

MEDIATION
RESUME

MICHAEL F. KINNEY

Born: June 3, 1946

Residence: 555 Riverfront Plaza, Suite 903
Omaha, Nebraska 68102

Office: Cassem, Tierney, Adams, Gotch & Douglas
9290 West Dodge Road, Suite 302
Omaha, Nebraska 68114

Family: Married. Four children.

Education: Heelan High School, Sioux City, Iowa (1964);
Rockhurst College (1964-66);
University of Iowa, B.S. in psychology (1968);
University of Iowa, J.D. (1971), with distinction.

Professional Experience:

Associate: Bellen, Belli, Bailey & Ingram, Saigon, Viet Nam (1971).

Associate: Cassem, Tierney, Adams & Henatsch, Omaha,
Nebraska (1971-1976).

Partner: Cassem, Tierney, Adams, Gotch & Douglas, Omaha,
Nebraska (1976-present).

Professional Memberships/Activity:

Omaha Bar Association (1971-present) (first chairperson of Canon
8 Committee, formed to defend the judiciary from inaccurate or
unfair criticism by the media, 1975-1982); on Executive Committee
of Omaha Bar Association (1998-2005); President of Omaha Bar
Association 2003-04.

Nebraska State Bar Association (1971-present); (member of the
Supreme Court subcommittee on Practice and Procedures, 1978-
1980); Executive Committee of NSBA (2007-2011); President of
NSBA (2009-2010).

Iowa State Bar Association (1971-74; 1993-2019).

American Bar Association (1974-present).

Fellow in the American College of Trial Lawyers; (1996-present);
State Chair (2004-2006); Regent (2011–2015).

Fellow in the International Academy of Trial Lawyers (2004-present).
State Chair (2007-present).

Fellow in the Nebraska State Bar Foundation (1999-present).
Member of Board of Directors (2008 – 2014).

Member of NADN (National Academy of Distinguished Neutrals)
(2014-present).

Honors & Awards:

Recipient of Nebraska Lawyer Foundation's Visionary Award
(2015) for establishment of SOLACE Program.

One of Nebraska's Top Ten Super Lawyers (2012). Included in
Super Lawyers listing annually (2007 – present).

Selected for inclusion in 2022 edition of *Best Lawyers in America* in
practice areas of:

- Arbitration
- Bet-The-Company Litigation
- Commercial Litigation
- Mediation
- Medical Malpractice Litigation (defendants)
- Personal Injury Litigation (defendants)
- Personal Injury Litigation (plaintiffs)
- Product Liability Litigation (defendants)
- Product Liability Litigation (plaintiffs)

Best's Lawyer of the Year (Mediation – Omaha) 2013, 2022

Best's Lawyer of the Year (Arbitration – Omaha) 2012, 2014, 2019

Best's Lawyer of the Year (Bet-The-Company – Omaha) 2016

Best's Lawyer of the Year (Medical Malpractice-Defendants-
Omaha) 2017

Best's Lawyer of the Year (Personal Injury Litigation-Defendants-
Omaha) 2020

Civic Positions/Activity:

Member of the Papillion-LaVista, Nebraska School Board (1979-
1985).

Member of the Nebraska Accountability and Disclosure Commission (NADC) (1986-1997).

Actively participated in Council on Governmental Ethics Laws (1989-1995). COGEL is an organization of international membership which addresses topics such as ethics, election laws, campaign financing, campaign reform, lobbying laws, freedom of information, etc.; served on the Steering Committee for three years, including Treasurer for two years.

Member of the Board of Directors of Fontenelle Forest Association (1993-1995).

Court Appointed Special Advocate (CASA) (2000-2013).

Member of Board of Directors of Nebraska Eye Bank (2003-2009).

Member of Bellevue Housing Authority (2005-2013).

Member of the Nebraska Board of Mental Health Practice (2004-2014).

Member of Bellevue Public School Board (2013-2017).

Member of Lift Up Sarpy County Board (2013-present).

Mediation Experience

Voted by peers as Lawyer of the Year (Omaha) in 2012, 2014 and 2019 in *Best Lawyers* in the field of Arbitration, Lawyer of the Year (Omaha) in 2013 and 2022 in the field of Mediation, Lawyer of the Year in 2016 (Omaha) in the field of Bet-the-Company Litigation, Lawyer of the Year in 2017 (Omaha) in the field of Medical Malpractice-Defendants and Lawyer of the Year in 2020 (Omaha) in the field of Personal Injury Litigation-Defendants.

I have limited my law practice to trial work and spent 43 years litigating lawsuits.

I served as a part time mediator starting in the Fall of 2007 and full time mediator since 2014. I have mediated over 850 cases in that time. Successful mediations include:

- A nine party, two-day chemical burn case;

- A six party HVAC dispute;
- Architectural/design engineering disputes;
- Annuity Investment/tax advice dispute;
- Auto/truck accidents;
- Bankruptcy “claw back” claims;
- Business Interruption Insurance coverage dispute;
- Business “divorces”
- Board fiduciary disputes;
- Bullying claims;
- Catastrophic personal injury litigation;
- Cattle feed toxicity lawsuit;
- Closure of business litigation;
- Commercial landlord/tenant disputes;
- Construction accident disputes;
- Construction project claims (residential and commercial);
- Consumer Fraud Claim Act;
- Corporate dissolution disputes;
- Defective key encryption product re: credit/debit card usage;
- Dental malpractice;
- Dissolution of marriage;
- Distributorship agreement dispute;
- Employment discrimination cases;
- Employment non-compete disputes;
- Estate disputes;
- Excess verdict
- Fair Housing Act claims;
- Farm equipment accidents;
- FELA lawsuits;
- Fire losses;
- Fraudulent conveyance disputes;
- Grain bin failures;
- Hail damage claims;
- Homeowner insurance coverage;
- High school basketball teammates who couldn’t play together;
- Insurance coverage disputes (life, long term care, underinsurance, general liability);
- Landlord/Tenant disputes;
- Legal malpractice;
- Long Term Disability coverage dispute;
- Mechanical boiler failure;
- Medical malpractice;
- Nursing Home malpractice;
- Partnership dissolution disputes;
- Personal guarantees on business transactions;
- Premises liability;

- Probate/estate distribution disputes;
- Product liability disputes;
- Professional fees disputes;
- Real Estate disputes;
- Recreational liability disputes;
- Roofing failure disputes;
- Slip and fall litigation;
- Spectator injuries at track meet;
- Spectator injuries at tractor pull competition;
- Spector injuries at speed boat races;
- Suicide litigation;
- Theft coverage dispute;
- Tortious Interference disputes;
- Trademark/copyright disputes;
- Trusts;
- Web page design litigation;
- Will contests;
- Workers' Compensation disputes between employer/employee
- Workers' Compensation lien claims;
- Workers' Compensation vs "Fund" distributions;
- Wrongful death litigation;
- Zoning.

Rate

\$375.00/hr