

MEDIATOR BIOGRAPHY

BERNARD H. MCLAUGHLIN, JR. - B.A. Political Science and History, Louisiana State University, J.D. Louisiana State University Law School. Member, LSU Law Review. Graduate, Judge Advocate General School, Basic and Advanced Officer Course, Charlottesville, VA, graduate, Combined Arms and Services Staff College, Ft. Leavenworth, KS. Graduate with honors, U.S. Army Command & General Staff College. Colonel, United States Army (Retired), Parachute badges include Royal Thai Army parachute badge, Russian parachute badge, Israeli Defense Forces parachutist badge, Royal Jordanian Army parachute badge. Environmental law professor at McNeese State University, 1984-1986. International law instructor for U.S. Department of State ATAP (Anti-Terrorism Assistance Program) Program, 1995-1997. Certified mediator in Louisiana, with over 3,800 cases mediated in Louisiana, Texas, Tennessee, New Mexico, Arkansas, Alabama, Mississippi, Florida, Pennsylvania and Ohio. Currently engaged in the practice of law as a full-time mediator in Lake Charles specializing in insurance and personal injury, admiralty and maritime, 18-wheeler, railroad, premises liability, products liability, government liability, medical malpractice, architect and contractor liability, pharmaceutical and medical device, aviation, oilfield remediation, environmental, oil and gas, sexual harassment and discrimination, toxic exposure, health care and business/corporate mediation. Author: Current Trends in Oil and Gas Mineral Leases and Operating Agreements, 26 La. Mineral Law Institute 186 (1979), Co-Ownership and Partition of Mineral Rights in Louisiana, 27 La. Mineral Law Institute 234 (1980), The Law of Water Bottoms, 36 La. Mineral Law Institute 1 (1989), Tactics and Defense of Superfund Suits, For the Defense (Defense Research Institute), (April 1983), Constitutional Dilemmas in Computer Fraud Law (JAG School, thesis 1992). Served on active duty with U.S. Army during Operation Desert Storm (1990-91) as a Judge Advocate Officer with 5th Infantry Division, 2nd Armored Division, and III Corps; active duty in September-October 1995 with V Corps planning staff in Europe handling international legal issues; involved in Operation Joint Endeavor in Croatia and Bosnia; Joint Task Force Bravo (Operation New Horizons) in Belize April 1997 (humanitarian and military aid mission, improved country infrastructure by building/ improving schools, medical clinics, roads, etc.). Joint Task Force Aguan (Operation Restore Hope - repair bridges, schools, clinics damaged by Hurricane Mitch) - Honduras March-April 1999; Operations Noble Eagle and Enduring Freedom (homeland defense and terrorist interdiction) September 2001-present. Operation Iraqi Freedom 2004-2005 (TF 134, CENTCOM/Green Zone, Baghdad; awarded The Bronze Star Medal). Admitted to practice in all state and federal courts in Louisiana, Federal Courts for the Eastern and Southern Districts of Texas, Fifth Circuit and Eleventh Circuit Courts of Appeal of the United States Courts of Appeals, all military trial courts, U.S. Court of Military Appeals, U.S. Court of Military Review, United States Court of Armed Forces Appeals, United States Court of Veterans Appeals, and United States Supreme Court. Member, The Association for Conflict Resolution; Fellow,

International Academy of Mediators. Certified EEOC mediator. Resides in Lake Charles. AV rating (Martindale-Hubbell). Best Lawyers in America 2011, 2012 & 2013 in the fields of Mediation and Arbitration.

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MEDIATION PAPERS PRESENTED

1. **“We Have Not Yet Begun to Fight”** - Maritime Mediation Tips - Eighth Annual Admiralty Symposium, September 8, 2000
2. **“Effective Participation in Mediation”** - Louisiana Association of Defense Counsel Attorney-Client Seminar, August 11, 2000
3. **“Helping the Mediator Settle Your Employment Law Case”** - LSBA Employment 2000 Seminar, August 25, 2000
4. **“Winning Million Dollar Cases – The Anatomy of a Mass Tort Case”** - Southern Law University Symposium, March 31, 2001
5. **“Employment Law Mediation”** – Lafayette Parish Bar Association Seminar, November 29, 2001
6. **“Hot Mediation Issues”** – Jackson Barracks, New Orleans, C.L.E., December 28, 2001
7. **“Mediation Issues”** – Claims Seminar - Cedar Rapids, Iowa, April 29-30, 2002
8. **“Mediating the Complex Case”** – Jackson Barracks, New Orleans, C.L.E, December 19, 2002
9. **“Mediating the Maritime Case”** – 11th Annual Admiralty Symposium, New Orleans, September 5, 2003
10. **“Negotiations in Mediation”** – Jackson Barracks, New Orleans, C.L.E, December 19, 2003
11. **“Negotiation at the Front Lines: ADR Ammo From Battle-Scarred Vets”** – Louisiana State University, Baton Rouge, April 30, 2004
12. **“War Stories From the Trenches” – What Works and What Doesn’t in Mediating Employment Cases”** – Louisiana State University, Baton Rouge, August 26, 2005

