

LOU CHANG

MEDIATION • ARBITRATION • NEUTRAL SERVICES

Attorney At Law

RESUME

Mediator, Arbitrator, Conciliator and/or Facilitator: Mediator since 1984. Arbitrator since 1978. Recognized by peers in 2005-2011 as one of the "best lawyers" in the field of alternative dispute resolution. Broad range of business, banking, construction, contract, condominium, insurance, probate, labor, employment, property, franchise, leasing, personal injury, property damage, professional malpractice and civil matters.

Panel Arbitrator, Mediator and/or Facilitator: On the panels of the Dispute Prevention & Resolution, Inc., American Arbitration Association (Labor, Mediation, Construction, Commercial and Large Complex Case Panels), Federal Mediation & Conciliation Service arbitrator panel, The Accord Group, Hawaii Labor Relations Board, Bankruptcy Court Mediation Panel (Hawaii) and other local, national and international organizations.

Labor & Employment Arbitration and Mediation: Panel arbitrator under various public and private sector collective bargaining agreements. Arbitrations of labor and employment matters have included interest, contract interpretation, discipline and termination grievance arbitrations concerning wages, benefits, attendance, theft, workplace violence, dishonesty, job performance, conduct, violations of work rules, drugs, discrimination and harassment issues. Mediation matters have involved mediation of collective bargaining discipline and contract interpretation matters and at will wrongful termination, whistle-blower, sexual discrimination, age and ethnicity discrimination and sexual harassment.

Attorney at Law: Over 30 years as a civil and commercial trial lawyer (licensed in the federal and state courts of Hawaii), arbitrator and mediator concentrating in construction, commercial, corporate, condominium, community association, real property, financial services, arbitration and litigation. Majority of practice in construction law representing owners, developers, design professionals, contractors, subcontractors and suppliers involving public and private residential, commercial and industrial projects (custom homes, high rise condominiums, planned unit developments, hotels, warehouses and production facilities). Handled disputes involving a broad range of design and construction deficiencies, changed conditions, change orders, bond claims, insurance defense and coverage, product defects, petroleum and mold contamination and other issues. Remainder of practice includes labor and employment matters, property, corporate, professional liability, franchise, banking and financial services.

Lou Chang, ALC

P.O. Box 61188 • Honolulu, Hawaii 96839
Tel: (808) 384-2468 • Fax: (808) 951-0888 • E-Mail: louchang@hula.net
LouChang.com

Educational Background:

University of California, Berkeley, Boalt Hall, Juris Doctor 1973

University of Hawaii, Bachelors of Art, 1969 (Phi Beta Kappa)

Professional Practice Areas:

Practicing since 1973 as a mediator, arbitrator and/or lawyer in the following fields:

- Commercial, contract, real property, technology and financial services;
- Construction deficiency and Design professional liability;
- Labor and Employment; and
- Professional liability and Personal Injury;

Professional Associations:

National Academy of Arbitrators

Hawaii Bar Association and its Sections on Labor & Employment and Alternative Dispute Resolution

American Arbitration Association, Board of Directors (1997-2005)

Industrial Relations Research Assoc. (Hawaii Ch.) (IRRA)

Association for Conflict Resolution (Hawaii Ch.) (ACR).

Society of Professionals in Dispute Resolution (SPIDR), Director [1993 - 99],

Qualification Commission, Co-chair, Commercial Sector, Past President - Hawaii Chapter.

Teaching: Adjunct Professor: Wm. S. Richardson School of Law, University of Hawaii, Manoa. Mediation and Advocacy. Spring, 2005

Adjunct Faculty: University of Hawaii, Manoa. Advanced Facilitation and Mediation, Graduate Certificate in Dispute Resolution program. 2003/2005/2006. Mediation Skills, 2009-11.

Mediation Theory & Practice 2010

Adjunct Faculty: University of Hawaii, School of Architecture. Conflict Management for Managers, Architects & Engineers. 2007-2008.

Trainer: Faculty trainer of Arbitrators and/or mediators for the American Arbitration Association, Center for Alternative Dispute Resolution, The Accord Group, Federal Mediation and Conciliation Service, Mediation Center of the Pacific, Australian Commercial Disputes Centre, Hong Kong International Arbitration Centre, Subordinate Court-Singapore, Kuala Lumpur Regional Centre for Arbitration, Supreme Court of the Republic of Palau and others.

Sample Mediation and Arbitration cases:

Sole arbitrator of construction and design disputes arising out of the development of a US\$300 million luxury resort. Multi-million dollar claims were raised between the owner, developer, general contractor, prime sub-contractor, architect, design consultants, suppliers and sub-contractors concerning claimed defective design and construction of mechanical systems, boatway transportation system, tile delamination, petroleum spillage, accounting and insurance claims.

Co-mediator of a thirty-five party, complex construction and design deficiency claim involving a senior citizens residential condominium complex.

Mediator/Discovery Master of claims involving group of 100+ residential homeowners against developer and others concerning deficient siding, water infiltration, concrete and other problems.

Tie-Breaking Umpire for Union-Management Industry Trust Fund dispute.

Arbitrator or Mediator of condominium, planned unit development and community association board governance, governing document interpretations and member disputes.

Mediator of labor and employment discharge, discrimination (Title VII and ADEA), violence, whistle blower and harassment claims, family business and professional liability matters.

Arbitration of hotel management contracts and accounting disputes.

Arbitration panel chair of disputes between a Korean general contracting company and American subcontractor involving construction of airport facilities.

Arbitrator and Mediator of contract interpretation and grievances arising under collective bargaining agreements. Interest arbitrator for collective bargaining wage reopener.

Fact Finder for intra-organizational dispute.

Sole or panel arbitrator of construction industry, design, construction and material failure claims of various kinds. Construction projects have included government and private sector projects and have included various types of residential, commercial and high rise construction.

Mediator and co-mediator of business and commercial matters, hotel/resort contract disputes, hotel ground lease controversies following hurricane damage and conflict between municipal mayor and county council.

Mediator of family business and intergenerational disputes over transition and liquidation.

Mediator and arbitrator of probate, trust and guardianship issues between feuding siblings, mother and grandchild.

Court appointed Discovery Master in civil and designated complex cases

Mediator of construction design deficiency claim concerning a government water treatment facility. This mediation involved multiple parties, including the government agency, design professional firms, the general contractor, sub-contractor, supplier and surety.

Mediation of breach of contract and fiduciary obligation claims between title and escrow company, selling and purchasing principals and fidelity bonding company.

Mediator of service contract dispute between a Pacific island nation government and American marketing agent.

Co-mediator of termination related claims involving a non-profit service agency and its Executive Director.

Mediator of numerous and varied, simple, complex and multi-party construction and design deficiency cases since 1984 ranging from single family residential, condominium, subdivision, industrial, commercial, high-rise and public works projects in Hawaii, Guam and the mainland United States.

Mediator of double wrongful death action, Koror, Palau.

Administrative Hearings Officer for the Department of Land and Natural Resources and the Employee Retirement System of the State of Hawaii.

Party appointed arbitrator of operational and accounting disputes between multi-state hotel chain owner and national tour and travel enterprise.

Court appointed Receiver in Commercial matters and Successor Trustee in trust and probate matters.