

## Linda A. Michler, Esquire

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[www.professionaldisputeresolution.com](http://www.professionaldisputeresolution.com)

With over 25 years of experience in ADR matters, I have the unique experience of serving both as an arbitrator / mediator / early neutral evaluator/consultant and in my former law practice, as trial attorney and counsel to parties in mediation and arbitration matters. This allows me the opportunity to fully comprehend the parties'

positions and interests. I also provide nation-wide consulting and training services regarding alternative dispute resolution. In my alternative dispute resolution work, I have arbitrated and mediated cases of all complexities including those involving multiple parties, multiple issues and substantial damages. I have served as sole arbitrator, co-arbitrator, chairperson, mediator, sole mediator, and co-mediator.

I believe that parties in a dispute make a tough and final decision as to what to do with their dispute when they use alternative dispute resolution to provide an opportunity where the parties, counsel, insurance carriers and anyone else with a direct interest can use a confidential setting to discuss the interests and needs, obligations and rights of the parties. Most cases settle. A trial does not provide this opportunity.

In addition to once maintaining an active private law practice, representing primarily financial institutions and small businesses, I have served as Assistant District Counsel, Special Assistant United States Attorney with the US Small Business Administration (SBA), and have been a long-standing leader in professional organizations and an advisor in alternative dispute resolution, as a teacher, presenter and author. I have been in-house counsel for a global data and risk management software company.

### **Alternative Dispute Resolution Panel Member**

American Arbitration Association  
American Health Lawyers Association  
Association of Attorney - Mediators  
Better Business Bureau  
Court of Common Pleas of Allegheny County, Pennsylvania  
CPR – International Institute for Conflict Prevention and Resolution (Distinguished Neutral – Banking and Finance, and Franchise Panels)  
FINRA – Financial Industry Regulatory Authority  
North Carolina Dispute Resolution Commission DRC Certified Mediator – Superior Court  
US District Court for the Western District of Pennsylvania  
US Bankruptcy Court for the Western District of Pennsylvania  
VirtualCourthouse.com

### **Court Admissions**

U.S. Supreme Court  
U.S. Court of Appeals for the Third Circuit  
U.S. District Court for the Eastern District of Pennsylvania  
U.S. District Court for the Middle District of Pennsylvania  
U.S. District Court for the Western District of Pennsylvania  
U.S. District Court for the Eastern District of North Carolina

### **Bar Admissions**

North Carolina  
New York  
Pennsylvania

### **Education**

B.S. Science, Minor Psychology,  
University of Pittsburgh  
J.D., Duquesne University School of Law

### **Law Background**

Substantial experience consistently revealing my style in simplifying the complex.

Government experience and responsibility for legal review of small business loans, federal 8(a) and disaster programs, Freedom of Information Act Requests, and employee issues including unemployment compensation, reduction in force, labor- management negotiations and EEOC issues.

Special Assistant US Attorney drafting pleadings and memoranda in representing the agency in federal courts and administrative agencies.

Successfully owning and managing my own law firm, I ran the diverse activities of managing attorneys and administrative personnel. My firm represented creditors, secured and unsecured, in commercial and consumer credit ranging from mortgages, UCC, auto, boat, and mobile home collateral.

Counseled clients on all levels of administrative, state and federal courts, including the federal bankruptcy court and state court receiverships, and regulatory compliance in connection with business matters and real estate. Clients included financial institutions, servicers, and professional and small businesses, and included regulatory compliance issues, commercial and consumer real estate, acquisition financing and asset-based lending and expansion.

Assisted a Chapter 7 Trustee in his work administering the Estate of a multi-national business and its divisions, and serving as expert witness, where the principals eventually served sentences for fraud and incomplete reporting.

Approved title attorney for a title company.

Lead counsel in litigation at trial and all appellate stages, with several reported decisions. Matters ranged from basic financing disputes to complex financial transactions, involving alleged false claims and statements, fraud, conflicts of interest, and other misconduct.

Represented clients and the government agency in mediations involving financing and employment issues.

### **Representative ADR Matters**

Arbitrator and Mediator in cases of all complexities including those involving multiple parties, multiple issues and substantial damages. I have served as sole arbitrator, co-arbitrator, chairperson, mediator, and co-mediator.

Mediated airport construction disputes between several subcontractor parties and respective insurers.

Mediated mortgage lending (predatory and regulatory issues) disputes between businesses and lender, between multi-parties including realtors and mortgage / deed recording fraud.

Mediated and arbitrated disputes between shareholders in professional and business operating entities.

Mediated employer and employee disputes including EEOC ad Pennsylvania Human Relations Commission issues.

Mediated collection matters between a music association and a bar/restaurant involving copyright infringement issues.

Mediated business bankruptcies where the divorce of the principal and spouse were causing financial issues in successfully completing the bankruptcy.

Successfully mediated Insurance litigation matters between the general contractors, quasi-government authorities, subcontractors and several insurance carriers concerning construction issues.

Other representative matters have included commercial and consumer property owners, title company, and lender disputes concerning lender and title issues along with mortgage default and, in some cases, deed recording and mortgage fraud. (multiple cases).

### **Selected Honors, Awards, Publications, and/or Professional and Civic Associations**

- ABA Arbitration Section Newsletter, ADR Humor or Horror Stories, May 2018 (Author)
- Pennsylvania Council of Mediators – Alternative Dispute Resolution – A Forgotten Resource After Natural Disasters, Newsletter, November 2017 (Author)
- Association of Attorney – Mediators, The Good, the Bad, and the Uninformed, September 2017 (Author and Presenter)
- Woman’s Bar Association of Western PA, ADR Neutral Disclosures, May 2017 (Author and Presenter)
- American Bar Association, ABA Dispute Resolution Section Annual Meeting, Will Your ADR Neutral Disclosures Meet Party Expectations? Perceived Associations and Social Media: Guidelines, Disclosure Differences, Requirements, Opinions – Are They Enough? April 2017 (Author and Presenter)
- ABA Dispute Resolution Section Newsletter, I Knew You Were Trouble – Real Estate and ADR, July 2015 (Author)
- International Institute for Conflict Prevention & Resolution - Panel of Distinguished Neutrals, Member Arbitration Committee, Mediation Committee, Banking and Finance Committee
- American Arbitration Association appointed mediator for the NC Disaster Program
- American Bar Association Dispute Resolution Section, Women in Dispute Resolution member and Regional Co-Chair (Mid – Atlantic Region)
- American Bar Association Dispute Resolution Ethics Committee Member
- Member, NextLaw Referral Network
- United States Bankruptcy Court for the Western District of Pennsylvania – Mediation Panel Member, Special Advisor to the initial Mediation Rules Subcommittee
- Special Assistant US Attorney, Assistant District Counsel, Pittsburgh Office, US Small Business Administration, 1991-1997
- Federal Bar Association’s Alternative Dispute Resolution Section – Past VP, Western PA Chapter
- Financial Women’s International – Past President of Western Pennsylvania Chapter, 2001
- Southwinds Incorporated – Past Board Member, Chair of the Budget and Finance Committee
- Family Services of Western Pennsylvania – Past Board of Trustees Member
- MS Society – Employment and business hotline volunteer
- Christopher and Dana Reeve Foundation - Mentor