

PANEL OF NEUTRALS

Hon. William H. Abrashkin (ret.)

Hon. Christopher J. Armstrong (ret.)

Mark Bobrowski, Esq.

Warren Fitzgerald, Esq.

Hon. Mel L. Greenberg (ret.)

Hon. Harry M. Grossman (ret.)

Hon. Herbert H. Hodos (ret.)

Hon. R. Marc Kantrowitz (ret.)

Hon. Rudolph Kass (ret.)

Arthur P. Kreiger, Esq.

Hon. Leon J. Lombardi (ret.)

Barbara J. Macy, Esq.

Eliane S. Markoff

Joel M. Reck, Esq.

Bette J. Roth, Esq.

Diane R. Rubin, Esq.

Hon. Alexander H. Sands III (ret.)

F. Sydney Smithers, IV, Esq.

Hon. J. Owen Todd (ret.)

Joseph P. J. Vrabel, Esq.

Emil Ward, Esq.

David E. Wilson, Esq.

John "Jack" G. Wofford, Esq.

Panel of Neutrals' Professional Profiles

THE HON. WILLIAM H. ABRASHKIN (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Armstrong served on the Massachusetts Appeals Court bench from 1972 until his retirement in July of 2006, over 30 years. From 2000 to 2006, he served as the Court's Chief Justice and was instrumental in expanding the Court's bench from 14 to 25 judges, eliminating the Court's case backlog for the first time in 16 years. He served as the first Chairman of the Supreme Judicial Court's Committee on Judicial Ethics from 1988 until 1998. Judge Armstrong was also a member of the Executive Committee of the Chief Judges Council of the National Center of State Courts for five years until his retirement as Chief Justice of the Appeals Court.

Prior to joining the Appeals Court, Judge Armstrong served in the administration of Gov. John Volpe. He was an Asst. Attorney General under Elliot Richardson. He also served as Chief Legal Counsel to Gov. Francis W. Sargent from 1969 to 1971 and as Undersecretary of Administration until his appointment to the Appeals Court in 1972. Judge Armstrong graduated from Yale College in 1958 and Yale Law School in 1961.

THE HON. CHRISTOPHER J. ARMSTRONG (RET.)

Mediator, Arbitrator, Case Evaluator



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MARK BOBROWSKI, ESQ.

Mediator, Arbitrator



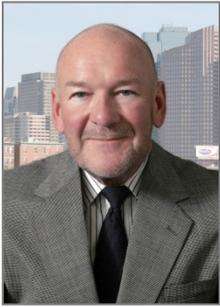
Mark Bobrowski has been a professor at the New England School of law since 1986, where he teaches land use law, real property and administrative law. He is also a principal in the firm of Blatman, Bobrowski & Haverty, LLC. He is the author of the Handbook of Massachusetts Land Use and Planning Law, now in its third edition. The Handbook is frequently cited by the courts of the Commonwealth in their reported decisions regarding land use matters. He has also written numerous articles on topics ranging from affordable housing to protection of the scenic landscape.

Mr. Bobrowski's teaching and practice have focused his expertise to all aspects of zoning, subdivision control and affordable housing. He is frequently engaged by municipalities to assist with large projects, particularly those requiring complicated zoning changes or development agreements. He served as a mediator in Ch. 40B affordable housing appeals to the Housing Appeals Committee. He has litigated dozens of land use cases before the Land Court and Superior Court and argued many times at the appellate level. Mr. Bobrowski has written zoning ordinances and by-laws for nearly 100 of the Commonwealth's cities and towns, and he is a regular speaker at the conferences of the City Solicitor and Town Counsel Association, the Massachusetts Municipal Association, MCLE's programs, and the Massachusetts Building Commissioners Association, among others. He served on Gov. Romney's Task Force for Affordable Housing.

REBA DISPUTE RESOLUTION, INC.

WARREN FITZGERALD, ESQ.

Mediator, Case Evaluator



Warren Fitzgerald is a full-time mediator with a wide-range of experience settling cases in many areas of the law, including easements, condominium, environmental contamination, construction, premises liability, business disputes, contracts, insurance coverage, labor and employment, intellectual property, product liability, fires and explosions, professional and medical malpractice, property damage, admiralty, estates and consumer class actions.

