

FRANK A. LIGHTMAS, JR.

- Current Employer*** The Law Offices of Frank A. Lightmas Jr., LLC
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- Profession*** Attorney, Mediator, Arbitrator and Neutral
AV rated with Martindale-Hubbell which is the highest rating bestowed by
Martindale-Hubbell and is an objective indicator of his high ethical standards
and professional ability
Recognized as a Georgia Super Lawyer®
- Employment History*** 2013-present: The Law Offices of Frank A. Lightmas Jr., LLC
1989-2013: Partner, Lightmas & Delk
1988-1989: Sole practitioner
1980-1988: Partner, Litigation Department, Kutak Rock
1976-1980: Associate, Kutak Rock (and predecessor firms)
- Education*** Vanderbilt University School of Law, 1976, J.D.
Articles Editor, *Vanderbilt Law Review*
Member, Moot Court Board
Research Assistant on the *Restatement (2d) of Torts* to Dean John W. Wade,
the reporter
Course assistant, Legal Methods
Recipient, American Jurisprudence Award in Torts

Harvard University, 1973, A.B., *Cum Laude*, in Government
- Employment Experience*** I have been a trial lawyer and commercial and business litigator for over 38
years. I have argued cases before federal and state appellate courts, tried jury
and non-jury cases in federal and state courts, tried cases before arbitration
tribunals of the AAA, FINRA, the NYSE, the CBOE, the Municipal
Securities Rulemaking Board and ad hoc panels, and appeared in contested
hearings before federal and state agencies and federal, state and professional
licensing, enforcement, regulatory and disciplinary boards and tribunals.
Most cases have involved commercial and business disputes, contracts,
corporation, partnership, shareholder, joint venture, limited liability and other
intra-organizational disputes, securities and other financial fraud, officers and

directors liability, professional liability and negligence, employment agreements, covenants not to compete or covenants not to solicit, trade secrets, breach of fiduciary duty claims, tortious interference with contractual relationships, negligence and other torts, intellectual property disputes, insurance and insurance coverage issues between insureds and insurance companies, defamation, real estate, education, employment, EEOC and Title VII claims involving allegations of racial and sexual discrimination, banking and finance, healthcare, sports and entertainment, environmental actions involving federal claims under CERCLA and state law claims, franchise, technology, trusts/estates and probate and transportation.

I am certified by and registered with the Georgia Office of Dispute Resolution as a neutral in the areas of arbitration, general mediation and early neutral evaluation.

I have served as an arbitrator in approximately 50 cases for parties over the last 25 years. Over the last 15 years, I have also served as a mediator in over 300 cases in over twenty-three states and the District of Columbia.

I originally practiced law with the Atlanta law firm of Huie, Ware, Sterne, Brown & Ide which in 1978 merged with Kutak Rock & Campbell to form Kutak Rock & Huie (now Kutak Rock). I was a litigation partner there until 1988.

***Representative Cases
Handled as
Mediator***

Since 1995, I have mediated over 300 cases in over twenty-three states and the District of Columbia. Most have been commercial and business cases, and 90% have settled. These cases have generally involved the same issues as listed above under *Employment Experience*. Many have involved complex, multi-party disputes, the largest of which involved over 200 parties. I employ evaluative, facilitative and transformative techniques to aid the mediation process, and I also actively use evaluative techniques and reality testing approaches to advance the process if appropriate and the parties request.

