



AAA Mediation.org™

## Timothy G. Warner, Esq.

Westlake, Ohio

### Primary Areas of Expertise

Corporate Ownership  
Corporate Contract  
Non-Competition, Trade Secrets  
Commercial Disputes  
Employment Disputes  
Discrimination, Retaliation

**Current Employer-Title** Tim Warner Law, LLC - Owner

**Professional Summary** Persistent, fair-minded, prompt, responsive, diplomatic, compassionate.

Experienced commercial and employment arbitrator and mediator and advocate, mediating and arbitrating disputes for thirty (30) years, involving multi-million dollar matters, and smaller matters, for large, public, nationwide entities, smaller closely held entities, employers, employees, corporate officers, professionals, entrepreneurs and individuals.

Proficient in timely and professionally handling complex, multiparty litigation, both in person and on-line, in diverse industries with an unrivaled, timely attention to the parties, their counsel and the matter at hand.

**Profession** Mediator, Arbitrator, Attorney

**Work History** Owner, Tim Warner Law LLC, 2020 – Present; Partner, Huffman Hunt Klym & Warner LLC, 2018 – 2019; Partner, Cavitch Familo & Durkin Co. L.P.A., 2009 – 2017; Associate (1999 – 2002)/Partner (2002-2009), Spieth Bell McCurdy & Newell Co. L.P.A., 1999 – 2009; Judicial Law Clerk, The Honorable Alice M. Batchelder United States Court of Appeals Sixth Circuit, 1997 – 1999; Adjunct Professor, Cleveland Marshall College of Law, 1995; Legislative Staff, Congressman Robert Lagomarsino Nineteenth District of California, 1989 – 1990; Legislative Staff, Congressman Richard T. Schulze Fifth District of Pennsylvania, 1986 – 1989.

**Experience** Almost 30 years of experience as a business, commercial, and employment litigator.

Litigated complex commercial, business, shareholder, partnership, joint venture, employment, discrimination, trade secrets, non-competition, non-solicitation, confidentiality, real estate, leasing, franchising, insurance coverage, product liability, banking, trust and estate/probate and other matters, as well as handling class action and multidistrict litigation (MDL).

Represented a number of employee clients who have asserted discrimination, harassment, disability and other employment claims and negotiated settlements and severance packages for clients.

Represented a number of employer corporate clients regarding discrimination, harassment, disability and other employment claims brought against them, successfully defending and settling claims.

Represent employers and employees in non-competition, non-solicitation, trade secret, confidentiality and related claims.

Consult related to the hiring, firing and laying off of employees and working the client through

related issues.

Experience with Employee Retirement Income Security Act (ERISA), Telephone Consumer Practices Act (TCPA); Fair Labor Standards Act (FLSA), Americans with Disabilities Act (ADA); Fair Debt Collection Practices Act (FDCPA); Family Medical Leave Act (FMLA).

Drafted various Employment Manuals, policies and procedures related to all employment issues.

Also handled a number of personal injury matters representing both plaintiffs (with millions in recovery) and defendants.

Represented numerous healthcare insurers on all aspects of litigation and dispute resolution for many years. This work involved medical billing, coverage, denial of coverage, hospital contracting and other healthcare issues. Also retained by one of the local hospital chains as an arbitrator for doctor disputes. Represented doctors in litigation addressing medical billing, medical contracting and medical practice ownership type issues.

Spent four years working for two members of the United States House of Representatives as a Legislative Assistant handling research, writing, administrative and policy issues.

Serve as the Chairman of the Alternative Dispute Resolution Section of the Cleveland Metropolitan Bar Association.

Previously served as the Chairman of the Litigation Section of the Cleveland Metropolitan Bar Association.

Served as Chairman of a midsized, well respected law firm's Litigation Group for many years.

## **Mediator Experience**

Serve as a mediator in private practice.

Serve as a mediator for the AAA.

Serve as a mediator for the Equal Employment Opportunity Commission.

Serve as a neutral for the US District Court for the Northern District of Ohio

Serve as a mediator for the Cuyahoga County Court of Common Pleas.

Serve as a mediator for the Cleveland Metropolitan Bar Association's Client Fee Dispute Resolution Committee.