Mr. Fitzgerald has more than 30 years' experience as a trial lawyer and negotiator representing both plaintiffs and defendants in business, commercial, municipal and personal injury litigation. He was an associate with the firms of Hutchins & Wheeler and Parker, Coulter, Daley & White and was a partner at Meehan, Boyle & Cohen for 22 years. He began mediating at the request of fellow trial lawyers in the 1980's and participated in several court-supported mediation programs before starting Fitzgerald Dispute Resolution LLC.

A past president of the Massachusetts Bar Association (MBA) and the Massachusetts Academy of Trial Attorneys, Mr. Fitzgerald has lectured many times on topics relating to trial practice and dispute resolution for MCLE and numerous law schools and bar associations. He was chair of the MBA Dispute Resolution Committee from 2007 to 2009 and has been a member of the Massachusetts Trial Court Standing Committee on Dispute Resolution since 2007. He was elected to the American Board of Trial Advocates in 2009. He graduated from Boston University, *magna cum laude* with distinction, where he was inducted into *Phi Beta Kappa*, and Boston University School of Law, where he was an editor of *The Law Review*.

THE HON. MEL L. GREENBERG (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Greenberg served on the Appeals Court bench from 1990 to 2007, after many years of experience on the Trial Court bench. He served on the District Court bench from 1977 to 1983, in the District Court's Appellate Division from 1980 to 1983 and on the Superior Court bench from 1983 to 1990. Prior to 1977, he practiced law in Worcester.

Judge Greenberg is a member of the Massachusetts Judges' Conference, the American Law Institute (ALI) and the New England Appellate Judges' Conference. He has also served as chair of the Boston Bar Association's Bench Bar Committee and as a faculty member of the National Judicial College in Reno, Nevada.

A *magna cum laude* graduate of Clark University, he received his J.D. from Boston University School of Law and served in the Judge Advocate General Staff of the United States Army Reserve.

THE HON. HARRY M. GROSSMAN (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Grossman served as an Associate Justice of the Land Court from 2006 to 2014. A graduate of Tufts University, he received his law degree from Suffolk University Law School followed by his L.L.M. in Taxation from the Boston University School of Law.

Judge Grossman began his lengthy public service career at the Massachusetts Department of Revenue, where he served, in turn, as legal counsel to the Division of Local Services, Chief of the Property Tax Bureau, and as the Department's First Deputy Commissioner. Thereafter, he served in the administrations of Governor Cellucci, Acting-Governor Swift and Governor Romney as General Counsel for the Executive Office for Administration and Finance. Prior to his service on the bench, Judge Grossman served for many years as Adjunct Professor of Business Law at Suffolk University's Sawyer School of Management. During the same period, he served as member and chair of his local zoning board of appeals.

THE HON. HERBERT H. HODOS (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Hodos served on the Massachusetts District Court bench as an associate justice and then First Justice of the Greenfield District Court from 1993 until his retirement in 2008. In 2008, he was awarded the judicial excellence award for the District Court by the Massachusetts Judges Conference. After his retirement he served as a board member of the Massachusetts Board of Registration in Medicine from 2008-2012. He served as Vice-Chair of the Board and Chair of the Complaint Committee. Prior to becoming a judge, he practiced law at Robinson and Dibble, and at Levy, Winer, where he was a partner. He also served as a part-time district prosecutor in Franklin and Hampshire counties. He has a breadth of experience as a general practitioner and concentrated in real estate, land use and probate law in his later years of practice.

Judge Hodos has served on many civic, religious and charitable organizations over the years, including presidency of the Franklin County Bar Association, delegate and executive committee of the Massachusetts Bar Association, and is currently a board member of Community Legal Aid. Hodos received his B.A. from Yale University and his J.D. from Boston College Law School.

REBA DISPUTE RESOLUTION, INC.

THE HON. R. MARC KANTROWITZ (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Kantrowitz served as an associate justice in both the trial court and Appeals Court where he handled scores of land use related cases. In 2015, three days after leaving the bench, he was in Athens, Ohio serving as a visiting professor/scholar at his alma mater, Ohio University, both lecturing and teaching for the fall semester. The course he taught centered around his most recent book, *Old Whiskey and Young Women: American True Crime Tales of Murder, Sex and Scandal*. In addition to his non-legal writing, which includes three other history-related books, Kantrowitz is the most highly published attorney in the Commonwealth on state law. He has either authored or co-authored books on criminal law, motor vehicle tort law, juvenile law, evidence, and mental health law. He has also written numerous law-related articles and chapters.

