



HESHA ABRAMS, ESQ.
ABRAMS MEDIATION & NEGOTIATION, INC.

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ATTORNEY-MEDIATOR – With National/International practice. Since 1986, successfully mediated for thousands of parties. Specializes in complex, multi-party, intellectual property and commercial cases. Among the more noteworthy cases she has resolved are:

Two telecom giants fighting over essential trademarks; patent infringement and theft of trade secrets in the multimillion dollar cosmetics industry; disputes over major telecommunication patents in billion dollar industries; mass computer systems patent infringements suits; highly specialized design patents in competitive lighting industry; eight party construction dispute over large building roof cave-in; death cases and brain damage cases; asbestos litigation involving massive insurance claims; airplane crash case involving army reserve officers; large employment class action; municipalities involved in heated political firings; disability access cases against municipalities; responsibility over major environmental cleanup sites; internal law firm disputes for major firms.

INTERNATIONAL WORK – Invited to teach mediation and negotiation at the 2001 International Symposium on Negotiation and Conflict Resolution, The Hague, Netherlands. Experience with individuals and companies in Taiwan, China, Thailand, Japan, Sweden, United Kingdom, India and Mexico.

PRIVATE NEGOTIATOR – Handle negotiations for private parties or shadow consult on large deals to maximize negotiation position and results. Clients are confidential, private references available upon request.

MEDIATION TRAINER – Designed and conducted highly acclaimed basic and advanced mediation training programs for the American Arbitration Assoc., National Association of Security Dealers (NASD), U.S. Bankruptcy Court S.D. New York, Dallas Bar Assoc., Texas Wesleyann School of Law, S.W. Institute for Dispute Resolution, U.S. Social Security Administration, U.S. Dept. of Energy, Sabre, Oregon State Bar, Yamhill Co. Sheriff and Law Enforcement Officers, Oregon Public Utilities Commission, Oregon Department of Justice

ARBITRATOR – Serving or have served as an arbitrator for American Arbitration Association, U.S. Arbitration & Mediation, Inc., and many private parties.

DIRECTOR and CORPORATE TRAINER – Co-founder of three different national ADR firms of legal mediators and trainers (built and then sold the companies). Designed and presented custom interactive training models for *mediation, partnering, communication, facilitation* and *diversity-harassment and dealing with change*. Created tools to prevent, manage, contain and resolve disputes using training, mediation, consulting and in-house customized conflict management systems. Clients include U.S. Dept. of Energy, BPA, Veterans Affairs Hospitals across the country, National Assoc. Of Security Dealers, Federal Courts, numerous corporations, schools and associations. Focus on practical skills. Training programs in Becoming Effective; Partnering & Team Building, Mediation & Conflict Management, Negotiation & Communication Skills, Harassment & Diversity Training.

SPEAKER-LECTURER-AUTHOR– Dynamic speaker for hundreds of seminars, group meetings, bar and judicial conferences on all facets of mediation/alternative dispute resolution, advanced negotiation and communication issues. Published in ADR/legal fields.

FORMER TRIAL LAWYER – Handled complex commercial litigation for Hopping, Boyd, Green & Sams in Tallahassee, Florida; Boyd & Dubose in Dallas, Texas; and Abrams & Abrams in Dallas, Texas. Both plaintiff and defense work. Law clerk to Federal Judge Maurice Paul, ND, FL.

PROFESSIONAL AWARDS & ASSOCIATIONS

Appointed - Delegate Fifth Circuit Judicial Conference, 1988, 1990, 2002.

Legislative Task Force on ADR

Co-Drafted landmark ADR law in Texas creating an effective statewide mediation program. S.B. 1436, Chapter 154, Texas ADR Act.

Certified trainer - Training programs certified by the Continuing Legal Education departments of several different State Bar Associations and Regional Judicial Conferences, ADR National panel of Mediators for large tort cases, NASD securities mediation panel

Member Organizations & Panels (past and current)

Admin. Conference – US Roster of Dispute Neutrals, Assoc. for Attorney-Mediators; Better Business Bureau National Panel of Consumer Arbitrators; American Arbitration Assoc.; U.S. Bankruptcy Ct., S.D.N.Y. mediation panel.

