



AAA Mediation.org™

Patrick R. Burns, Esq.

Minneapolis, Minnesota

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Current Employer-Title Owner - Burns Law Firm PLLC
Owner and panelist - ValueSolve ADR LLC

Panelist Video <https://www.adr.org/videoresume?paramName=294118293>

Profession Lawyer, Arbitrator, Mediator, Special Master

Work History Owner, Burns Law Firm PLLC, 2010 – present; Owner and Panel Member, ValueSolve ADR LLC, 2010 - present; Adjunct Professor (Arbitration), University of South Dakota School of Law, 2007 – 2017; Regular Presenter and Faculty, Minnesota CLE on ADR and other legal areas, 2005 – Present; Attorney, Dady & Gardner P.A., 2008 – 2010; Vice President, American Arbitration Association (AAA), 2005 - 2008; Attorney, Bassford Remele P.A., 2003 – 2005; Captain and Judge Advocate (JAG), The United States Army – Honorable Discharge, 2001 – 2003; Adjunct Professor – Speech Communication, University of South Dakota, 2000.

Experience Focuses practice on ADR and civil litigation. Licensed to practice law in Minnesota, North Dakota, Wisconsin and South Dakota. Hired as expert witness and case consultant nationally for arbitration law and procedure matters. Volunteer mediator through the Minneapolis Department of Civil Rights and Hennepin County District Court. Former vice president of the Minneapolis office of the American Arbitration Association (AAA). Served on active duty as an officer and trial lawyer in the Army JAG Corps. Earned B.S., M.P.A. and J.D. degrees from the University of South Dakota, and is an adjunct professor of law. Past-chair of the Minnesota State Bar Association Alternative Dispute Resolution Section. Earned a master of laws (LL.M) degree in Dispute Resolution from the Pepperdine School of Law Straus Institute for Dispute Resolution in Malibu, California.

Experience as a trial lawyer handling criminal defense, business, personal injury, construction, real estate, insurance, commercial, franchise and employment matters in state and federal courts, military courts and in arbitration. Experience handling business, consumer, debt, creditor, banking, franchise (franchisee, franchisor and franchise association), dealer, manufacturer and construction-related matters. Clients include individuals, businesses, non-profit groups and U.S. military service members and veterans. Represents parties in mediations and arbitrations and in federal and state courts. Has tried jury and bench trials and arbitrations.

Representative litigation and neutral (as mediator or arbitrator) experience includes corporate and partnership governance disputes, fraud, arbitration procedure issues, disputes concerning nonprofits and enforcement of state and federal franchise laws, commercial contracts, farmer-lender issues and bankruptcy, unfair competition litigation, fast food, medical, health, agricultural and intellectual property disputes; disputes concerning sales of businesses, and among association and membership organizations; negligence claims, real estate & disclosure, franchise and dealership litigation; breach of warranty, misrepresentation, services contracts, intellectual property (IP), personal injury, covenants not to compete/non-competes, computer and software issues, licensing and professional

malpractice, automobile and truck, sales, design, equipment, manufacturing and supply issues; disputes concerning commercial and residential real estate sales and leases; insurance coverage and employment disputes; agricultural, business dissolution, civil rights, construction, consumer fraud, religious, cross cultural, employment, family-held businesses, health care, local government/municipality, veteran, disability, military, Native American, non-profit organizations, nursing homes, partnerships, police, labor/union, professional fees, professional malpractice, property damage, public policy, religious institutions, shareholder disputes, sports, and torts.

Teaching Positions:

- * University of South Dakota School of Law, Adjunct Professor, Arbitration, 2007 - 2017
- * Regular presenter and faculty for Minnesota CLE on ADR and other legal areas, 2005-Present
- * Trained arbitrators and mediators nationally for the American Arbitration Association's continuing education program for neutrals, 2005-2008.
- * Staff instructor for AAA Commercial Arbitration Training, 2005-2008
- * University of South Dakota, Adjunct Professor, Speech Communication, 2000.

