



Kelly Overstreet Johnson, Esq.

Tallahassee, Florida

Current Employer-Title Overstreet Johnson Mediation & Arbitration, LLC – Mediator/Arbitrator

Profession Mediator, Arbitrator

Work History Overstreet Johnson Mediation & Arbitration, LLC, 2022 – Present; Office Managing Shareholder, Baker Donelson Bearman Caldwell & Berkowitz P.C., 2014 – 2022; Partner, Broad and Cassel (now Nelson Mullins), 1990 – 2014; Sole proprietor, Kelly Overstreet Johnson, P.A. (Butler & Johnson), 1988 – 1990; Attorney, Ervin Varn Jacobs Odom & Kitchen, 1985 – 1988; Civil Division, Florida Department of Legal Affairs, 1983 – 1985.

Experience Florida Supreme Court Certified Circuit-Civil Mediator since 2007; Florida Supreme Court Qualified Arbitrator and AAA arbitrator (employment, commercial, large complex and consumer panels); and litigator with 40 years' experience handling a wide variety of civil, commercial, employment, class actions, health care, probate and real estate matters. Experience in state and federal courts, and arbitrations. Transitioned to a full-time alternative dispute resolution practice with Overstreet Johnson Mediation & Arbitration, LLC on February 1, 2022.

Past president of The Florida Bar, has a state-wide alternative dispute resolution practice (and other jurisdictions upon request). Both virtual and in-person mediations and arbitrations available. Well known for interpersonal skills and persistence in successfully resolving cases.

Mediator Experience General commercial and civil litigation matters; noncompetition agreements involving breach and solicitation in violation of the agreements and misuse and theft of trade secrets and confidential information; nursing home personal injury claims involving serious injury and/or death; commercial disputes involving disputes between companies; personal injury, wrongful death and miscellaneous tort causes of actions.

Mediated numerous employment related matters including involving sexual harassment, pregnancy discrimination, whistleblower, age discrimination, racial discrimination and related issues; non-competition agreements involving breach and solicitation in violation of the agreements and misuse and theft of trade secrets and confidential information.

Certified Circuit Civil Mediator (2007) and Residential Mortgage Foreclosure Mediator (2010).

Representative Issues Handled as a Mediator Numerous employment related matters including involving sexual harassment, pregnancy discrimination, whistleblower, age discrimination, racial discrimination and related issues; noncompetition agreements involving breach and solicitation in violation of the agreements and misuse and theft of trade secrets and confidential information; nursing home personal injury claims involving serious injury and/or death; commercial disputes involving disputes between companies; personal injury, wrongful death and miscellaneous tort causes of actions.

Mediator Style & Process Preferences By providing a personalized problem-solving approach to each case, I strive to help facilitate productive conversations with the goal of achieving positive outcomes for all involved. I am a Florida Supreme Court Certified Circuit-Civil Mediator and have mediated more than thousand

cases to successful outcomes. My mediation practice is backed by more than 36 years of experience as a litigator. I tailor each mediation to meet the needs of the specific case and facilitate a resolution that is satisfactory for all involved. My years of experience as a litigator and mediator can help parties constructively discuss the merits of their cases. A large percentage of my mediations settle because the parties have been actively engaged in the process and negotiated and agreed to resolutions on their terms.

Technology Proficiency Proficient in handling Zoom virtual conferences for mediations and arbitrations. Also proficient with DocuSign for ease of executing settlement agreements or other necessary documents.

Education Florida State University College of Law (JD, with honors-1982); Florida State University (BS-1979).

Professional Licenses Admitted to the Bar: Florida (1982); U.S. District Court: Middle, Northern and Southern Districts of Florida (1983); U.S. Court of Appeals: 11th Circuit (1983). Florida Supreme Court Certified Circuit Civil Mediator; Florida Supreme Court Qualified Arbitrator.

Professional Associations American Bar Association - Co-Chair of the ABA Section of Litigation's Alternative Dispute Resolution Committee (2022-24); Member, House of Delegates (1992-94, 2003-06); Executive Council of the ABA Section of Litigation (2012-15); Committee Co-Chairs for ABA Section of Litigation (2006-13), and Member of the Section of Dispute Resolution (2010 to present). The Florida Bar - Member since 1982. Member, Executive Council, The Florida Bar Alternative Dispute Resolution Section (2017-2023).

National Academy of Distinguished Neutrals
American College of Civil Trial Mediators
International Academy of Mediators
Florida Academy of Professional Mediators, Inc.

Florida Association for Women Lawyers
Inns of Court (emeritus)
Tallahassee Bar Association
Tallahassee Women Lawyers
The Florida Circuit-Civil Mediator Society

American Arbitration Association - Commercial, Employment, Large Complex and Consumer panels.

Recent Publications & Speaking Engagements

- *Best Practices for Arbitration Efficiency (Webinar, December 6, 2023).
- *Arbitration Clauses Uncovered: Separating the good, the bad and the adequate (Webinar, October 31, 2023).
- *Are we there yet? The Path Forward on Bias Elimination and Diversity in ADR (DRC Annual Conference, August 2022).
- *Are we there yet? The Path Forward on Bias Elimination and Greater Diversity in ADR (April 2022).
- *Effective Use of Florida Non-Binding Arbitration (May 2021).
- *National Association of Consumer Advocates - Mock Preliminary Hearings (Webinar, May 2021).
- *Marketing and Ethics for the Transitioning Neutral (June 2020).
- *How to Succeed in an Online Employment Law Mediation using Webex and Zoom (May 2020).
- *Tips from a Mediator: Do This, Not That (December 2018).
- *Why #Me Too Matters For Health Care Risk Managers, Florida Society for Healthcare Risk Management & Patient Safety 2018 Annual Meeting (August 2018).
- *Conducting Internal Investigations, Big Bend SHRM 13th Annual HR Tallahassee Conference (June 2017).
- *Circuit Split: Expansion of Title VII Protections and Sexual Orientation as a Subset of a Protected Class, Health Law Alert (May 2017).
- *Sun, Sand & Success – Legal Compliance for Florida Businesses (October 2016).
- *10 Ways Your Business May Be Breaking Employment Laws, Baker Donelson seminar (September 2015).
- *Labor Act – One of the Hottest Laws in the Country (January 2016) Florida Non-Competes: Trends and Best Practices (March 2015).

For additional information: <https://overstreetjohnsonmediation.com>

Locations Where Parties Will Not be Charged for Travel Expenses Virtual mediations and arbitrations are available at no charge. In addition there is no travel time charged for mediations or arbitrations of three days or more.

Mediation Rate \$500 Per Hour

Languages English

Citizenship United States of America

Locale Tallahassee, FL

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 a 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.