While a judge, he served on several SJC committees, most notably as a member of the Model Murder-Manslaughter Jury Instructions Committee; as a member and acting chair of the Bishop-Fuller Committee, established to develop protocol concerning the rights of criminal defendants to review the psychiatric records of complainants who sought psychiatric care; and, perhaps most tellingly, he created and chaired, for several years, the Advisory Committee on Massachusetts Evidence Law, established to assemble the current law into one easily usable document. The *Massachusetts Guide to Evidence* (Flaschner), created under his guidance, is a mainstay, along with his *Criminal Law Sourcebook* (MCLE), in courts throughout the Commonwealth. He has also taught at various local institutions and currently teaches criminal trial advocacy at Northeastern University's School of Law. From 1972 to 1985, he served in the U.S. Army Reserves, leaving as a Captain in the Quartermaster Corps. He earned a B.A., *cum laude*, from Ohio University, an M.A. in political science from Ohio University, and a J.D. from University of Toledo College of Law. To learn more, visit rmarckantrowitz.com.

THE HON. RUDOLPH KASS (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Kass served as a justice of the Massachusetts Appeals Court from 1979 (with a year hiatus when mediating for REBA/DR) until his retirement as a recall judge on the Appeals Court bench in 2003. During that period he authored close to 2000 opinions, many in real estate-related fields. Prior to his appointment to the Appeals Court, he was a partner in the Boston firm of Brown, Rudnick, Freed & Gesmer, known today as Brown Rudnick, LLP, where his field of concentration was real estate law-related with an emphasis on government-assisted housing.

Having participated in a Boston Bar Association committee that drafted, and lobbied for, a condominium-enabling statute, Judge Kass is an authority on condominium law. In 1965, Judge Kass served as counsel to a special legislative committee that drafted the statute creating the Massachusetts Housing Finance Agency, now known as MassHousing. Judge Kass has lectured frequently in continuing legal education settings on real estate-related subjects and appellate practice. He is the editor/author of an MCLE publication, *Legal Chowder*.

Judge Kass received his B.A. from Harvard College and his law degree from Harvard Law.

ARTHUR P. KREIGER, ESQ.

Mediator



Art Kreiger, co-founder of Anderson & Kreiger LLP, has more than 25 years of experience practicing environmental and land use law as a litigator, advocate, counselor and mediator. His areas of expertise include oil and hazardous material contamination, wetlands protection, permitting, environmental impact review, environment insurance, zoning (including agriculture, religious and educational uses and day care), subdivision control and other local permitting and regulation, and other environmental and land use matters.

For nearly 20 years, Mr. Kreiger has successfully mediated cases through the Massachusetts Department of Environmental Protection (DEP), court panels, and privately. He has taught Advanced Environmental Law, addressed judges on the management of complex environmental cases for the Flaschner Judicial Institute, and has written and lectured extensively to the legal and business audiences on a variety of topics.

Mr. Kreiger co-chaired the Steering Committee and the Litigation Committee of the Boston Bar Association's Environmental Law Section, and REBA's Environmental Committee. Mr. Kreiger is a graduate of the University of Pennsylvania (*cum laude*) and Columbia Law School (J.D. *with honors*).

REBA DISPUTE RESOLUTION, INC.

THE HON. LEON J. LOMBARDI (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Lombardi, one of REBA Dispute Resolution's longest-serving neutrals, has mediated or arbitrated more than 85 cases since joining the panel in 2008. With a mediation settlement rate nearing 70 percent, Judge Lombardi has mediated cases involving permitting, land use and zoning appeals, partitions, easements, and boundary line and adverse possession disputes, as well as condominium disputes, construction contracts, general business disputes as well as general equitable matters within the jurisdiction of the Land Court.

In 2017, REBA/DR's parent, the Real Estate Bar Association, honored Judge Lombardi with the Richard B. Johnson Award, in recognition of his years of outstanding and selfless contributions to advancing the practice of real estate law, his service to the Commonwealth's real estate bar, and his singular support of REBA Dispute Resolution. This award is REBA's highest honor.