- Representative Cases Handled as Arbitrator*** For over 25 years, I have served as an arbitrator in approximately 50 cases for parties who have privately retained me and as a member of various arbitration neutral panels. As with cases in which I have served as mediator, these arbitrations have generally involved the same issues as listed above under *Employment Experience*. These arbitrations have included single neutral arbitrations, single neutral arbitrations decided on the basis of the written submissions only, 3-neutral panels and 5-neutral panels. On all but a few of these, I served as chairperson. As the chairperson, I have conducted and participated in pre-hearing conferences, issued discovery, non-dispositive and dispositive rulings, and held arbitration hearings that have resulted in final awards being issued. The longest of these arbitration hearings lasted over twenty (20) sessions spread over several weeks.
- Multi-Party Dispute Resolution Experience*** I have arbitrated and mediated numerous complex, multi-party disputes. The largest mediations involved over 200 parties and arose out of complex Ponzi schemes.
- Additional Neutral Experience as Early Neutral Evaluator, Special Master, Discovery Referee, Hearing Officer, Dispute Resolution Board Member and in Mock Arbitrations and Trials*** I have served as an early neutral evaluator on cases, special master, discovery referee, hearing officer and dispute resolution board member and participated in mock trials and arbitrations to help parties and their counsel analyze their case in advance of an actual mediation or trial/arbitration. In addition, I have represented clients as an advocate and lead counsel in approximately 50 arbitrations and approximately 50 mediations. I have also been retained to provide mediation coaching prior to an actual mediation to help a party and his or her counsel prepare for the mediation.
- ADR Panel Memberships and Organizations*** Member, Panel of Arbitrators, FINRA (www.finra.org) (1985-present)
 Member, Panel of Mediators, FINRA (www.finra.org) (1997-present)
 Fellow, American College of Civil Trial Mediators (ACCTM) (www.acctm.org) (2011-present)
 Member, Panel of Neutrals, International Institute for Conflict Prevention & Resolution (CPR) (www.cpradr.org) (2011-present)
 Associate, Chartered Institute of Arbitrators (CI Arb) (www.ciarb.org) (2011-present)
 Member, North American Branch of Chartered Institute of Arbitrators (2011-present)
 Member, Panel of Dispute Resolvers, American Health Lawyers Association (www.healthlawyers.com) (2011-present)
 Member, Panel of Neutrals, The London Court of International Arbitration (www.lcia.org) (2011-present)
 International Chamber of Commerce/United States Council for International Business (www.uscib.org) (2011-present)
 Member, Panel of Neutrals, National Futures Association (www.nfa.futures.org) (2010-present)

Member, Panel of Neutrals for various Georgia Court Annexed ADR Programs (6th Judicial District, 7th Judicial District, 9th Judicial District, Gwinnett Judicial Circuit, Macon and Houston County Judicial Circuits) (2010-present)
Member, Georgia Academy of Mediators & Arbitrators (www.georgiamediators.org) (2009-present)
Member, National Academy of Distinguished Neutrals (www.nadn.org) (2010-present)
Member, International Mediation Institute (www.imimmediation.org) (2010-present)
Member, Expert Mediator Panel of Contributors, Benchmarking Mediation Study, Susan Raines and Jean Poitras, Kennesaw State University (2011)
Certified by and registered with the Georgia Office of Dispute Resolution in areas of general mediation, arbitration and early neutral evaluation (1996-present)

ADR Teaching and Training – Arbitration

20th Annual ADR Institute and Neutrals Conference, Georgia Institute of Continuing Legal Education, December, 2013
“Convergence and Divergence in International Arbitration Practice”, 2nd Annual Conference of the Atlanta International Arbitration Society, April, 2013
19th Annual ADR Institute and Neutrals Conference, Georgia Institute of Continuing Legal Education, December, 2012
6th Annual Arbitration Institute, Georgia Institute of Continuing Legal Education, August, 2012
“The United States and Its Place in the International Arbitration System of the 21st Century: Trendsetter, Outlier or One in a Crowd”, Initial Conference of the Atlanta International Arbitration Society, April, 2012
“Lie to Me: Secrets for Negotiators, Mediators and Arbitrators”, ABA Section of Dispute Resolution, November, 2010
4th Annual Arbitration Institute, Georgia Institute of Continuing Legal Education, August, 2010
16th Annual ADR Institute and Neutrals Conference, Georgia Institute of CLE, December, 2009
FINRA Dispute Resolution Revised Code of Arbitration Procedure Training, July, 2007
13th Annual ADR Institute and Neutrals Conference, Georgia Institute of CLE, October, 2006
12th Annual ADR Institute and Neutrals Conference, Georgia Institute of CLE, October, 2005
“Best Practices and Recent Developments in Arbitration”, Georgia Institute of Continuing Legal Education, March, 2005
“Expungement”, FINRA, October, 2004
Co-chair and Instructor, FINRA Employment Law Seminar, August, 1997
Instructor, “Approaches to Managing the Arbitration Proceeding”, FINRA Arbitration Education Program/Arbitrator Skills Program, June, 1994 and October, 1994

