

MCCARTHY, LEBIT, CRYSTAL & LIFFMAN CO., L.P.A.  
*Attorneys and Counselors at Law*

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November 25, 2015

VIA EMAIL [director@nadm.org](mailto:director@nadm.org)  
Mr. Darren A. Lee  
National Academy of Distinguished Neutrals  
104 Churchill Way  
West Palm Beach, FL 33411

Dear Mr. Lee:

Please consider my application for membership in the National Academy of Distinguished Neutrals submitted in response to your recent email and voicemail.

1. I am in agreement with the ADR practice reports and member dues on the website.
2. My two nominators, Niki Schwartz and Jerry Weiss, have sent their nominations.

Niki Z. Schwartz, Esq.  
Schwartz, Downey & Co., L.P.A.  
801 Terminal Tower  
50 Public Square  
Cleveland, OH 44113  
[nschwartz@sdlpa.com](mailto:nschwartz@sdlpa.com)

Jerry Weiss, Esq.  
Mediation, Inc.  
1600 Midland Building  
101 W. Prospect Avenue  
Cleveland, OH 44115  
(216) 589-9995  
[mediator@mediationresolve.com](mailto:mediator@mediationresolve.com)

3. I am in good standing with the Ohio State Bar Association.
4. I have been serving as an arbitrator in civil/commercial disputes for approximately 35 years and have arbitrated over 100 cases to final award.
5. I have served as a mediator in civil/commercial cases for approximately 16 years and have mediated approximately 200 cases.
6. Enclosed is my resume.
7. Plaintiff's attorneys for whom I have mediated or arbitrated in the last 120 days are:

Richard Haber, Esq.  
Haber Polk Kabat, LLP  
737 Bolivar Road, Suite 4400  
Cleveland, OH 44115  
(216) 325-0111  
[rhaber@haberpolk.com](mailto:rhaber@haberpolk.com)

Andrew Kabat, Esq.  
Haber Polk Kabat, LLP  
737 Bolivar Road, Suite 4400  
Cleveland, OH 44115  
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[akabat@haberpolk.com](mailto:akabat@haberpolk.com)

Mark Koberna, Esq.  
Sonkin & Koberna Co., L.P.A.  
3401 Enterprise Parkway, Suite 400  
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(216) 514-8300  
[Mkoberna@sonkinkoberna.com](mailto:Mkoberna@sonkinkoberna.com)

Joel Levin, Esq.  
Levin & Associates Co., L.P.A.  
Tower at Erieview, Suite 1100  
1301 East 9<sup>th</sup> Street  
Cleveland, OH 44114  
(216) 622-0730  
[jl@levinandassociates.com](mailto:jl@levinandassociates.com)

8. Defense attorneys for whom I have mediated or arbitrated in the last 120 days are:

Dennis Fogarty, Esq.  
Davis & Young  
1300 East 9<sup>th</sup> Street, Suite 1950  
Cleveland, OH 44114  
(216) 348-1700  
[dfogarty@davisyoung.com](mailto:dfogarty@davisyoung.com)

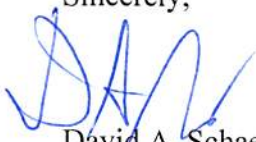
John Travis, Esq.  
Gallagher Sharp LLP  
Bulkley Building, Sixth Floor  
1501 Euclid Avenue  
Cleveland, OH 44115  
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Holly Marie Wilson, Esq.  
Reminger Co., LPA  
1400 Midland Building  
101 W. Prospect Avenue  
Cleveland, OH 44115  
(216) 430-2238  
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9200 South Hills Blvd., Suite 300  
Cleveland, OH 44147  
(440) 740-3011  
[Jason.winter@janiklaw.com](mailto:Jason.winter@janiklaw.com)

If you need any further information, please contact me.

Sincerely,



David A. Schaefer

**DAVID A. SCHAEFER, ESQ.**

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Cleveland, OH 44115-1088  
(216) 696-1422  
[das@mccarthylebit.com](mailto:das@mccarthylebit.com)

**Areas of Practice**

- Business Litigation
- Product Liability and Personal Injury
- Employment Discrimination Litigation
- Professional Liability
- Construction Litigation
- Intellectual Property Litigation

**Bar Admissions**

- Ohio
- U.S. District Court Northern District of Ohio
- U.S. District Court Southern District of Ohio
- U.S. Court of Appeals 6th Circuit
- U.S. Supreme Court

**Education**

- **Case Western Reserve University School of Law, Cleveland, Ohio**
  - J.D.
  - Honors: National Moot Court Team
  - Law Review: Case Western Law Review, Associate
  - Selected by faculty to teach Research, Advocacy & Writing
- **Northwestern University, Evanston, Illinois**
  - M.A.
  - Major: Economics
- **Miami University, Oxford, Ohio**
  - B.S. (*Cum Laude*)
  - Honors: Dean's List Every Trimester

**Honors and Awards**

- 2014 Mediator of the Year, Cleveland, Ohio
- National Institute for Trial Advocacy, Instructor 1988-Present, Chicago, Illinois
- *The Best Lawyers in America*®, 2003 - 2015
- Inside Business Magazine, Cleveland's Top Litigators, 2002 - 2015
- Super Lawyers 2003-2015, Cleveland's Top 50 Lawyers, 2003, 2007-2010, 2014
- Ohio Super Lawyers Top 100 List, 2004 – 2011, 2014

## **Professional Associations and Memberships**

- Eighth District Judicial Conference, Life Member
- Sixth Circuit Judicial Conference, Life Member
- Cleveland Bar Foundation, Fellow
- Cleveland Metropolitan Bar Association, ADR Committee, Member
- Federal Bar Association, Cleveland Chapter, Past President
- American Inns of Court, John M. Manos, Founding Member, Master Benchers
- International Association of Defense Counsel, Member
- Litigation Counsel of America, Fellow

## **Publications**

- Author of numerous articles including those related to use of the Federal Rules of Evidence in Trial, Jury Selection, Deposition Practice, Legal Malpractice, Insurance Coverage, Business Torts, Antitrust, and related topics.

## **Professional Presentations**

- Presented and spoken at many seminars regarding trial and deposition practice, including, since 1988, the National Institute of Trial Advocacy in Chicago, Illinois. Has also been a faculty member at the Cleveland Courthouse Trial Academy and a guest lecturer in Trial Practice at Case Western Reserve University School of Law. Has also spoken at seminars regarding business torts, insurance coverage, arbitration, and mediation.