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

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.

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: Alternative Dispute Resolution; General Civil Litigation; Design and Construction law; Environmental law; Employment law; Education law; Insurance law; Land Valuation law; Municipal law; Business litigation and Contract law;

Publications and Lectures: Lecturer: “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 and Panel of Arbitrators for Large, Complex Cases - American Arbitration Association (www.adr.org); International Mediation Institute (www.imimmediation.org), The Hague, Netherlands – Certified as Mediator; Real Estate and Construction Panel for Arbitrators and Mediators, Mediation Works, Inc. (www.mwi.org); 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, referee, auditor, umpire and/or mediated numerous design/construction, environmental, land use, contract, insurance, professional liability and other business disputes cases throughout New England and New York. The design/construction cases have involved residential, commercial, industrial and public works projects, including a major artery and tunnel project and construction projects relating to colleges, public schools, office parks, sewer treatment plants and systems, landfills, power plants, roads, utility systems and energy services contracts for municipal and state facilities. 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. Some cases have also involved claims of malpractice and/or errors and omissions by attorneys, accountants and real estate agents and brokers. All aspects of surety

and insurance coverage, claims and defenses issues, as well as the private and public construction process, have been involved in these cases, including many claims relating to delay, disruption and interference of work, wrongful termination and/or abandonment of the project, and site work, utility and heavy construction projects and vertical construction projects involving site work, masonry, mechanical, electrical, plumbing, heating, ventilating, and air conditioning controls and systems, including geothermal systems, co-generation systems, roofing, siding, windows, caulking and sealing, EIFS, insulation, painting, tile, wood paneling and other disciplines and trades. Some cases involve environmental claims relating to hazardous materials and oil and asbestos and alleged errors and omissions of design professionals 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. Some of these cases have also involved disputes arising out of real estate development agreements and disputes between real estate brokers and sellers, and/or buyers, between landlords and tenants, petitions to partition real estate, zoning and land use disputes and commercial disputes arising out of corporate acquisitions. Many cases also have involved bankruptcy issues and claims by and against bankrupt entities. Has served as an umpire in cases involving insurance coverage issues and valuation of damages issues and as a mediator in a case involving a bankrupt insured and claims in excess of applicable policy limits. Since these cases are all private mediations and arbitrations, parties cannot be identified, but many cases involved claims well in excess of \$1,000,000 to greater than \$100,000,000.00

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 Master in cases involving disputes relating to the construction of the Deer Island Treatment Plant for the Boston Harbor Cleanup and the construction of 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. Determined fair market value of all such claims. 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:

Massachusetts Bar Association – Civil Litigation Section – ADR Committee
Boston Bar Association – ADR and Construction Subcommittees
Needham Education Foundation - Board of Directors, 1997-2000

REFERENCES:

References of counsel participating in prior arbitrations, mediations, facilitations and master's hearings 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.