

MEDIATION
RESUME

MICHAEL F. KINNEY

Born: June 3, 1946

Residence: 505 Ridgewood Drive
Bellevue, Nebraska 68005

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-present).

American Bar Association (1974-present).

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

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).

One of Nebraska's Top Ten Super Lawyers (2012).

Selected for inclusion in 2014 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)
- Lawyer of the Year (Mediation – Omaha) 2013
- Lawyer of the Year (Arbitration – Omaha) 2012, 2014
- Recipient of the Nebraska State Bar Association's
"Visionary" Award (2014)

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-present).

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-present).

Mediation Experience

Voted by peers as Lawyer of the Year in 2012 and 2014 in *Best Lawyers* in the field of Arbitration, and Lawyer of the Year in 2013 in the field of Mediation for Omaha, Nebraska.

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

I have served as a mediator since the Fall of 2007. I have mediated over 225 cases in that time. Successful mediations include:

- A nine party, two-day chemical burn case;
- A six party HVAC dispute;
- Annuity Investment/tax advice dispute;
- Auto/truck accidents;
- Bankruptcy "claw back" claims;
- Board fiduciary disputes;
- Cattle feed toxicity lawsuit;
- Closure of business litigation;
- 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;
- Fair Housing Act claims;
- FELA disputes;
- Fire losses;
- Fraudulent conveyance disputes;
- High school basketball teammates who couldn't play together;
- Insurance coverage disputes (life, long term care, underinsurance, general liability);
- Legal malpractice;
- Medical malpractice
- Nursing Home malpractice;
- Partnership dissolution dispute;
- Personal guarantees on business transactions;
- Personal guarantees on notes;
- Probate/estate distribution disputes;
- Product liability disputes;
- Professional fees disputes;
- Slip and fall litigation;
- Suicide litigation;
- Trademark/copyright disputes;
- Web page design litigation;
- Will contests;
- Wrongful death lawsuits;