Judge Lombardi served as an Associate Justice of the Land Court from 1995 to 2008. During his time on the bench, Lombardi co-chaired a committee consisting of court personnel, private attorneys, and surveyors that drafted the "Manual of Instructions for the Survey of Lands and Preparation of Plans." He also participated as a faculty member in numerous seminars pertaining to Massachusetts easement law. For many years, Judge Lombardi was a member of the Real Estate Bar Association and an ex-officio member of The Abstract Club. Prior to his service on the bench, Lombardi was a member of the boards of Suffield Academy; the National Railroad Passenger Corporation (commonly known as Amtrak); Brockton Hospital, Inc.; North Easton Savings Bank; and the Natural Resources Trust of Easton, Inc. Between January 1977 and January 1983, he served in the Massachusetts House of Representatives, representing the towns of Easton, Mansfield and Norton. After leaving the legislature, Judge Lombardi practiced law with Warner & Stackpole in Boston until 1995.

Judge Lombardi is a graduate of Tufts University and received his law degree from Boston University School of Law.

BARBARA J. MACY, ESQ.

Mediator, Case Evaluator



Barbara Macy has practiced law in Boston for more than thirty years. She has acted as mediator or represented clients in disputes arising in the contexts of buying and selling real estate, condominium issues, probate, unmarried partner dissolutions, malpractice, cooperatives, title, consumer protection, divorce, zoning, boundary issues, landlord-tenant, employment, and criminal cases, among others. Attorney Macy has served as mediator for REBA's *pro bono* residential foreclosure mediation program in the United States Bankruptcy Court since the inception of that program, with an exceptional record of settlements.

In addition to her private general law and mediation practice, and her work with REBA's foreclosure mediation program in the Bankruptcy Court, Ms. Macy is a member of REBA's Condominium Law and Practice Section, participates in the Lawyer for the Day program at the Suffolk Probate and Family Court, and has acted as a conciliator for civil cases in the Boston Municipal Court. She has also served as a member of the Massachusetts Bar Foundation's Society of Fellows since 1994, reviewing IOLTA funding requests.

Ms. Macy received mediation training at the Community Dispute Settlement Center and is admitted to practice law in Massachusetts, the United States District Court for the District of Massachusetts and the United States Supreme Court. She is a graduate of Boston University (*cum laude*, 1980) and Northeastern University School of Law (J.D., 1984).

ELIANE S. MARKOFF

Mediator, Case Evaluator



Eliane Markoff comes from the business world. She worked twenty years for a Fortune 500 high tech company managing work forces in the United States and Europe. She lent her considerable listening and mediation skills as an unofficial ombudsperson to build bridges among corporate divisions and individuals who needed to collaborate to be successful. With a high emotional IQ, Markoff brings creative solutions to workplace conflicts. She has mediated shareholder disputes within close corporations and conflicts among family members over will and estate contests. She has found during her mediation sessions that it is rarely just about the money.

Markoff spent four years as an adjunct professor at Bentley University teaching organizational behavior and conflict resolution to both undergraduate and graduate students. Recently, Markoff moderated a mediation panel sponsored by the Small Business Association of New England. Eliane is one of the 125 women to appear in Boston Globe's Bill Brett's book, *Inspirational Women of Boston*.

Eliane received her mediation training from the Cambridge Dispute Resolution and the Boston Law Collaborative. Markoff serves on the Board of Trustees for Wheelock College and is Founder of Art in Giving. Markoff is fluent in French and Arabic and earned her MBA from Boston College and her BA in Economics from the University of Massachusetts in Amherst.

REBA DISPUTE RESOLUTION, INC.

JOEL M. RECK, ESQ.

Mediator, Arbitrator, Case Evaluator



Joel Reck is a retired partner from Brown Rudnick LLP and former chair of its real estate department. His practice consisted of structuring, managing and closing sophisticated commercial real estate transactions throughout the United States and has included several of the largest development projects and leases in the Greater Boston area. Mr. Reck has several years of varied mediation experience, principally involving real estate, condominium and commercial disputes, but also involving personal injury, professional malpractice matters, family and business disputes. Many of these mediations have involved multiple parties.