13. **“Calming the Perfect Storm - Mediation of Employment Cases”** – Louisiana State University, Baton Rouge, March 10, 2006
14. **“Successfully Mediating a Personal Injury Case: Tips From the Pros”** – Louisiana State University, Baton Rouge, March 31, 2006
15. **"Successful Negotiations and Negotiation Tactics"** - LA Farm Bureau Claims Conference, Sandestin, FL, August 2-5, 2007
16. **"Mediation Tactics - Good & Bad"** - Association of American Railroads-General Claims Conference, Williamsburg, VA, September 26-28, 2007
17. **15th Admiralty Symposium**- New Orleans, November 20, 2008
18. **“From Baghdad to the Bayou State”** – Rule of Law Conference, New Orleans, May 5, 2009
19. **“Federal Court Mediation Workshop”** – Federal Bar Association, New Orleans, September 10, 2009
20. **“Employment Law Update – Resolving Employment Cases: Effective Negotiation and Mediation Strategies”**-- Sheraton New Orleans, August 19, 2011
21. **“Ethics in Mediation – Thoughts from a Battle-Scarred Veteran”** LAMMICO Conference—Beau Rivage Resort and Casino, August 9, 2012

SPECIAL MASTER APPOINTMENTS

Louisiana Fen-Phen Litigation, 2000-2001
 Kaiser Plant Explosion Litigation, 2001
 Allen Parish Chemical Spill Litigation, 2001
 Zeh-Noh Grain Dust Litigation 2002
 Iraqi Property Claims Commission (Green Zone, Baghdad) 2004-2005
 Elton Rice Class Settlement, 2007
 Calcasieu Refinery, 2007
 Waterworks District #5, 2011

BERNARD H. McLAUGHLIN, JR.

Significant Accomplishments

- Served on military duty during and after Hurricane Katrina, assisting in rescue and re-location operations of city residents and law and order operations (Douglas Brinkley's New York Times best-seller "The Great Deluge" has detailed account of my role during Hurricane Katrina).
- Mediated La. Superdome Katrina damage claim and several hundred high-value Katrina hurricane damage cases and business interruption claims for parties such as Community Coffee, Treasure Chest Casino, Marriott Hotels, Pizza Hut chain, Sonic Drive-In chain, St. Tammany Parish Hospital District, etc. Settlements ranged from \$5000,000 to over \$100 million, including many 7 and 8 figure settlements. Mediated many Hurricane Gustav and Rita, property damage and business interruption claims.
- Assisted in the establishment of the mediation procedures for the Iraqi Property Claims Commission (IPCC) – tasked with resolving thousands of contested property claims in Iraq; claims worth an estimated \$1 billion (Saddam Hussein had over a period of 30 years confiscated and estimated 30,000 properties from Iraqi citizens who had fallen into disfavor with the regime- these properties were then given to Baath Party officials and loyalists – the IPCC is tasked with handling these claims)
- Mediation of thirty oilfield legacy cases resulting in settlements of \$2.5 million to \$80 million.
- Mediated ten high-value oil well blowout claims (including reservoir damage, property damage, environmental damage, cost of well damages) with settlements ranging from \$7 million to \$40 million.
- National mediator for Johnson and Johnson Duragesic (fentanyl) pain patch death cases (mediated over 150 death claims, all over the country; all settled)
- Mediated thousands of high-value death claim and personal injury claims (maritime, pharmaceuticals, medical malpractice, railroad, and aviation).
- Mediated settlements in multi-million ship engine damage claims, the loss of a dairy's entire herd from aflatoxicosis, failure of a Zeiss operating microscope, tanning bed failure, tire blow-outs, aircraft defects, and other cases requiring significant dedication to learning the applicable engineering and science.
- Mediated multiple disputes between Sunni's and Shia's in Iraq involving land use/irrigation system use issues; and disputes involving ownership and operation of former Iraqi government economic enterprises.
- Served on active duty as a coordination officer on Adm. Landry's staff as part of the Deepwater Horizon incident military response team (due to expertise in multi-agency operations) plus expertise in oil & gas, environmental and maritime law, coupled with experience as a negotiator/mediator.

- Chief legal architect of Iraq's first federal criminal court, the Central Criminal Court of Iraq (CCCI) and as deputy prosecutor prosecuted hundreds of terrorists, resulting in lengthy jail terms and death sentences.
- Special Master in many complex class actions, including the Kaiser Plant Explosion case in St. James Parish (class action with 25,000 plaintiffs, settlements in excess of \$100 million).
- Instructor for the first-ever Iraqi Public Integrity Commission.
- Listed in "Best Lawyers in America" in mediation and arbitration
- Colonel, retired, U.S. Army ; awards include Bronze Star Medal, Meritorious Service Medal, Army Commendation Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, NATO Service Medal (Iraq) and many Others.
- Advisor to Iraq's Regime Crimes Commission (tasked with prosecuting major Iraqi political and military defendants for crimes against humanity)
- Senior Advisor for anti-terror cell operations designed to destroy AQI (AL Qaeda in Iraq)