“Vacating Arbitration Awards”, FINRA Arbitration Education, January, 1994
“Misrepresentation Claims”, FINRA Arbitration Education, August, 1993
“Failure to Supervise Claims”, FINRA Arbitration Education, June, 1993
“Alternative Dispute Resolution”, Atlanta Bar Association, June, 1993
“Broker-Dealer Operations”, FINRA Arbitration Education, May, 1993
“Discovery in Arbitration”, FINRA Arbitration Education, April, 1993
“Damages Calculations”, FINRA Arbitration Education, February, 1993
Instructor, “Securities Arbitration - Hearing Procedure”, American Arbitration Association, 1990

ADR Teaching and Training – Mediation

20th Annual ADR Institute and Neutrals Conference, Georgia Institute of Continuing Legal Education, December, 2013
19th Annual ADR Institute and Neutrals Conference, Georgia Institute of Continuing Legal Education, December, 2012
“Lie to Me: Secrets for Negotiators, Mediators and Arbitrators”, ABA Section of Dispute Resolution, November, 2010
“Mediation Advocacy”, Georgia Institute of Continuing Legal Education, March, 2010
16th Annual ADR Institute and Neutrals Conference, Georgia Institute of CLE, December, 2009
13th Annual ADR Institute and Neutrals Conference, Georgia Institute of CLE, October, 2006
Negotiation and Conflict Resolution, Georgia Institute of CLE, February, 2006
12th Annual ADR Institute and Neutrals Conference, Georgia Institute of CLE, October, 2005
Instructor, Joint Mediator Training Program, Consortium on Negotiation and Conflict Resolution, Georgia State University College of Law, February, 2000
“Alternative Dispute Resolution”, Atlanta Bar Association, June, 1993
Completed comprehensive training course given to individuals who seek to be mediators, Resolution Resources Corporation, June, 1995
Completed mediator observation seminar, Resolution Resources Corporation, February, 1996

Professional Licenses

Member, State Bar of Georgia

Court Admissions:

Georgia, 1976

U.S. Supreme Court, 1981

U.S. Courts of Appeal for the Fifth Circuit (1979 and 1981), Sixth Circuit, and Eleventh Circuit (1981)

U.S. District Courts for the Northern District of Georgia, (1976) and Middle District of Georgia (1983)

Certified by and registered with the Georgia Office of Dispute Resolution in

areas of general mediation, arbitration, and early neutral evaluation (1996–present)

Other Professional Associations and Memberships

American Bar Association (Sections on Dispute Resolution, Litigation, Tort and Insurance Practice, Law Practice Management)
State Bar of Georgia (Sections on General Practice and Trial, Insurance Law and Legal Economics of Law)
Atlanta Bar Association (Sections on Dispute Resolution [Board of Directors, 1999-2001], Litigation, Sole Practitioner /Small Firm)
Lawyers Club of Atlanta