Mr. Reck was listed in the 2011 edition of *The Best Lawyers in America* in the specialties of dispute resolution and real estate law, was listed as one of the "Nation's Top 10 Real Estate Lawyers", and he was named as a leading individual in real estate law in Massachusetts by Chambers USA: America's Leading Lawyers for Business. He served as Chair of the Real Estate Section and as President of the BBA and of the Boston Bar Foundation, served on the governing boards of the ABA, MBA, REBA and MCLE, was a member of the American College of Real Estate Lawyers and its Leasing Committee, chairs the Boston Harbor Island Alliance, and was former chair and board member of many other non-profit organizations. He was the 2012 recipient of REBA's Richard B. Johnson Award, the Association's highest honor. This lifetime achievement award recognizes the recipient's outstanding and selfless contributions to advancing the practice of real estate law.

Mr. Reck is an Adjunct Professor at Boston College Law School. He also serves as a faculty member for real estate and mediation courses at the MCLE. He graduated with a B.A. degree from Bowdoin College and a J.D. degree from Harvard University.

BETTE J. ROTH, ESQ.

Mediator, Arbitrator, Case Evaluator



Bette Roth, a full-time mediator and arbitrator, has handled more than 800 cases involving a wide-range of commercial, employment, securities, construction, real estate, professional malpractice, and family business/real property ownership disputes. Among others, she has settled in mediation real property disputes involving breach of the purchase and sale agreement, adverse possession, easements, title, zoning, inspection, and variance disputes involving the city, family, and surrounding neighbors. Before 1992, Ms. Roth was a trial lawyer for several years in private practice and before that with the federal government. In addition to REBA Dispute Resolution, Ms. Roth mediates and arbitrates with American Arbitration Association (AAA), CPR Panel of Distinguished Neutrals, FINRA, Resolute Systems, Inc., and Case Closed. She is certified by the International Mediation Institute in The Hague.

Ms. Roth has spoken extensively on mediation and arbitration for MCLE, the Boston Bar Association, where she served as co-chair of the Dispute Resolution Committee of the Litigation Section, and the American Law Institute-American Bar Association Committee on Continuing Professional Education (ALI-ABA), and she has trained arbitrators through MCLE and mediators through AAA. She has published numerous articles on dispute resolution with *Massachusetts Lawyers Weekly*, *The Practical Lawyer* (ALI-ABA), the *Boston Bar Journal*, *PIABA*, *NSCP Currents*, *MCLE*, *CLE*, and on antitrust through *The Antitrust Bulletin*. Ms. Roth is the primary editor and contributing author of the national two-volume text, *The Alternative Dispute Resolution Practice Guide* (© 1993-2009 Thomson/West), a finalist for the 1994 CPR book award. This text is widely cited by litigants and judges, and she has become a staple in most law libraries. She publishes its yearly updates, which has kept her on the forefront of dispute resolution developments for the past 17 years.

Recognized for her work in dispute resolution, Ms. Roth was named a "Super Lawyer" in the field of DR by *Boston Magazine* and *Law & Politics Magazine* for each year since 2006, and in 2001, she received the John Dunlop Dispute Resolution Award from the Commonwealth of Massachusetts for her work in mediation. Ms. Roth also teaches mediation at Boston University School of Law.

REBA DISPUTE RESOLUTION, INC.

DIANE R. RUBIN, ESQ.

Mediator, Arbitrator, Case Evaluator



During a career of over 30 years, Diane Rubin has tried cases to verdict, and arbitrated and mediated more than a hundred construction, condominium and real estate disputes. Her clients include general contractors, subcontractors and design professionals, as well as awarding authorities and property owners, most notably condominium associations, colleges and universities. Previously, she served as Associate General Counsel for the Massachusetts Turnpike Authority with oversight of all litigation.

For the past ten years, Diane has integrated dispute resolution into her practice, serving as neutral on more than three-dozen cases. Representative matters range from small condominium disputes to complex, multi-party construction disputes. Condominium disputes include those involving parking easements, turnover from developer control and management, improvement versus repair and governance issues. Construction and commercial disputes include issues such as HVAC, aging infrastructure, façade and window systems, telecommunication systems, mold and environmental claims, fire suppression and prevention systems, acoustics, bridge, paving and drainage projects, athletic fields and lost productivity and delay claims, as well as lease, purchase and sale agreements and escrow disputes.