Mediator Experience

Selection by judges, lawyers and litigants as a mediator in private and court-referred mediation. American Arbitration Association (AAA) national panel mediator. Qualified neutral under Rule 114 of the Minnesota General Rules of Practice for Civil Adjudicative/Evaluative and Civil Facilitative/Hybrid processes. One of only three International Mediation Institute (IMI) Certified Mediators in Minnesota. Minneapolis Department of Civil Rights Mediation Panel (mediator). Hennepin County District Court Mediation Pilot Project (mediator).

Active in establishing pro bono mediation program in Hennepin County. Appointed as mediator by Hennepin County District Court in numerous pro bono matters. Mediator for the Minneapolis Department of Civil Rights.

**Representative Issues
Handled as a Mediator**

Retained and serves as a neutral for a wide range of disputes. Representative examples in the past five years include claims of breach of contracts for sales of goods and services; disputes arising from sales of businesses; disputes concerning real estate sales, leases, financing and related issues; construction disputes; partnership disputes; commercial and consumer lending disputes; civil rights violation disputes; employer-employee termination-related litigation; consumer/debtor-financing agency disputes concerning payments, defaults, security, etc.

**Mediator Style & Process
Preferences**

Mediation is a tool that facilitates and assists parties in exploring and identifying areas of agreement and building on those areas to reach settlement. The mediator's role is to facilitate a party-driven process in a manner that is mindful of their unique goals. I listen to the parties and will conduct a mediation in a manner that they agree upon, rather than imposing one method or style on them.

Technology Proficiency

Regularly conduct hearings via Zoom and other virtual medium.

Education

Pepperdine University School of Law Straus Institute of Dispute Resolution (LLM, Dispute Resolution - 2015); The Judge Advocate General's School of the Army, Charlottesville Virginia (Graduate - 2001); United States Army Airborne Infantry School, Fort Benning, Georgia (Graduate - 2001); University of South Dakota (Juris Doctor; Editor, "South Dakotan Lawyer," Assistant to the Dean - 2000; Master of Public Administration, Graduate Assistant to the Vice President of Academic Affairs - 2000; Bachelor of Science, Philosophy and Speech Communication - 1993).

Professional Licenses

Admitted to the Bar: North Dakota (2016), Wisconsin (2004), Minnesota (2004), South Dakota (2000); Cheyenne River Sioux Tribal Court; U.S. District Court: District of Minnesota, District of South Dakota, Northern District of Illinois, and Western District of Oklahoma; U.S. Courts of Appeals: Armed Forces, Seventh and Eighth Circuits; U.S. Army Court of Criminal Appeals.

Professional Associations

International Mediation Institute (IMI) Certified Mediator; National Academy of Distinguished Neutrals (NADN), Minnesota Chapter (Charter Member and Executive Committee Member); South Dakota Department of Agriculture Farmer-Lender Mediator; The Minnesota State Bar Association (ADR Section, Past Chair; Civil Litigation Section); Hennepin County Bar Association (HCBA Mentor Program participant; Leaders Impacting the Non-Profit Community [LINC] Graduate, Legal Fee Arbitration Committee, Chair); University of St. Thomas School of Law (Mentor Program participant); The State Bar of South Dakota (ADR Committee); The State Bar of Wisconsin ("Lawyer-to-Lawyer" volunteer).

Other: City of Lakes Rotary Club, Minneapolis, Minnesota (International Service, Community Service and Youth Exchange Committees); Victory Memorial Drive Task Force, Minneapolis, Minnesota (by appointment); Victory Neighborhood Association, Minneapolis, Minnesota; Minneapolis Public Schools (Volunteer); Bob Burns Dakota Bowl Committee, Sioux Falls, South Dakota.