Pro Bono Award, Legal Services Corp. - Dallas, Texas 1986 & 1988

Steve Brutsche' Award for Excellence in Mediation - Association of Attorney Mediators, 1988

PUBLICATIONS

The Sandwich Technique, 3:1 The ADR Report (Spring 1994); *Mediation of Claims Involving Insurance Companies*, 2:1 The ADR Report (Fall 1993); *The Magic of Conflict* 2:1 The ADR Report (Fall 1993); *Mediation-Makes Your Practice More Profitable*, 23 Texas Lawyers Forum 4 (1989); *Combined Processes (mediation, arbitration, & other ADR procedures)*, Second Handbook of *Alternative Dispute Resolution – Powerful Tools in the Attorney's Arsenal*, Dallas Training Materials (1988); *Mediation as an Effective Settlement Tool*, Texas Trial Lawyers Forum (1988); *Mediation of Claims Involving Insurance Companies*, 52 Texas Bar Journal 1 (1988); *Insurance Mediation*, Handbook of *Alternative Dispute Resolution – New Horizons for the Texas Judicial System*, State Bar of Texas (1987); *Leon Co. Lawyer's Handbook – Civil & Criminal Actions in Circuit and County Courts*, A Lawyers Guide, Sept. (1982), (1990-2003) designed and wrote outstanding training manuals/materials utilized in seminars and training for federal and state courts, bar associations and corporations.

EDUCATION

Florida State University College of Law, Tallahassee, FL (f/k/a Lila Abrams)

J.D. with Honors, Dec. 1981

University of Florida, Gainesville, FL *B.A.*, August 1978

Texas Bar 1984; Florida Bar 1982 - inactive - full time mediation practice

ADDITIONAL SKILL SET

I have worked with those who are dying through Hospice organizations and conducted Suicide Crisis Telephone counseling in Dallas and hospital chaplaincy at Cedars Sinai in Los Angeles. This highly developed psychological skill set is instrumental in ability to craft agreements with the most intense personalities, emotions and complex situations.

References for Our Work
Abrams Mediation & Negotiation, Inc.
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MEDIATION

Timothy Gorbatoff, Esq.

General Motors Corp: "Your unique ability to win the trust and respect of both sides helped turn adversaries into allies. I would strongly recommend you to anyone who needs a mediator."

Pat McGowan, Esq.

Akin Gump Strauss Hauer & Feld: "I want to state for the record that in my opinion Heshia Abrams is the best mediator that I have ever worked with."

Honorable A. Joe Fish

U.S. District Judge, ND TX: "You developed an excellent mediation program for this Court. Your assistance as advisors and mediators has been invaluable."

Ralph C. Perry-Miller, Esq.

Perry-Miller & Blount: "Given the personalities and attitudes involved, and the complicated legal and emotional issues, I never actually believed the suit would be resolved short of trial. We truly appreciate your spending the extra time and exerting extraordinary efforts to bring the parties together and keep them engaged in negotiations long enough to resolve the suit."

Eric B. Meyertons, Esq.

Conley, Rose & Tayton: "It was a pleasure working with you. I appreciate the professional manner in which you handled this mediation."

Steven E. Ross, Esq.

Carstens, Yee & Cahoon "Thank you for successfully mediating another hotly contested intellectual property dispute. You are the most effective mediator I have ever worked with."

Charles Smith, Esq.

Smith & Moore: "Your imaginative and insightful mediation approach was instrumental in resolving an extremely complex aviation case with a number of difficult technical and legal issues including an intervening bankruptcy. You were exceptionally fair and pragmatic."

Brian Jobe, Esq.

Wimer & Jobe: "Most impressive was that you quickly grasped the leverage points and personality issues crucial to settling the dispute. You struck an ideal balance in terms of formality, serious enough to deal with tough issues but informal enough to encourage frank discussion. I highly recommend you."

Kenneth D. Carden, Esq.

Carden Law Offices: Disability cases are very hard to settle. Your impressive array of skills turned adversaries into allies, and you managed to settle impossible cases."

John B. Rizo, Sr, Esq.

