None	None

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

AREAS of Concentration	<i>Col.2</i> Professional	<i>Col. 3</i> Arbitrator	<i>Col. 4</i> Mediator
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	Concentrations/Specialties (as lawyer, business person, advocate or judge but not as arbitrator or mediator)	Concentrations	Concentrations
<i>Construction Specialists</i>			
Construction Defects	X	X	X
Claims for Delay	X	X	X
Claims for Extras	X	X	X
General Building Construction	X	X	X
Government Contracts	X		
Hazardous Waste			
Health Facilities	X		
Industrial (Mills, Refineries, Pharma)	X		
Insurance Indemnity & Contribution			
International (incl. FIDIC)			
Manufacturing Construction			
Marine			
Mold			
Petroleum			
Power	X		
Sewage/Solid Waste	X		
Available Under Construction Expedited Rules			
Telecommunications			
Transportation (Bridges, Roads, Tunnels, etc.)			
Water Supply	X		
Construction Other	X		
<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	X		
Electrical Transmission			
Electric Distribution			
Electric/Power Marketing			
Alternative/Renewable Energy			
Oil & Gas	X		
Oil/NG Exploration/Production			

Natural Gas Pipeline	X		
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 & 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			
Financial Institutions Insurance			
Insurance General			
Insurance Health			
Insurance Life			
Insurance Property & Casualty			
Reinsurance			
Insurance Telecommunications			
Insurance Other			
<i>Technology/Intellectual Property</i>			

<i>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			
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	X	X	X
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)	X	X	X
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			
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 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>
NASD/FINRA	chair roster	9years	\$ 1 million	12
US Disrict Court 3 rd District	n/a	2	\$100,000.	1
New York County, NY	lawyer/client fee dispute	3	\$50,000.	16

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: JAMS</i>	<i>Los Angeles Panel</i>	<i>2 years</i>	<i>\$2 Million average</i>	<i>4 cases</i>
New Jersey Superior Court	mediation roster	5	\$100,000.	40

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 of Training</u>
Penn State Univ. at Dickenson Law School, Carlyle, PA	Facilitative,/Evaluative, caucus	50	2001	24
Good Shepherd/PA Bar , Philadelphia, PA	Facilitative, caucus & non-caucus	50	2000	26
PA Bar Assoc., Hershey, PA	facilitative/ evaluative	20	1999	12
annual training through Assoc. of Conflict Resolution, Philadelphia, PA	facilitative/ evaluative	50	2004-present	1 hr. average every 6 months

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

I believe in a blend of facilitative and evaluative mediation with evaluative techniques used only in the latter stages of a mediation and only if a party asks for such a discussion while in a caucus. I am less versed in tranformative techniques and find it usually not appropriate to commercial disputes. I am not an advocate of collaborative law as it tries to embrace the field of alternative resolutions of disputes.

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 of training</u>
FINRA,	careful decision making	90	2000	6

NASD, New York, NY				
FINRA, NASD, New York, NY	organizational skills for chairmen	90	2002	4
PA Bar Assoc.	careful listening and decision making	50	2000	4
PA Bar Assoc., Hershey, PA	deliberative decision making	20	1998	8

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	contact Vanier Martin or Bola Aguda of FINRA Federal court case- personal injury & property damage	FINRA, New York, NY Michael Cancelliere, Howard, Brenner, & Nass-Philadelphia, PA	212-858-4200 & NEProcessingCenter@finra.org (215) 546-8200
for Respondent	contact Judge Robert Mellon re: arbitration case he assigned to me personal injury & property damage	Court of Common Pleas, Bucks co., Doylestown, PA 18901 Mitchell Berger- Ryan, Brown, McDonnell, berger &	215-348-6000 berger@ryanbrown.com (215) 564-3800

		Gibbons, PC- Philadelphia, PA	
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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	commerical / construction - oriented disputes - 2008 & 2009	mediations are confidential - contact program administrator-	
for Respondent	commercial / construction oriented disputes - 2008 & 2009	mediations are confidential - cpntact program administrator	

9. OTHER

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

As the Pennsylvania Bar ADR committee vice Chairman for 6 years and the Newsletter editor for 10 years, I have written about 20 articles on mediation and arbitration developments since 1998.

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**):

76 to 100%

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 checked="" type="checkbox"/> Engineers/Architects |
| <input checked="" type="checkbox"/> Contractors | <input checked="" 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 checked="" 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 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'