



William E. Hartgering, Esq.

William E. Hartgering, Esq., a full-time mediator and arbitrator since transitioning from law practice in 1981, established the Chicago JAMS/ENDISPUTE office in 1982. His experience includes the resolution of over 1,000 matters arising in 50 states and foreign countries, appointments by federal and state judges in 10 states, co-mediations with a sitting federal judge and a variety of experts, panel arbitrations with former judges, as well as training with state, federal, and foreign governments in Asia and Europe.

Over the last 26 years, counsel and their clients attribute Bill's success with particularly difficult issues to an "unusual mix of skills and style: he is intelligent yet very engaging, patient yet tenaciously persistent, and has the ability to be creative, facilitative as well as an effective evaluator." "Bill has the following in abundance: humor, infectious outward optimism in the face of difficult obstacles, tirelessness in trying to make the mediation succeed, as well as objectivity."

ADR Experience and Qualifications

His time in the ADR field has provided substantial experience in a wide range of matters. He has had the opportunity to mediate or arbitrate virtually every kind of dispute.

- **References. National:** 30 states/75 cities/300 people; **Chicago:** 130 firms/260 people. The list is detailed, the best reference is candid information from someone you know.
- **Accounting/Finance.** Merger & acquisition financing, holdback disputes; FDIC/RTC financing, insured bank closures, sub prime litigation, accounting, legal and D&O financing, liability issues
- **Banking.** Numerous FDIC/RTC matters, credit card issues, alleged fraud involving complex loans
- **Business/Partnership.** Sale/merger and dissolution of companies, professional family held firms
- **Class Actions.** 15 representative matters under RESPA and other state and federal statutes, employment, condominium, nationwide product liability involving computers and marine engines
- **Education/Schools.** Representative matters involving university/high school tenure, wrongful discharge; international and other professional trainers; software packages
- **Energy.** (See Utility/Energy)
- **Environment.** 25 Superfund, waterways, problems with mandated cleanup, and related allocation matters/13 states
- **Franchise/Dealer/Manufacturer.** Add point/termination/chargeback Magnuson/Moss issues/12 states
- **Healthcare.** HMO/hospital/physician managed care, patient insurance, and coverage issues
- **International.** Matters directly involving international parties re wine distribution, software, patents, component parts, construction defect, product liability, alleged "copying," and employment issues
- **Personal Injury/Torts.** Very public individual/multiple death, fire explosion, substantial property loss, product liability multi-car/train/bus/airplane accidents, individual horrendous burn, paraplegic cases
- **Public Issues and Policy.** 50 representative matters/20 states and foreign countries
- **Securities.** Matters arising in 13 states involving 10b5, fraud, churning, inappropriate trades
- **Surety, Fidelity, and Related Bond Issues.** Construction, banking, securities dealers, employment
- **Transportation.** Matters involving 5 national railroad lines, interstate trucking, helicopters, small aircraft, and construction and related issues at 5 international airports
- **Utility/Energy.** Member, ADR utility panels; mediations re allocation of outage payments and damages, nuclear, cogeneration, turbine, coal power plant construction, wind turbine disputes, and hydro dam failures

Representative Matters

Bill has particular expertise with multi party, sensitive material, significant emotion, or "bet the business" cases. "I credit his success to his personality -- you can't help but to like the guy -- he's very trustworthy, has a high standard of ethics, and his insight into people is phenomenal. He knows what buttons to push, when to push them, and how hard. He simply understands people." "He goes to great pains to honor confidences when disclosing information."

- **Arbitrations.** \$8 figure automotive product, \$7 figure power plant and sports stadium construction, bitter employment, European real estate franchise rights, \$8 figure Superfund environmental allocation

T: 312-655-0555
F: 312-655-0644

"Bill is an extraordinarily quick study, who thoroughly prepares and thus is very credible in the discussion of strengths and weaknesses.

He understands my business, the law and kept us focused on the practical issues driving our dispute."

