

**JOHN W. FIELDSTEEL**  
**FIELDSTEEL DISPUTE RESOLUTION LLC**  
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**EDUCATION:** **DARTMOUTH COLLEGE**, (A.B. Cum Laude, with Distinction in Government Major-1972)  
**BOSTON UNIVERSITY LAW SCHOOL**, (J.D.-1976) - Recipient of American Jurisprudence Award

**PROFESSIONAL EXPERIENCE:** Founder: **Fieldsteel Dispute Resolution LLC**: January 1, 2020 to present

Founding Partner: **URBELIS & FIELDSTEEL, LLP** (and predecessor firms)-1990-2019

Consulting Attorney: **OFFICE OF THE ATTORNEY GENERAL - COMMONWEALTH OF MASSACHUSETTS** – 2002 - Provided an independent review and evaluation of possible claims under the Massachusetts False Claims Act relative to the Central Artery/Tunnel Project (the “Big Dig”).

Partner and Associate: **WITHINGTON, CROSS, PARK & GRODEN** -1980 - 1989.

Counsel to the Police Commissioner of the City of Boston - 1977 - 1980.

**Admitted to Practice:** Massachusetts - January 11, 1977; New York, 1980; U.S. District Court, District of Massachusetts, 1977; U.S. Court of Appeals, First Circuit, 1978; U.S. Court of International Trade and U.S. Claims Court, 1983; U.S. District Court, Southern and Eastern Districts of New York, and U.S. Court of Appeals for the Federal Circuit, 1984.

**Areas of Practice and/or Experience:** Dispute Resolution; General Civil Litigation; Design and Construction, Environmental, Employment, Education Insurance, Land Valuation, Municipal, Business litigation and Contract law;

**Publications and Lectures:** Lecturer: “Virtual Mediation – A Way to Resolve Construction Disputes Whose Time Has Come”, AGC of Massachusetts, March 2021; Lecturer: Maximizing the Benefits of Arbitration for Development and Construction Disputes”, Massachusetts Bar Association, June, 2018; “Best Practices for Advocates in Mediation”, Massachusetts Bar Association, December, 2017 and February, 2017; “Addressing the Challenges of Demanding Mediations”, Massachusetts Bar Association as co-sponsored by the Massachusetts Academy of Trial Attorneys and Massachusetts Defense Lawyers Association, March, 2017; “Essentials of Mediation”, Massachusetts Bar Association, January, 2017; “Collaborative Law, Case Evaluation and Hybrids: Designing the Dispute Resolution Process”, Massachusetts Bar Association, May, 2016; “Mediating with Municipalities”, Massachusetts Bar Association, May, 2016; “Best Practices in Arbitration: The Role of the Arbitrator”, Massachusetts Bar Association, March, 2016; “Reading Between the Lines: The ABC’s of Arbitration for New Practitioners”, Massachusetts Bar Association, June, 2015; “Mediation, Facilitation and Dialogue:”, Emerson College, March, 2014, February, 2013; “Preparing for Complex, Multi-Party Mediations”, Boston Bar Association, ADR Committee, Real Estate Section,