Diane believes that each dispute is unique and works with the parties to fashion the optimal dispute resolution process. She confers with counsel in advance of mediation sessions to ensure an efficient and effective session. She is committed to proper preparation ahead of time to gain a thorough understanding of both background and legal issues involved. If a matter does not settle at the initial session, Diane is committed to working diligently with all parties to continue to dialogue, explore open issues and opportunities and work with the parties to find a path forward.

Diane received her JD from Boston University and her BA from Brandeis University, *Magna Cum Laude, Phi Beta Kappa*. She was trained and certified as a mediator with the Community Dispute Settlement Center, and he received Arbitration training with the American Arbitration Association and Harvard University's Getting to Yes: Alternative Dispute Resolution program.

At REBA, Diane is President-elect and also serves as co-chair of REBA's Condominium Law and Practice Section. She is a member of Commercial Real Estate Women (CREW), the Women's Bar Association (Dispute Resolution Section), Community Associations, Inc., and the Abstract Club.

THE HON. ALEXANDER H. SANDS III (RET.)

Mediator, Arbitrator, Case Evaluator



Judge Sands comes to REBA/DR with more than 45 years of experience as a judge, attorney, and ADR practitioner. Judge Sands served as an Associate Justice of the Massachusetts Land Court from 2002-2015, and as a recall justice from 2015-2017, where he authored many decisions of first impression. During his time on the bench, Judge Sands was a pro-active participant in the Land Court's robust court-connected alternative dispute resolution program, always stressing the mediation option at initial case management conferences. He also drafted revisions to the Time Standards of the Land Court, implemented in 2004.

With 15 years on the Land Court bench, his experience on municipal boards and more than 30 years in a transactional real estate practice, Judge Sands is uniquely qualified to mediate any real estate dispute, particularly zoning, permitting and land use matters. He also has extensive experience in affordable housing, with many such cases on the Land Court, resulting in his teaching a unique course on the subject in several Massachusetts law schools. All of these experiences have honed his role as a communicator and facilitator in ADR matters. In fact, several attorneys involved in recent mediations have remarked that he was able to settle "impossible" real estate situations.

In 1977 he was a founding partner in the Boston law firm of Lynch, Brewer, Hoffman & Sands, and was head of the Real Estate Department, specializing in complex transactional projects in both the residential and commercial fields. He was a member of the Gloucester Planning Board from 1984-1991, where he focused on zoning, land use and subdivision law.

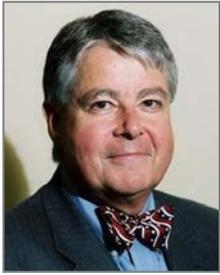
From 2005-2010, he was on the Massachusetts Bar Association Law Review. He has taught seminars for MCLE and the MBA in real estate law, and he has been a judge on moot court panels for Harvard Law School and for high school competitions with the Massachusetts Federal Courts. He is a member of the Abstract Club and the Massachusetts Judges Conference, where he received an award in Judicial Excellence presented in November 2017. He was a primary speaker for the International Land Registration Conference held in Dubai, UAE in 2016.

Judge Sands received his B.A. from Williams College and his J. D. from the University of Virginia School of Law. He has served on many civic, religious and charitable organizations, including Chairman of the Board and Artistic Director of the Annisquam Village Players, one of the oldest continually operating community theaters in the US (where he has directed an annual summer musical for the past 25 years), and on many committees of the Annisquam Village Church in Gloucester, MA. His zest for life has inspired him to write two legal mystery novels, and to run the Boston Marathon annually from 1991 to 2007. In 2014, Judge Sands received a Gloucester Citizenship Award. In 2016 he fulfilled a bucket list challenge by climbing Mount Kilimanjaro in Africa.

REBA DISPUTE RESOLUTION, INC.

F. SYDNEY “SYD” SMITHERS IV, ESQ.

Mediator, Case Evaluator



Syd Smithers joined the firm of Cain Hibbard & Myers PC in 1971, concentrating in all aspects of residential and commercial real estate. Mr. Smithers became a partner and has been directing the firm's Real Estate Department since 1976.