Kirkpatrick & Lockhart: "The parties were strongly entrenched in their positions. Through your understanding of the issues and the parties, you were able to help the parties find common ground and resolve their case. You did an outstanding job."

Jim Karen, Esq.

Jones Day Reavis & Pogue: "Your preparation, clarity, and determination to reach resolution in a very delicate case was superb."

Craig B. Florence, Esq.

Gardere Wynn Sewell: “It is a rare privilege to work with a mediator who possesses the talent, creativity, intellect and perseverance of Heshia Abrams. In fact, her ability as a mediator is unmatched in my experience. She is as persistent as she is patient. She is enthusiastic and undaunted by the greatest challenges posed by the most complex cases. She is simply beyond comparison as a mediator.”

Tass Waterston, Esq.

Francis & Orr: “Given the contentious history underlying the parties’ dispute, I was very impressed with your leadership, patience and professionalism in directing this case towards settlement.”

Ruth Ann Daniels, Esq.

Gibson, McClure & Wallace: “ I praise your effectiveness and thank you for accomplishing a difficult settlement.”

Darrell W. Smith, Esq.

Cutler Smith: “Let me once again express my gratitude for your hard work and excellent skills in bringing our construction case to a successful resolution. With all five parties, each with disparate interests, effectively and persuasively arguing their case, settlement seemed remote at best. However, you skillfully (and with a great deal of grace and charm, I might add) brought all the parties into a realistic settlement range, convinced everyone that settlement was in their best interest, and then neatly wrapped up the settlement into a package and tied a bow on top.”

J.M. “Joe” Haggar III, Chairman, CEO

Haggar Clothing Company: “Of all the Mediators I have worked with, Jeff Abrams was the best.”

Joe B. Harrison Esq.

Gardere Wynne Sewell: “You are by far the best mediator I have see. In each of the two cases you have mediated you have taken a completely different approach in dealing with my client. It is a tribute to your skills and judgment that you were able to see what needed to be done in each of those cases, adapt accordingly and get the job done. The quality of the mediator does make the difference. When the case is important enough to get the best, you are the mediator of choice.”

T.E. McConnell, CEO

Prince Lionheart Products: “You did a great job in our patent case. You actually made it painless for me to be separated from a substantial sum of money...what a gift you have!”

Beverly Godbey, Esq.

Gardere Wynne Sewell: “Thank you for your initiative and professionalism in successfully concluding our negotiations.”

Tim Durst, Esq.

Baker Botts: “She is creative, intelligent and hard-working. She is a no-nonsense mediator with a remarkable ability to quickly grasp the real drivers in any given situation, including the business, legal and personality factors that are important to settlement. All that, and she is entertaining and a real pleasure to work with, too.”

Patrick Hast, Esq.: “I enjoyed your unusual and effective mediation techniques.”

Hollye C. Fisk, Esq.

Fisk & Fielder: “She worked very hard on this complex case and achieved a successful result. Her methodologies were very innovative and I left the process most impressed with her...Sometimes you really do “GET WHAT YOU PAY FOR.”

Kevin Buchanan, Esq.

McDonald, Clay Crow & McGartland: “I want to thank you. You went far beyond the ordinary doing much more than the vast majority of mediators. Your tireless efforts, especially the after-hours phone calls, and your ability to quickly grasp the facts and law clearly made the difference.”

Kevin Delaney, Esq.

The Trane Company: “ You deserve special credit for your diligence in preparing the parties for the actual mediation session. This detailed, advanced preparation enabled you to facilitate a successful result on terms acceptable to all parties. In our case it was crucial to eliminating roadblocks that would otherwise have derailed successful resolution. Your preparation, style, and commitment to delivering results were nothing short of phenomenal. I know who to go to in the future on complex cases.”

Rudy Beuttenmuller, Esq.

Thomas & Self: “ You bring all of your knowledge, experience and energy to shift the parties’ expectations and perceptions and make compromise possible. You suggested a deal structure that created value for all parties. You are a highly skilled and perceptive professional who brings value many times the fee to the settlement process.”

Kenneth Glaser, Esq.

Gardere Wynn Sewell: “The other side did not want to mediate, and definitely did not want to mediate before you. When all was done, they required, as a condition of settlement, that any further disputes between the parties MUST first be mediated before you. That says it all.”