*from Feedback: Secrets of Successful (& Unsuccessful) Mediators 2007 Studies II and III**

Case Manager

Deborah Stewart
71 S. Wacker Drive
Suite 3090
Chicago, IL 60606
312-655-9192 Phone
312-655-0644 Fax
Email:
dstewart@jamsadr.com

- **Antitrust.** Concert promoter/radio station owner: essential facilities, tying, monopolization issues
- **Business/IP.** Ownership of rights to well known advertising mascot
- **Condominiums.** Century old 100+ unit building cracks open during adjacent excavation.
- **Construction Defect.** 33 parties, 32-story building failure, \$42M damages/coverage issues; public/private construction: tunnel/highways, stadiums, airports, universities, high end apartments, sewage treatment: Boston, Tampa, Chicago, Denver, Detroit, Cleveland, Milwaukee, Chicago, Ann Arbor, South Bend, Champaign
- **Employment.** Unique workplace situations involving egregious harassment, assault, allocation of substantial bonuses, and nudity at high level corporate meetings
- **Energy/Strategic Petroleum Reserve/Multiple Energy Sources.** Mediation involving oil stored in Louisiana salt mines, nuclear, coal, cogeneration, dams, recycled wood plants, and wind turbines
- **Environment.** EPA Superfund, allocation of \$40-70M clean up costs: 50-year-old chemical plant site
- **Oil Spill/Disputed Boundary Waters.** Direct mediation training assistance to two European governments in the shadow of unsuccessful treaty negotiations; 9 Michigan Site Defective Fuel Containment System
- **Family Business.** \$8 figure claim, two families, difficult management, and sensitive personal issues among co-founders helped refocus one of the largest and fastest growing U.S. furniture manufacturers
- **Franchise.** 21 Store, 15 party, \$25M bitter dispute included several banks, 20+ transactions
- **Healthcare.** Bitter claims against HMOs/nursing homes: denied treatment, suicides after discharge
- **Insurance Coverage/Prosecution.** Beefy Fries: 5 carriers, layers of coverage, food content issue. Insurance prosecution: \$14M failure of 80-year-old life insurance firm, 15 parties in 3 courts
- **Environment.** EPA Superfund, allocation of \$40-70M clean up costs: 50-year-old chemical plant site
- **Intentional Torts.** Murder of son by mother, suit against mental health professionals: Alleged assault of female patient; Multi-car, Interstate crash in the fog/drunken driver, assets beyond insurance
- **Intellectual Property** Co-Mediation with sitting Federal Judge: Complex, bitter patent matter involving infringement, patentability, claims construction, "inventor," and related issues
- **Securities.** Series of coverage and related matters arising out of massive fraud by indicted lawyer who escaped prosecution, changed identities, and defrauded hundreds of clients and their firms
- **Tax/IP.** IRS/Third party client mediation of a novel issue involving potential source code disclosure
- **Wrongful Death/Public.** Mediating in the press under a cloud of potential criminal indictments/13 parties, 8 figure claim, very public mediation of a wrongful death, public construction project

Honors, Memberships, and Professional Activities

- Former Faculty: Northwestern University Kellogg School of Management and The School of Law (Adjunct). Trainer: 30 forums in 15 states, Hong Kong, Latvia, and Lithuania
- Member, Regional Utility Mediation/Arbitration Outage Allocation Panels
- Active in ABA Section of Dispute Resolution and SPIDR (now ACR), since 1981
- Recommended "Leading Lawyer" Commercial ADR Law
- Unitarian Church of Evanston

Background and Education

- J.D., Northwestern University (*Law Review*, First Place, Moot Court Competition; National Moot Court team), 1975
- B.S., *cum laude*, Political Science, Claremont McKenna College, Claremont, CA, 1972
- Born 1949, Two children, Extensive travel in Japan, Hong Kong, South Africa, Asian/European Russia, Eastern/Western Europe, Caribbean, Central America, and each of the 50 United States

Download Mr. Hartgering's [national references](#) and [complex matters biography](#).