

# Alternative Dispute Resolution

## Main Contact(s)

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## Partners

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## Aiming for Efficient Dispute Resolution

Alternative Dispute Resolution (ADR) continues to grow in acceptance and importance. The vast majority of civil litigation cases resolve before trial, usually with the assistance of ADR professionals. Furthermore, arbitration provisions are found in an increasing number of contracts and employment agreements as a way to avoid litigation. Peabody & Arnold's ADR partners have had active practices as mediators and arbitrators for decades.

## Finding the Right Option

In mediation, a neutral mediator assists the parties in finding a mutually acceptable solution to their dispute. Mediation is confidential and the decision to participate is almost always voluntary. There are a number of advantages to mediation, including:

- Helps maintain control over the outcome rather than having a judge or jury determine your fate
- Saves money versus more expensive litigation
- Saves time, allowing the parties to finalize their dispute more efficiently

In arbitration, the arbitrator issues a binding decision. It, too, has the advantages of saving time and money over more traditional litigation. Further, you will know your matter is being decided by one of the experienced arbitrators at Peabody & Arnold who can give your case the time and attention it deserves. The parties retain significant control over the time and location where the arbitration will take place.

## Broad Experience on Both Sides of the Table

Our mediators and arbitrators maintain busy practices as litigators. This experience helps us to educate and guide those who appear before us and to get cases resolved efficiently.

We have mediated and arbitrated hundreds of cases, including commercial, employment, legal malpractice, construction, contract, condominium, wrongful death, health care, insurance, sale of business, personal injury disputes, maritime and franchise disputes. Let our ADR professionals assist you in determining the best approach for your case.

## Meet Our Mediators

### Susan E. Cohen

Susan is an approved arbitrator and mediator with the American Arbitration Association Commercial Arbitration and Mediation Panels, and one of the founding members of the Women's Bar Association ADR Committee.

### Frederick E. Connelly, Jr.

Rick's experience on both sides of the arbitration table makes him uniquely qualified to adjudicate

those matters which by contract or agreement are determined by binding arbitration. He has represented clients in over 75 arbitrations and sat as an arbitrator on an even greater number.

Rick has been an arbitrator with the American Arbitration Association for over 20 years and also serves as a mediator for the American Arbitration Association. He is rated AV Preeminent attorney by Martindale-Hubbell.

**James J. Duane, III**

Jim has represented clients in hundreds of mediations and arbitrations over the last 30 years. In the last two years, he has been serving as a mediator and has mediated over 25 cases. His 38 years of litigation experience, knowledge of the law, patience, and tenacity serve him well when he mediates cases.

Jim is also rated AV Preeminent attorney by Martindale-Hubbell. He has been consistently recognized as a *Best Lawyer in America* and a Massachusetts *Super Lawyer*.

Both Rick and Jim are members of the Dispute Resolution Section of the Massachusetts Bar Association.