Mr. Smithers is a long-time member of REBA, having served as a member of the Association's Executive Committee, Board of Directors, Chair of the CLE Committee, as well as President in 1987. He was presented with the Association's Richard B. Johnson Award in May of 2001. He also has been a member of the MBA, the Berkshire Bar Assoc., The Abstract Club, NELTA, ALTA, the Mass. City Solicitors and Town Counsel Assoc. & the MCLE Real Estate Curriculum Advisory Committee. In 1998, Mr. Smithers was elected a Fellow of the

American College of Real Estate Lawyers.

In addition to being active in his local community, Syd has served as trustee for The Trustees of Reservations for many years and has served two terms as chairman of its board of directors. A respected author and lecturer, Mr. Smithers' publications include Massachusetts Highway Law for Surveyors and contributions to *Crocker's Notes on Common Forms* (8th Ed., MCLE 1995, Supp., 1997, 2000), *Massachusetts Municipal Law* (MCLE, 2002) and *Real Estate Title Practice in Massachusetts* (MCLE, 2003). Mr. Smithers is a graduate of the Wharton School at the University of Pennsylvania and Boston University School of Law (J.D.).

THE HON. J. OWEN TODD (RET.)

Mediator, Arbitrator



Judge Todd served as an Associate Justice of the Massachusetts Superior Court from 1988 until his resignation in 1992. During his judicial appointment, he presided over a variety of areas including construction, commercial real estate, commercial contract, land use and environmental law. Before his appointment, he was a senior partner in the litigation department of Hale and Dorr, practicing in Massachusetts State and Federal Courts, including the Tax Court. Having returned to the practice of law, he concentrates on trials involving real estate, complex business litigation, intellectual property disputes, tax and corporate securities litigation.

Judge Todd's extensive experience in mediation and arbitration includes matters of environmental issues, complex commercial litigation, employment discrimination and harassment, patent and copyright claims and divorce issues.

A respected author and lecturer, Judge Todd has served as President of the Massachusetts Trial Lawyers Association. He also holds memberships in the American College of Trial Lawyers, the American Bar Association, the Massachusetts Bar Association and the Boston Bar Association. He was Sudbury's Town Moderator and has been the recipient of numerous educational trusteeships and fellowships. Judge Todd is a graduate of Harvard University and Boston College Law School (J.D.).

JOSEPH P. J. VRABEL, ESQ.

Mediator, Arbitrator, Case Evaluator



Joe Vrabel is General Counsel to Blaisco, LLC. He was a senior partner for 22 years at the law firm of Bowditch & Dewey, LLP. His expertise is primarily in corporate governance, commercial finance and commercial real estate. He also has extensive experience in all varieties of commercial bank loans, bond financings, health care financings, private placements, workout situations, mergers and acquisitions, joint ventures, and all types of business transactions. His other areas of practice have included general corporate representation, particularly situations including investment strategies and business planning.

Mr. Vrabel has served on numerous not-for-profit boards of directors, including Longfellow's Wayside Inn, the Massachusetts Bar Foundation, Framingham State College, and Crossroads Community Foundation, where he was a Founding Trustee. He is Past-President of the Massachusetts Bar Association, the Massachusetts Bar

Foundation and Massachusetts Continuing Legal Education, Inc. He has served as the Massachusetts State Chair of the American Bar Foundation and on the American Bar Association's House of Delegates and on its Standing Committee for CLE. Law firms and governmental agencies frequently retain Mr. Vrabel as an expert witness on the ethical standards and legal duties of attorneys in corporate law, real estate and commercial finance issues and transactions. He is a mediator/arbitrator of commercial, real estate, and business disputes and is American Arbitration Association certified.

Mr. Vrabel is the author of numerous publications and a requested speaker before a variety of legal and non-legal groups. He teaches business law at Babson College in the undergraduate and graduate MBA program and also teaches Public Law at the University of North Carolina-Chapel Hill in the graduate school of Government, Master of Public Administration program. Mr. Vrabel is a graduate of Lake Forest College (B.A.), Boston College (J.D.), and Harvard Law School (Mediator Certification).

REBA DISPUTE RESOLUTION, INC.

EMIL WARD, ESQ.