Additional Publications and Speaking Engagements

“Malpractice and Ethics Issues in Accounting and Auditing,” Kennesaw State University, Kennesaw, GA, November 15, 2013
“Malpractice and Ethics Issues in Accounting and Auditing,” GSCPA 2013 Accounting and Auditing Conference, Atlanta, GA, October 25, 2013
“Avoiding Liability in a Tax Practice,” GSCPA 2011 Tax Forum, Savannah, GA, December 1, 2011
“Avoiding Liability in a Tax Practice,” GSCPA 2011 Tax Forum, Atlanta, GA, November 3, 2011
“Practical Steps to Avoid Malpractice Claims,” GSCPA North Atlanta Chapter, Atlanta, GA, April 20, 2011
“Malpractice and the Compilation and Review Engagement: Practical Steps to Avoid Malpractice Claims,” GSCPA 2008 Accounting Institute, Athens, GA, October 3, 2008
“Avoiding Malpractice: Practical Steps Every CPA Can Take to Avoid Malpractice Claims”, GSCPA 2007 Accounting Institute, Savannah, GA, November 30, 2007
“Avoiding Malpractice: Practical Steps Every CPA Can Take to Avoid Malpractice Claims”, GSCPA 2007 Accounting Institute, Atlanta, GA, November 2, 2007
“How To Prevent Your Firm From Getting Into Hot Water: Practical Steps Every CPA Can Take to Avoid Malpractice Claims,” GSCPA 2006 Accounting Institute, Athens, GA, October 6, 2006
“Unique Problems in Trade Secret Litigation: Remedies and Procedural Strategies,” Atlanta, GA, June 30, 2003
“Liability Issues for CPAs”, 2002 GSCPA Accounting Institute, Athens, GA, October 18, 2002
“Limiting Legal Liability”, GSCPA North Perimeter Chapter, Atlanta, GA, December, 2000
“Avoiding Malpractice Claims Within Your Practice”, GSCPA 2000 Small Firm & Sole Practitioner Symposium, Athens, GA, October 5, 2000
“Current Topics in Accountants’ Professional Liability”, 1999 Annual Gifford, Hillegass & Ingwersen, P.C. Accounting & Auditing Seminar, Atlanta, GA, November 17, 1999
“Malpractice in the Compilation or Review Engagement”, Georgia Association of Public Accountants, Morrow, GA, September 24, 1998

“Avoiding Malpractice Claims”, Georgia Association of Public Accountants, Atlanta, GA, September, 1998

“Current Topics in Accountants’ Professional Liability”, GSCPA Decatur-DeKalb Chapter, Decatur, GA, August 25, 1998

“Implementing the New Fraud Auditing Standard”, Independent Seminar, Atlanta, GA, December, 1997

“The ‘Audit Trap’ – Avoiding Liability in Audit Engagements,” GSCPA 1997 Accounting Institute, Athens, GA, October 3, 1997

“Professional Liability”, Georgia State University Accounting Students, Atlanta, GA, February 2, 1997

“How to Avoid Professional Liability in an Accounting Practice”, National Association of Public Accountants, North Georgia Chapter, Atlanta, GA, November 25, 1996

“How to Avoid Professional Liability in an Accounting Practice”, National Association of Public Accountants, Metro (Atlanta) Chapter, Atlanta, GA, June 11, 1996

“How To Prevent Your Firm From Getting Into Hot Water: Fraud Prevention, Detection And What To Do”, South Carolina Society of CPA’s, Columbia, SC, November 17, 1995

“How To Avoid Litigation In Your Accounting And Auditing Practice”, GSCPA 1995 Accounting Institute, Athens, GA, October 6, 1995

“Malpractice and Ethics Issues in a Tax Practice”, GSCPA North Atlanta/Perimeter Chapter, Atlanta, GA, February 14, 1995

“Malpractice And Ethics Issues In Tax Practice”, Chattanooga Tax Practitioners, Chattanooga, TN, January 18, 1995

“Malpractice And Ethics Issues In Tax Practice”, North Atlanta Tax Council, Atlanta, GA, October 21, 1994

“Malpractice Exposure In Litigation Consulting Engagements”, GSCPA Committee on Litigation Consulting, Atlanta, GA, 1994