Construction Law Committee, January, 2013; “Mediating Multi-Party Cases”, Massachusetts Bar Association, Alternative Dispute Resolution Committee, November 2012; “Mediating Public Construction Contract Matters”, Massachusetts Association of Public Purchasing Officials, March, 2012; “Alternative Dispute Resolution in the Construction Industry”, Wentworth Institute of Technology, December, 2011, July, 2010 and July, 2009; “Mediation Skills Workshop for Owners, Design Professionals and Contractors”, Boston Law Collaborative, LLC, December, 2008; “The Strategic Use of Arbitration, Mediation and Litigation: Which to Use and Why”, Association of Corporate Counsel, Northeast Chapter, May, 2006; Boston Society of Architects - Build Boston: Mediating and Arbitrating Construction Disputes, November, 2001, 2002, 2003, 2004, 2005, 2008, 2009 and 2010; “Alternative Dispute Resolution in cases involving Design Professionals”, Boston Architectural Center, December, 2005; “Construction Mediation – Strategies and Tactics”, Boston Bar Association, May, 2005; “What a Construction Mediation Really Looks Like”, National Forum on Conflict Management in the Construction Industry, Orlando, Florida, November, 2004; “Innovative Techniques in the Mediation of Large and Complex Construction Cases”, Boston Bar Association, February, 2004; “Effective Construction Arbitration Advocacy”, Massachusetts Bar Association, May, 2003; Annual Professional Practice in Civil and Environmental Engineering, University of Massachusetts – Amherst: “The Role of Design Professionals as Parties and Experts in Litigation and Dispute Resolution”, April, 2003; National Contract Management Association: “Alternative Dispute Resolution”, March, 2002; Massachusetts Society of Certified Public Accountants, Litigation and Business Valuation Committee, “Alternative Dispute Resolution and Litigation”, January, 1999;

Lecturer and Co-Author: “Representing Clients in Mediation”, Massachusetts Continuing Legal Education, March, 2013; “Construction Law and Litigation”, Massachusetts Continuing Legal Education, May, 2010, and March, 2009; “Standard Form Construction Contract Documents – Mediation and Arbitration of Construction Disputes”, Massachusetts Continuing Legal Education, October, 2008; “Managing Complex Construction Law Issues”, National Business Institute, November, 2006; “Construction Law: Can This Job Be Saved?”, Lorman Education Services, November, 2004; “Construction Issues in Massachusetts”, Lorman Education Services, December, 2001 and December, 2002; “Massachusetts Construction Defect Claims”, Lorman Education Services, March, 2000 and March, 2001; “Living with Environmental Law”, Massachusetts Continuing Legal Education, 1984;

Author: “Preparing for Alternative Dispute Resolution Cases, Achieving Settlements in Mediations”, Aspatore Books, 2007; “Bridging the Information Gap in Environmental Mediation”, ADR Currents, March – May, 2001.

Co-Author: “When Does Environmental Regulation of Private Property Become a Taking and Require Compensation?”, 70 Massachusetts Law Review 72, 1985;

Faculty and Participant: American Arbitration Association – Construction Rules Revision Focus Group, September, 2014; Advanced Mediator Training, Managing the Dynamics of Large, Complex Mediations, November, 2009; Chairing an Arbitration Panel, November, 2005; Construction Arbitrator II Training: Advanced Case Management Issues, May, 2005; AAA Arbitrator Update, December, 2003.

**Professional Appointments or Certifications:** Master, Arbitrator, Auditor and/or Mediator - Suffolk Superior Court, Norfolk Superior Court, Middlesex Superior Court, Bristol Superior Court, Worcester Superior Court and Hampshire Superior Court; National Panel of Arbitrators (Construction Panel and Commercial Panel) and Mediators, Master Mediator Panel, and Panel of Arbitrators for Large, Complex Cases - American Arbitration Association ([www.adr.org](http://www.adr.org)); International Mediation Institute, The Hague, Netherlands – was Certified as Mediator; Real Estate and Construction Panel for Arbitrators and Mediators, Mediation Works, Inc., and serves as a mediator and/or arbitrator for cases administered by New England Dispute Resolution and Resolute Systems, Inc. Former member of Regional Panel, Construction ADR Panel and Insurance/ Policyholder Coverage Panel – International Institute for Conflict Prevention & Resolution; Former Associate Town Counsel - Town of Bourne; Certification of Completion of Mediation Training – Metropolitan Mediation Services.

