

CURRICULUM VITAE
OF
JAMES M. NICHOLAS

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Florida Bar Number: 297658
Florida Mediator Number: 2414CFRA

Education: J.D. Degree received from John Marshall Law School, Chicago, IL - 1979

State Licensing: Admitted to Florida, Illinois, and Pennsylvania Bars, 1980
Admitted to the Colorado Bar, 1998
Real Estate Salesperson License, Florida, 2002
Life, Health and Variable Annuity License, Florida, 2002

Board Certification: Board Certified Civil Trial Attorney, Florida - 1989
Board Certified Circuit/County Civil Mediator, Florida - 1991
Insurance Mediator, Florida - 1991
Board Certified Family Mediator, Florida - 1992
Certified State and Federal Arbitrator, Florida - 1994
Board Certified in Business Litigation, Florida - 1995
Board Certified Appellate Mediator – 2000
Certified Residential Mortgage Foreclosure Mediator – 2010
Member of the Panel of Neutrals, American Arbitration Association
Member of The National Academy of Distinguished Neutrals
Member of The Florida Academy of Professional Mediators
Member of The Florida Circuit-Civil Mediator Society

Nature of Practice: Forty-Three (43) years of trial practice experience in all areas of civil litigation including personal injury (both plaintiff and defense), first and third-party insurance claims, owner-contractor construction disputes, employment law, and general civil corporate matters. As a former insurance claims adjuster, as well as an independent adjuster prior to law school, I have had considerable experience in handling both first party claims as well as bodily injury and wrongful death claims. My current practice consists primarily of Mediating all such matters in both Federal and State Court. Since 1991, I have mediated thousands of first party insurance claims, both Residential and Commercial, and have served as an Arbitrator on such matters as well. I have also served as an Expert Witness on the issue of reasonable attorney's fees pursuant to F.S. § 627.428 as well as Proposals for Settlements and Contractual Prevailing Party provisions.

Other experience has included business and construction litigation as well as Mediating hundreds of disputes between unit owners, developers, contractors, and Condominium Associations (pursuant to F.S. 718) and

Homeowners Associations (pursuant to F.S. 720). Of these, many of the cases have involved windstorm and flood damage claims, as well as mold remediation and general repairs secondary to various weather-related events. My experience also includes Mediating Eminent Domain issues (pursuant to F.S. 73) real estate disputes, and Probate and Estate Litigation.

Current Practice: Present percentage breakdown is as follows:

- Mediation/Arbitration – 98%
- Corporate and Misc. – 2%

Fee Schedule: Hourly rate is **\$450.00**

Mediation Fee Schedule:

\$450.00 for two party Mediations, \$500.00 for three party Mediations, and \$550.00 for four party Mediations. For any Mediation in excess of four parties, the rate will be \$150.00 per party per hour. There is a three (3) hour minimum charged for each Mediation.

Former Clients: ServiceMaster; The Terminix International Company, LP; Home Insurance Company; Truly Nolan Corp; TruGreen Chem-Lawn; Brevard Medical Centers, Inc.; Advanced Cardiology Associates, Inc.; Phar-Mor of Florida, Inc.; The Edward J. DeBartolo Corporation; Massey Services; AIG Insurance Company; Mountbatten Surety Company; Zurich Insurance Company.