

LOU CHANG

Mediation · Arbitration · Neutral Services

RESUME

Mediator, Arbitrator, Conciliator and/or Facilitator:

Mediator since 1984. Arbitrator since 1978. On the panels of the Dispute Prevention & Resolution, Inc., American Arbitration Association (Mediation, Construction, Commercial, Large Complex Case Panel, Labor), Federal Mediation & Conciliation Service, The Accord Group, Hawaii Labor Relations Board, Bankruptcy Court Mediation Panel (Hawaii) and other local, national and international organizations.

Over 25 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, 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, highrise 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, licensing, banking and financial services.

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

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:

- * Construction deficiency and Design professionals liability;

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- * Commercial, contract, real property, technology and financial services;
- * Labor and Employment; and
- * Professional liability and Personal Injury;

Professional Associations:

American Arbitration Association, Board of Directors (1997 -)

Association for Conflict Resolution (formerly SPIDR)

Society of Professionals in Dispute Resolution (SPIDR), Director [1993 - 99], Co-chair, Commercial Sector, Qualification Commission, Past President - Hawaii Chapter

Hawaii Bar Association and its Subcommittees on Labor, Alternative Dispute Resolution and Real Property and Financial Services

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, 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 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 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.

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.

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.

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

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.

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