Recent Publications & Speaking Engagements

Faculty, Certified Civil Arbitration Training, Minnesota CLE, Minneapolis, Minnesota, November 11, 2013; "Hot Topics in Arbitration and Practice Tips for Advocates and Arbitrators," Minnesota ADR Institute, October 2013; Co-Chair and Presenter, 15th Annual Minnesota ADR Institute, 2012; Presenter, Minnesota CLE webcast "New Law: Arbitration Trends and 2012 Federal Case Law Update"; Presenter, "What's So Funny About Peace, Love and Alternative Dispute Resolution Done Ethically?" Minnesota CLE Webcast, May 18, 2012; "Monday Mornings with the Mediators," Webcast Series ("Mediation Basics for Advocates and Neutrals," "Beyond Rule 114 - Efficient, Effective, and Affordable Mediation," and "Do You Really Want to Settle? Effective Mediation Advocacy"), Minnesota CLE, Minneapolis, Minnesota, April 11, May 9, June 20, 2011; Faculty, Certified Civil Arbitration Training, Minnesota CLE, Minneapolis, Minnesota, December 14, 2010; Faculty, "13th Annual ADR Institute," Minnesota CLE, Minneapolis, Minnesota, October 29, 2010; Faculty, Certified Civil Arbitration Training, Minnesota CLE, Minneapolis, Minnesota, June 16, 2010; Franchise Law Webcast Series ("The Accidental Franchise," "Disclosure and Registration," "Minnesota Franchise Relationship Law"), Minnesota CLE, Minneapolis, Minnesota, April, May and June, 2010; "Elder Mediation and Alternative Dispute Resolution," Elder Law Forum (guest on regional radio program broadcast in seven states) WNAX-AM, Yankton, South Dakota, November 15, 2009; "Arbitration," Hamline University School of Law, St. Paul, Minnesota, April 1, 2009; "Arbitration," Ramsey County Bar Association, St. Paul, Minnesota, March 27, 2009; "Arbitration," ADR Seminar, Hamline University School of Law, St. Paul, Minnesota, March 9, 2009; "Tips for Choosing an Arbitrator," ADR Section of the Minnesota State Bar Association, Minneapolis, Minnesota, February 10, 2009; "Mediation and Conflict Resolution," Bethel College, St. Paul, Minnesota, November 1, 2007; Faculty, "10th Annual Minnesota ADR Institute," Minnesota CLE, Minneapolis, Minnesota, October 19, 2007; "Drafting Arbitration Clauses," Minnesota CLE webcast, Minneapolis, Minnesota, October 18, 2007; "Ask the Mediators: Candid Advice on What Works and What Doesn't," Hennepin County Bar Association, Minneapolis, Minnesota, September 27, 2007; "Ethics in Arbitration," Minnesota CLE webcast, Minneapolis, Minnesota, September 20, 2007; "The American Arbitration Association in 2007: Leaders in Dispute Resolution," Hamline University School of Law, Saint Paul, Minnesota, September 4, 2007; "Using Arbitration to Resolve Intellectual Property Disputes," Minnesota CLE webcast, Minneapolis, Minnesota, August 16, 2007; "Minnesota No-Fault Arbitration - Current Topics and Trends from Three Perspectives," Minnesota CLE webcast, Minneapolis, Minnesota, July 19, 2007; "Drafting International Dispute Resolution Clauses & Working with a Third-Party ADR Administrator," American Arbitration Association, Minneapolis, Minnesota, July 20, 2007; "Alternative Dispute Resolution," South Dakota Bar Convention, Aberdeen, South Dakota, June 21, 2007; "Arbitration Fundamentals & Best Practices for New American Arbitration Association Arbitrators," AAA, Minneapolis, Minnesota, June 5 & 6, 2007; "Designing an Effective Employee Dispute Resolution Program," Society of Human Resource Managers (SHRM), Elk River, Minnesota, April 11, 2007; "Online Dispute Resolution Solutions," Hamline University School of Law, Saint Paul, Minnesota, March 28, 2007; "What Clients Need to Know About Intellectual Property Arbitration," Merchant & Gould/Lindquist & Vennum, PLLP, Windows on Minnesota, Minneapolis, Minnesota, November 8, 2006; Faculty, "9th Annual ADR Institute," Minnesota CLE, Minneapolis, Minnesota, October 20, 2006; "Fundamentals of ADR in North Dakota - Leading the Way in the 21st Century," North Dakota Bar Association, Fargo, North Dakota, S

Mediation Rate

\$425 Per Hour

Languages

English

Citizenship

United States of America

Locale

Minneapolis, MN

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight

and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.