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Attorneys at Law

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Edwin Cassem (1902-1980)  
Lawrence J. Tierney (1908-1999)  
Robert K. Adams (1911-2003)  
Daniel J. Duffy (1942-2011)  
John R. Douglas (Retired)  
Theodore J. Stouffer (Retired)  
Patrick B. Donahue (Retired)

\*Also Admitted In Iowa

**M E D I A T I O N  
R E S U M E**

**MICHAEL F. KINNEY**

**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); Executive Committee of  
Omaha Bar Association (1998-2005); President of Omaha Bar  
Association 2003-04.

Nebraska State Bar Association (1971-present); 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). 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 (2013-2021).

### Mediation Experience

I limited my law practice to trial work and spent 43 years litigating lawsuits. I now limit my practice solely to mediations.

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 seven party farming grain bin dispute of seven years duration;
- A six party HVAC dispute;
- Architectural/design engineering disputes;

- Annuity Investment/tax advice dispute;
- Auto/truck accidents;
- Banking disputes;
- 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;
- Farm partitions;
- FELA lawsuits;
- Fire losses;
- Franchise Ownership;
- Fraudulent conveyance disputes;
- Grain bin failures;
- Hail damage claims;
- Homeowner insurance coverage;
- High school basketball teammates who couldn’t play together;
- HOA, Covenant Disputes;
- 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;
- Podiatry Malpractice;
- Premises liability;
- Probate/estate distribution disputes;
- Product liability disputes;
- Professional fees disputes;
- Promissory notes and personal guarantees;
- Real Estate disputes;
- Recreational liability disputes;
- Roofing failure disputes;
- Slip and fall litigation;
- Spectator injuries at track meet;
- Spectator injuries at tractor pull competition;
- Spectator 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;
- Wrongful resuscitation;
- Zoning disputes.

Rate

\$395.00/hr