Mediation topics include, but not limited to, multiple, varied business, commercial, employment, real estate, leasing, probate, insurance, personal injury and professional representation topics.

## **Representative Issues Handled as a Mediator**

Served as a mediator in private practice in multiple, varied business, commercial, employment, real estate, leasing, personal injury and professional representation topics.

AAA Commercial Panel

AAA Employment Panel

AAA Consumer Panel

EEOC

US Dist. Court N. Dist. Of Ohio Neutral

Cuyahoga County Court of Common Pleas,

Cleveland Metropolitan Bar Association's Client Fee Dispute Resolution Committee

**Mediator Style & Process** I am committed to utilizing my almost thirty (30) years of competence, expertise, unparalleled

## Preferences

preparation and dedication to finality and closure as a mediator. I have dedicated my career to helping people resolve disputes, serving as an advocate for resolution and closure and studying, researching and writing on the topic. Mediation is the only method by which the parties can maintain control of their dispute and it is the best way to resolve a dispute in a timely, efficient and cost-effective manner. A good mediator quickly develops trust and is a good listener, sounding board, and traffic cop. A good mediator is a process expert who works diligently to keep the negotiations fresh, and the process moving forward. A good mediator uses skills, interjects expertise as necessary, persistently facilitates discussion and doggedly works to assist the parties in the settlement of their dispute so they can move on to more positive aspects of their lives. A good mediator is persistent and dogged and refuses to quit until all settlement options are pursued.

## Technology Proficiency

Very comfortable handling arbitrations and mediations on line (through various online platforms) and in person anywhere in the United States or outside the United States as desired.

## Education

Syracuse University College of Law (J.D., with honors, Law Review Member - Law Review Note Published - 1993);

Indiana University of Pennsylvania (B.A. with honors, Political Science - 1986).

## Professional Licenses

Admitted to the Bar: Ohio (1993), Pennsylvania (inactive); U.S. District Courts: Northern and Southern Districts of Ohio; U.S. Court of Appeals: Sixth Circuit; U.S. Supreme Court.

## Professional Associations

American Bar Association's Section of Dispute Resolution

US District Court for the Northern District of Ohio Panel of Neutrals

National Academy of Distinguished Neutrals

National Arbitration and Mediation

International Institute for Conflict Prevention and Resolution - CPR

Cuyahoga County Court of Common Pleas Neutrals

Alternative Dispute Resolution Section of the Cleveland Metropolitan Bar Association

Local Employment Inn of Court

Westshore Bar Association

## Recent Publications & Speaking Engagements

Presentations:

- The Unique Nature of Employment Mediation
- ABC's of ADR: Best Practice Guide For Litigators & Neutrals
- Becoming an ADR Neutral
- Mediation Advocacy for Litigators – What You Need To Know For A Successful Mediation
- What I Hate About ADR Professionals and What I Hate About ADR Advocates
- The Core Values of Mediation Ethics
- Crisis in the Courts Paves the Way for Early Dispute Resolution
- Is the US Government Souring on Arbitration
- Non-competes Under Attack
- The Gender Wage Gap and Women's Unique Compensation Issues
- Important Contract Clauses To Consider

Articles:

- Unlike Anything Else - The Unique Nature of Employment Mediation
- The Advantages Of Alternative Dispute Resolution In The Insurance Industry
- Mediation Advocacy for Litigators – Steps to a Successful Mediation
- The Core Values of Mediation Ethics
- Mediation and the Mediator's Proposal
- Arbitration of Disputes, Fairer, Faster, Better

- Many Factors Support Early Mediation of Business Disputes
- Crisis in the Courts Paves the Way for Early Dispute Resolution
- Commercial Litigation Trends
- Things to Consider When Consulting With Clients Who Wish To Start A Business Together
- Dozens of blog posts are available at [warnerlawyer.com](http://warnerlawyer.com)

**Locations Where Parties Will Not be Charged for Travel Expenses** No charges in Northern Ohio.

**Mediation Rate** \$345 Per Hour

**Languages** English

**Citizenship** United States of America

**Locale** Westlake, OH

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.