

## **FEATURED PANEL: REAL ESTATE**

As of July 2014, the CPR Institute has added a Real Estate Panel to its more than two dozen specialty panels that reflect all fields of commercial law. The new panel comprises neutrals expert in real estate matters, including banking and finance, development, land use and zoning, leasing, environmental concerns and other complex commercial real estate matters.

The neutrals selected for this panel have received numerous distinctions, including high peer rankings and nominations in

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# CPR News

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Martindale-Hubbell, *The Best Lawyers in America for ADR* and *Super Lawyers*. Additionally, many have achieved fellowship status at the Chartered Institute of Arbitrators and are widely published in the field of commercial real estate ADR. The panelists profiled below exemplify the caliber of the new panel.

Robert C. Prather Sr., of Dallas, Texas, is no stranger to multiple avenues of dispute resolution involving challenging issues and difficult decisions. He has conducted over



Robert C. Prather

125 jury trials to verdict, and began in 1990 to act as an arbitrator, mediator, hearing officer, collaborative law counsel and summary jury trial judge. His litigation and ADR service has covered a broad range of subjects, with concentrations in real estate including brokers-agents, title, title companies, valuations, partnerships, development, condemnations, pipelines, oil and gas, adverse possession and financing, as well as commercial transactions, business organizations, residential construction, employment, healthcare and probate. Mr. Prather was a council member and officer of the State Bar of Texas ADR Section and is a co-author of the *Texas ADR Practice Guide* (West 1995). He has been a trainer and presenter at numerous ADR CLE events.

This combination of experience enables him to serve the parties who come before him in any ADR process, and especially as an arbitrator. Whether it is a high-rise building partnership dissolution valuation or a distributor-independent contractor dispute, Mr. Prather understands that the parties have agreed to this process and given up significant rights to have their opportunity to be heard. As the sole arbitrator in a \$10,000 consumer case or chair of a three-member panel in a multimillion dollar case, he strives to enable the parties to present their case fairly, efficiently and economically, to educate him to make a decision. Win or lose, after the heat of battle, they should feel that they had the opportunity to tell their story, that someone listened to them and made a decision with a sound basis. His goal is to provide the parties with the forum he would expect if he were a party instead of the arbitrator.

Bruce S. Lane has over forty-five years of diverse experience as a business lawyer. The vast majority of his practice was devoted to all phases of real estate law and federal tax matters, especially as they involved real estate. He commenced serving part time as an arbitrator and mediator in 1996, and, upon retiring in 2000 from practice as a partner at Nixon Peabody, LLP (where he is still senior



Bruce S. Lane

counsel), he has continued as a full time ADR neutral. He has chaired, served on the panel of or acted as sole arbitrator in more than fifty proceedings, the great majority of which have involved complex real estate disputes. Examples include serving as a sole arbitrator in a complex lease dispute between a major law firm and its landlord, sole arbitrator of a \$98 million dispute between two Fortune 500 companies regarding work-out of a defaulted loan on a prime Manhattan office building and mediator in a multi-issue, multi-party dispute involving claims in excess of \$25 million between minority stockholder and former principals of a public REIT taken private.

In 1969-1970, Mr. Lane served as the first Vice-President and General Counsel of the National Corporation for Housing Partnerships. From 1970 until 1989 he was a founding partner and Chief Executive Officer of Lane and Edson, P.C., a Washington, D.C., law firm that specialized in real estate, tax, and related matters. He is author or co-author of numerous books and articles, and has been a frequent lecturer on topics involving housing, real estate and federal tax matters. He is a charter member and a past president of the American College of Real Estate Lawyers. Mr. Lane is also a member of the CPR Special Tax Panel, a Fellow of the College of Commercial Arbitrators, and a member of the Commercial (large and complex cases) and Real Estate Panels of the American Arbitration Association. Mr. Lane is based in Washington, D.C., but willing to travel as necessary.

Richard R. Mainland is a well-respected commercial trial lawyer with Norton Rose Fulbright in Los Angeles and has, since 1993, combined his litigation practice with service as an ADR neutral. He now devotes himself full time to resolving complex commercial disputes as both an arbitrator and mediator. He has been a member of the Large Complex Case Panel of the American Arbitration Association since 1993 and a member of CPR's Los Angeles Regional Panel since 2005. He has chaired numerous three-arbitrator tribunals, in a wide variety of commercial disputes, including many real estate cases. On his appointment to the CPR Specialty Real Estate Panel, he stated, "My ADR practice has increasingly included resolution of real estate disputes, including development, management and financing issues. I look forward to the challenge of resolving these disputes in a fair, efficient and cost-effective way."

Mr. Mainland is a Fellow of the College of Commercial Arbitrators and is also a Fellow of the American College of Trial Lawyers. He is a co-founder and Past President of the Association of Business Trial Lawyers, a California-wide organization devoted to the practice of commercial litigation. He regularly speaks and writes on ADR topics.



Richard R. Mainland

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