“What Happens When The Business Relationship Goes Bad”, 1994

“Liability Issues for CPAs”, GSCPA 1993 Accounting Institute, Athens, GA, October 1, 1993

“Ethics Problems in a Tax Practice”, GSCPA Atlanta Tax Forum, Atlanta, GA, January 11, 1993

“Formation, Downsizing and Dissolution of CPA Practices”, GSCPA DeKalb Chapter, Decatur, GA, November 24, 1992

“Avoiding Malpractice Claims”, GSCPA Northeast Chapter, Gainesville, GA, October 16, 1991

“Formation, Downsizing And Dissolution of CPA Practices”, GSCPA 1991 Spring Practitioners’ Forum”, Savannah, GA, May 31, 1991

“Recent Developments in Professional Liability Insurance”, GSCPA DeKalb Chapter, Decatur, GA, February 26, 1991

“Avoiding Malpractice Claims”, GSCPA Gwinnett Chapter, Duluth, GA, February 5, 1991

“Avoiding Professional Liability”, GSCPA Atlanta Chapter, Atlanta, GA, December 6, 1990

“How to Get Sued: A Review of Audit Predicaments in Which CPAs Find Themselves,” GSCPA 1990 Accounting Institute, Athens, GA, October 5, 1990

“Legal And Ethical Issues For Members In Industry”, GSCPA 1990 Spring Decision Makers Conference, Atlanta, GA, May 4, 1990

“Avoiding Professional Liability”, GSCPA Macon Chapter, Macon, GA, December 27, 1989

“Avoiding Professional Liability: Techniques to Improve Engagement Administration and Procedures”, GSCPA Atlanta Chapter, Atlanta, GA, October 26, 1989

“Avoiding Professional Liability: Techniques to Improve Engagement Administration and Procedure”, GSCPA Auditing and Accounting Seminar, Sea Island, GA, July 12, 1989

“Issues in Accountants’ Professional Liability,” GSCPA Valdosta Chapter, Valdosta, GA, December 1, 1988

“Issues in Accountants’ Professional Liability,” GSCPA Southside Chapter, College Park, GA, September 20, 1988

“Liability Issues in a Tax Practice”, GSCPA 1988 Summer Practitioners’ Forum, Atlanta, GA, August 27, 1988

“Current Developments in Accountants’ Professional Liability”, GSCPA 1987 Tax Forum, Atlanta, GA, December 13, 1987

“Current Developments in Accountants’ Professional Liability”, GSCPA 1987 Tax Forum, Savannah, GA, November 6, 1987

“Accountants’ Liability in Tax Matters”, GSCPA 1986 Tax Forum, Atlanta, GA, November 6, 1986

“Accountants’ Liability in Tax Matters”, GSCPA 1986 Tax Forum, Savannah, GA, October 30, 1986

“Current Developments in Professional Liability Insurance”, GSCPA 1986 Spring Practitioners’ Forum, Savannah, GA, May 23, 1986

“CPA’s Liability in Providing Investment Advice”, GSCPA Third Annual Tax Investment Planning Symposium, Atlanta, GA, May 2, 1986

“Current Developments in Professional Liability Insurance”, GSCPA 1985 Winter Practitioners’ Forum, Macon, GA, December 14, 1985

Civic Memberships

Harvard Club of Georgia (President 1999-2001, 2007-2008; Vice-President/Prize Book Award 1995-1999, Vice-President/Membership 2001-2002, Vice-President/Programs 2008-2010; Board of Directors, 1995-2012); Harvard Alumni Association, Southeastern Regional Director, 2001-2004; Knight Commander, Equestrian Order of the Holy Sepulchre of Jerusalem Member, Holy Spirit Catholic Church

Personal

Born March 15, 1951

Married to Teresa Wright Lightmas

Two children: Luran E. Lightmas Nichols, Lindsay A. Lightmas