Mediator, Arbitrator, Case Evaluator



Emil Ward has practiced law for over three decades, during which time he has lectured in the area of landlord and tenant law, has given seminars to landlords and tenants, and to the attorneys for each group, to brokers and judges. During his years in practice, Emil has served as dispute resolution neutral, mediating disputes successfully in a variety of real estate fields, particularly landlord/tenant conflicts. He brings a broad perspective to his mediation practice, having represented clients in property partition cases, premises liability, partnership dissolutions, easements, housing discrimination, condominium disputes, foreclosure and title issues.

Emil has taught law at Suffolk University Law School and Boston University Paralegal School. He has been a guest commentator for several television programs and has given television interviews regarding rent control and landlords' and tenants' rights. He was also a guest contributor for over a year on "Real Estate Radio" on WBZ radio. Emil has testified before the Massachusetts legislature on various real estate bills. As a consultant to the Massachusetts Association of Realtors (MAR), Emil has taught their landlord and tenant courses, and has written pamphlets for the Commonwealth of Massachusetts and the Massachusetts Association of Realtors, summarizing the rights of landlords and tenants. Emil has written two books on landlord-tenant law having published a treatise/cum practice manual on the subject in 1996 entitled: *Massachusetts Landlord-Tenant Practice: Law and Forms*. The second book, available on Amazon, is entitled, *Massachusetts Landlord-Tenant Practice: Law and Forms; Security Deposits and Last Month's Rent* focuses on how to avoid violating the law and how to avoid treble damages and attorney's fees if you have breached the security deposit laws.

DAVID E. WILSON, ESQ.

Mediator, Arbitrator, Case Evaluator



David Wilson, a partner at Corwin & Corwin LLP in Woburn, practices exclusively in the field of construction law, representing subcontractors and suppliers, general contractors and construction managers, sureties, designers and owners, in matters ranging from general advice to trials in district and state courts.

Mr. Wilson has lectured and participated in numerous classes and seminars on construction law with Massachusetts Continuing Legal Education, Suffolk University Law School, Massachusetts Bar Association, Boston Bar Association and Real Estate Bar Association, and with various trade groups, including the Associated Subcontractors of Massachusetts for which the firm is general counsel. He has also drafted significant legislative bills pertinent to construction, a number of which have been enacted into law.

Mr. Wilson is an active member of the Boston Bar Association, a former co-chair of its Committee on Construction Law, a former co-chair of its Real Estate Section, and a former co-chair and present member of its Education Committee, and he is also active in a number of charitable organizations. Mr. Wilson is President of Team Heart, Inc., an International Non-Governmental Organization which travels each year to Rwanda to perform life-saving open heart surgeries while helping the country develop its own cardiac surgery program; he is a Director of The Circuit Theatre Company, a talented group of young people that has become one of the most innovative companies in Boston; and he is a long time participant in the Pan Mass Challenge, a 200 mile cycle ride that has raised over \$400 million for the Jimmy Fund of the Dana Farber Cancer Institute.

Mr. Wilson received a J.D. in 1983 from Boston University School of Law, and a A.B. in 1977 from Brown University.

JOHN G. "JACK" WOFFORD, ESQ.

Mediator, Arbitrator



Jack Wofford is a full-time mediator and arbitrator. In solo practice since 1993, Mr. Wofford mediates and arbitrates a wide-variety of disputes, including commercial, employment, environment, family-owned and other closely held business, insurance, organizations, personal injury, public policy, and complex development, real estate, construction and transportation projects. He has also worked with issues of title insurance companies for damages from alleged wrongful certification of title, of bonding companies for failures in construction and of tort liability insurers for environmental cleanup and damages from hazardous waste.

In 1999, President Clinton appointed Mr. Wofford to a seat on the Federal Service Impasses Panel, which resolves disputes in negotiations between the Federal Government and its unionized employees. In the 1970's, Mr. Wofford served in both state and federal government, as Director of the Boston Transportation Planning Review, as Associate Commissioner of the Massachusetts Department of Public Works, as the first Director of the Central Transportation Planning Staff for the Boston region, and as Deputy General Counsel of the US Department of Transportation.

Mr. Wofford is a graduate of Harvard College and Oxford University (Rhodes Scholar) and Harvard Law School (LLB). He received mediation training at the Massachusetts Office of Dispute Resolution, the Program on Negotiation at Harvard Law School and Cambridge Dispute Settlement Center.