

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

IN RE )  
)  
APPLICATION FOR INCLUSION ON COURT'S )  
REGISTER OF QUALIFIED MEDIATORS ) Sherman B. Kellar  
)

I, THE UNDERSIGNED, HEREBY APPLY FOR INCLUSION ON THE REGISTER OF MEDIATORS QUALIFIED FOR SERVICE IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF OREGON. IN MAKING THIS APPLICATION I CERTIFY UNDER PENALTY OF PERJURY THAT ALL OF THE FOLLOWING INFORMATION IS TRUE AND CORRECT:

1. I WILL FULLY COMPLY WITH THE RELEVANT PROVISIONS OF THIS COURT'S GENERAL ORDERS, LOCAL RULES, AND LOCAL FORMS, AND ANY MODIFICATIONS THERETO, RELATING TO MEDIATION.

2. I HAVE BEEN LICENSED UNDER THE LAWS OF OREGON IN THE PROFESSIONS LISTED BELOW (E.G., ATTORNEY, ACCOUNTANT, REAL ESTATE BROKER, APPRAISER, ENGINEER, ETC.) FOR THE NUMBER OF YEARS INDICATED:

PROFESSION	ACCREDITING ORGANIZATION	YEARS
Attorney	Oregon State Bar	30

3. I AM, OR HAVE BEEN, A MEMBER IN GOOD STANDING OF THE FOLLOWING PROFESSIONAL ORGANIZATIONS:

ORGANIZATION	MEMBERSHIP #	NO. OF YEARS	ACTIVE/RETIRED
Oregon State Bar	640468	30	Active
American Bar Assn.	NA	21	Retired
American Arb. Assn.	NA	28	Active
Society of Professionals in Dispute Resolution	NA	2	Active
Industrial Relations Research Association	NA	4	Active

4. A GENERAL EXPLANATION OF MY EXPERIENCE IN EACH OF MY AFOREMENTIONED PROFESSIONS IS LISTED BELOW:

Private practice of law for 23 years - emphasis in business, real estate, securities and labor. 3 years as President/CEO of International Manufacturing and Marketing Co. Since 1991, neutral practitioner in arbitration, mediation and factfinding.

5. I HAVE COMPLETED THE FOLLOWING OREGON STATE BAR CONTINUING EDUCATION MEDIATION TRAINING PROGRAMS:

COURSE	HOURS	CLE CREDITS
Institute for Conflict Mgmt. Mediation Training & Conflict Resolution	30	30

6. THE FOLLOWING IS A LIST OF OTHER COURT, STATE OR FEDERAL MEDIATION PROGRAMS I HAVE COMPLETED:

COURT	PROGRAM	HOURS
District Court	Mediation	6

7. THE FOLLOWING IS A GENERAL STATEMENT CONCERNING OTHER PERTINENT MEDIATION TRAINING I HAVE RECEIVED:

For the past two years I have participated with Sid Lezak in approximately 12 mediations. I have developed a course in Arbitration and Mediation which I will teach this fall as an adjunct professor at Oregon State University.

In the past 2 years I have conducted 15 partnering sessions in the construction industry. This format is quite akin to mediation since my function was to act as a facilitator in getting the parties to develop and enter into a project partnering agreement.

8. THE FOLLOWING IS A BRIEF EXPLANATION OF MY PERTINENT BANKRUPTCY EXPERIENCE:

I have participated in 7 Chapter 11 proceedings either as a representative of the bankrupt, secured or unsecured creditor. I have participated, in a like manner, in approximately 15 Chapter 7 proceedings.

9. THE FOLLOWING IS A GENERAL EXPLANATION OF ANY OTHER PERTINENT EXPERIENCE I HAVE:

General experience gained in 23 years of private law practice, three years of manufacturing and marketing experience throughout North America, Mexico, the Caribbean and Europe. Four years as a true neutral practitioner in the fields of arbitration and mediation.

10. I HAVE:

- (A) NEVER BEEN SUSPENDED, DISBARRED OR HAD ANY PROFESSIONAL LICENSE REVOKED;

(B) NO PENDING PROCEEDING TO SUSPEND OR REVOKE ANY OF MY PROFESSIONAL LICENSES; AND

(C) NEVER BEEN CONVICTED OF A FELONY.

11. THE FOLLOWING IS A LIST OF EACH OF MY PREVIOUS APPLICATIONS FOR INCLUSION ON ANY COURT'S MEDIATION REGISTER, AND AN EXPLANATION OF THE CURRENT STATUS OF EACH SUCH APPLICATION (E.G., PRESENT STATUS; CIRCUMSTANCES, AND DATE, OF ANY REMOVAL):

APPLICATION DATE	COURT	PRESENT STATUS
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NA

12. UNLESS FULLY DISCLOSED AND THE POTENTIAL DISQUALIFYING CIRCUMSTANCE WAS THEN WAIVED BY THE COURT AND ALL PARTIES, I WILL NOT ACCEPT APPOINTMENT AS A MEDIATOR IN ANY PROCEEDING OR MATTER UNLESS AT THE TIME OF APPOINTMENT I WOULD QUALIFY AS A "DISINTERESTED PERSON" AS DEFINED BY 11 U.S.C. 101; I WOULD NOT BE DISQUALIFIED PURSUANT TO 28 U.S.C. 455 IF I WERE A JUSTICE, JUDGE, OR MAGISTRATE; AND I KNEW OF NO OTHER REASON THAT WOULD DISQUALIFY ME AS A MEDIATOR.

13. I WILL IMMEDIATELY CONTACT THE COURT, AND ANY PARTIES FOR WHOM I HAVE ACCEPTED APPOINTMENT AS A MEDIATOR, UPON LEARNING I AM NO LONGER QUALIFIED TO SERVE PURSUANT TO THE PROVISIONS OF G.O. 93-1, OR THIS APPLICATION (E.G., DUE TO AN ADVERSE CHANGE OF CIRCUMSTANCES RELATING TO POINTS 10 OR 12).

14. THIS APPLICATION IS ACCOMPANIED BY A DISKETTE (WHOSE SIZE IS COMPATIBLE WITH THE COURT'S CURRENT HARDWARE) WHICH CONTAINS A TRUE COPY OF THIS APPLICATION IN A VERSION OF SOFTWARE ACCEPTABLE TO THE COURT.

DATED: 8/11/94

NAME OF SIGNER: SHERMAN B. KELLAR

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