**Sample of Cases Where has Served as Mediator, Arbitrator, or Umpire:** Has served as an arbitrator, mediator, referee, auditor, and/or umpire in approximately 1,800 or more design/construction, environmental, land use, contract, insurance, professional liability, product liability, subrogation, property damage and valuation, employment, and business disputes cases throughout New England, New York, Pennsylvania, Washington, DC, Wisconsin, and Florida, as well as involving parties in Europe and Asia. The design/construction cases have involved residential, commercial, industrial, and public works projects, including a major artery and tunnel project, a major public-private partnership involving a Federal interstate highway and bridge project, and construction projects relating to colleges and universities, public and private secondary schools, elementary schools and pre-schools, office parks, medical facilities and hospitals, condominiums, solar facilities, sewer treatment plants and systems, landfills, power plants, roads, bridges, utility systems and energy services contracts for Federal, state and local governmental entities, and as such, have required the interpretation of Federal, state and local procurement and contracting statutes and regulations and the handling of complex insurance coverage issues. Many of these cases have involved multiple parties, including from ten to over thirty parties. These cases have involved professional liability claims against design professionals for errors and omissions, in addition to contract claims by and among owners, general contractors, subcontractors, sureties and material suppliers. These public and private construction cases, including many cases with federal, state and local owners, as well as public-private partnerships, involved claims relating to delay, disruption and interference of work, wrongful termination, and included issues relating to site work, masonry, MEP, fire protection, HVAC, and geothermal systems, co-generation systems, roofing, structural steel, welding, siding, windows, EIFS, insulation, painting, tile, wood paneling and other trades and including product liability claims. Some cases involved environmental claims relating to hazardous materials and oil and asbestos and errors and disputes over payment of environmental response costs. Some cases have involved claims of wrongful termination, claims against unions by members and/or officers, and claims relating to failure to pay compensation or commissions and disputes among owners and/or partners of closely held businesses and contracts involving the oil and gas industry. Some cases have also involved claims of malpractice and/or errors and omissions by attorneys, accountants and real

estate agents and brokers and all aspects of surety and insurance coverage and subrogation claims. Some cases have also involved disputes arising out of real estate development and lease agreements, as well as petitions to partition real estate, prescriptive easement and adverse possession claims, zoning, and land use disputes. Has served as an umpire in cases involving insurance coverage and insolvency issues and valuation of damages issues. Many cases involved claims of \$1,000,000 to greater than \$100,000,000.

**Case as Member of Dispute Review Board:** Appointed as Chairman of a Dispute Review Board relative to a major site development project. The matter was converted to an arbitration and was resolved.

**Sample of Cases as Master:** Served as a Court-Appointed Master in cases involving construction of the Deer Island Treatment Plant for the Boston Harbor Cleanup, the Hynes Auditorium, as well as public housing developments and public schools.

**Case as Special Auditor:** Served as a Special Auditor in a case involving approximately 83 potential claims arising out of a fire loss at a warehouse facility. Findings were confirmed by the Norfolk Superior Court.

**Case as Facilitator:** Served as a Facilitator for the Commonwealth of Massachusetts Division of Capital Asset Management and Maintenance and a Construction Law Working Group of approximately 60 members and a small working group of approximately 20 members meeting to discuss possible revisions to public construction laws, regulations and practices. The Construction Law Working Group contained representatives from many public and private entities involved in all aspects of the construction process, including owners, design professionals, general contractors and construction managers, owners project managers, subcontractors and union representatives.

**MEMBERSHIPS:** Member - Massachusetts Bar Association – Former Member of Dispute Resolution Section Council and Chair of the Best Practices Committee. Needham Education Foundation - Board of Directors, 1997-2000

**REFERENCES:** References will be furnished upon request.

**HONORS:** Repeatedly selected for inclusion in The Best Lawyers in America – Alternative Dispute Resolution, and as a New England Super Lawyer – Alternative Dispute Resolution, a Massachusetts Super Lawyer – Alternative Dispute Resolution, and in Super Lawyers, Corporate Counsel Edition – Alternative Dispute Resolution, The Boston Globe's Boston's Best Lawyers – Alternative Dispute Resolution, and Highest Peer Review Rating (AV Preeminent) by Martindale-Hubbell; Inducted into the National Academy of Distinguished Neutrals.

**JOHN W. FIELDSTEEL**

is recognized as  
a Member of



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DISTINGUISHED NEUTRALS

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