Bob Sanner, CEO

Decatur Electronics: “Many many thanks for a truly remarkable result. You are indeed a gifted mediator. Count me among your new admirers.”

James M. Coleman, Esq.,

Constangy, Brooks & Smith: “I wanted to tell you what a pleasure it was working with you last week. You did indeed surprise me with the outcome. I went into mediation thinking that a complete settlement was extremely unlikely – perhaps as unlikely as a 1 out of 100 chance to win the \$1M lottery ticket! However, you stuck with it, and were obviously very effective. I will recommend you to my partners and other lawyers, particularly when they need to settle a case that just can’t be settled.”

Lawrence E. Ackels, Jr., Esq.

Ackels & Ackels, LLP: “I was asked by the editors of the Martindale-Hubbell Legal Directory to rate certain attorneys for their publication. Recently, your name appeared on the list of attorneys to be rated. I was pleased and delighted to give you an “AV” rating, the highest possible rating for professional skill and integrity. I have admired your fine work and welcomed the opportunity to recognize you in this way.”

John Cumberland, CEO

Cambridge Vacuum Engineering, UK: “Thank you for the unique and vital role you played in settling this dispute. Considering the difficult circumstances, you helped to make it enjoyable too.”

R.J. Sullivan, Jr.

Sullivan and Company: “I wish to express my thanks for your very professional and effective work in resolving this matter. You should know that all of us representing Sullivan’s interests, myself chief among them, felt that you did a very good job of mediating this dispute.”

Robert Oake, Jr., Esq.

Oake Law Firm:

“If you believe no mediator can settle your case, then you haven’t met Heshia Abrams. She is remarkable. Even in the complex and high-stakes world of patent litigation, she has the intelligence and tenacity to get the job done.”

Gwen Burkett, Esq.

Jessica Stettler & Associates:

“This case required an extraordinary mediator and Hesha filled the bill. She did a superb job in working this mediation to a successful resolution.”

Jerry Ransom, President

CEO OmniSYS, Inc.: “I was pessimistic about the potential outcome – particularly for an intellectual property case with so many dimensions difficult to understand. Your power of presence in presenting options and persuading both sides led us to a satisfactory conclusion. In fact, I am delighted with the outcome.

Jon Hanna, Esq.

Hanna & Hanna: “You struck a perfect chord of compassion, determination and common sense (and quite possibly a little white magic!). As you know, this was our third mediation and the case had been tried to a verdict, not surprisingly, you did not find everyone at their most open minded. Still in all, you managed to conclude this difficult and long suffering dispute.”

Andy Trusevich, Esq.

Quilling, Selender: “You are an outstanding mediator and you settle impossible cases.”

Mack Ed Swindle, Esq.

Whitaker, Chalk, Swindle & Sawyer: “It was a pleasure working with you. Thank you for your assistance in helping to settle the case.”

David Brown, Esq.

Winstead Sechrest & Minick: “Thank you again for a job well done.”

Lawrence Friedman, Esq.

Friedman & Feiger, LLP: “Hesha did an outstanding job as the mediator. Were it not for her extraordinary talents, this case would not have settled. I would recommend her as a mediator in any case without reservation.”

Bill Fifield, Esq.

Sidley, Austin, Brown & Wood: “You are both phenomenal mediators and you achieve excellent results.”

Daniel Madock, Esq.

Barlow, Kobata & Denis: “My clients remain thrilled with the terms of the settlement and want to extend their thanks to you for a job well done.”

Sondra Modell Hirsch

Metlife: “In a complicated interpleader action you demonstrated outstanding skills. You quickly understood the issues and certainly knew how to manage the dynamics and difficult personalities. You resolved a difficult situation. Thank you for a job well done.”

Elias Quintana, President

National Bus & Coach: “In a case where issues were complex and personalities conflicting, Hesha performed with excellence beyond my expectations. She has great people skills and a tremendous ability to reconcile differences in a peaceful and sincere manner.”

Joe Mastrogiovanni, Jr. Esq.

Mastrogiovanni, Schorsch & Mersky: “Thanks for doing a great job. You are awesome.”
