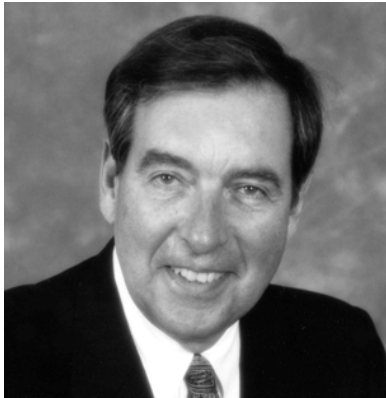


## Hon. Richard B. McQuade, Jr.



Judge Richard McQuade Jr. was appointed to the U.S. District Court (N.D. W.D. Ohio) in 1986 by Ronald Reagan. He also served by designation on the Sixth Circuit. He is a former President of Blue Cross/Blue Shield of Ohio, also serving on the Board of Directors for over 20 years. Earlier in his career, he was a Judge of the Ohio Common Pleas Court and the Fulton County Prosecuting Attorney.

Hon. Richard McQuade has over 30 of years experience judging, mediating, and arbitrating complex, multi-party disputes involving as much as \$500 million. He has successfully resolved numerous disputes involving Fortune 500 companies.

### **Areas of Expertise:**

- ANTITRUST
- APPELLATE
- CONSTRUCTION
- CONTRACTS
- EMPLOYMENT/LABOR
- ENVIRONMENTAL/CERCLA
- INSURANCE/REINSURANCE

### **Arbitration & Mediation Experience:**

#### **Commercial Litigation/Corporate Shareholder Disputes:**

Shareholder derivative suits and partnership rights are common topics of his dispute resolutions. His business experience gives him a quick understanding of the issues and provides a basis for his unique, innovative strategies to resolve issues.

#### **Insurance Coverage/Bad Faith Claims:**

Richard McQuade has arbitrated and mediated numerous cases involving insurance coverage and bad faith claims.

#### **Antitrust-Unfair Trade Practices:**

Several successful resolutions have involved price-fixing and other anti-competition claims.

#### **Personal Injury/Wrongful Death:**

Many of Richard McQuade's arbitrations and mediations involve Personal Injury and Wrongful Death claims. Richard McQuade's years of experience with jury verdicts puts him in a unique position to evaluate liability and damages and to accurately assess settlement values.



### **Environmental Actions/Toxic Torts:**

He has presided over several Superfund cases while serving in the United States Courts. Since that time, he has successfully mediated Superfund and toxic tort cases involving air, ground, and waterborne chemical dispersion.

### **Professional Malpractice:**

Jude McQuade has successfully resolved numerous malpractice claims, including legal, medical, architectural, engineering and accounting.

### **Class Action Lawsuits:**

Richard McQuade has resolved a number of class action lawsuits for Fortune 500 companies. He has been called upon frequently to give his opinion as to the fairness of class action settlements. He is familiar with the subtleties needed to craft successful solutions.

### **Construction:**

Richard McQuade has successfully arbitrated and mediated construction defect claims involving tens of millions of dollars.

### **Employment Disputes:**

A significant part of Richard McQuade's practice has involved resolving Title VII and ADA type disputes.

### **A Sample Arbitration Experience:**

- Three-week arbitration in San Francisco involving an accounting malpractice claim brought by a nationwide financial institution against a major accounting firm.
- Two-week arbitration in St. Louis involving a construction claim brought by an international company against a large, national construction contractor.
- Two-week multi-party, multi-claim construction arbitration in Covington, Kentucky.
- One-week arbitration in Salt Lake City involving a consumer claim against a nationwide bank.
- Two-week arbitration in Cleveland brought by a construction subcontractor against a large general contractor.
- One-week arbitration in Cleveland brought by an independent contractor against a major tool manufacturer.
- One-week arbitration in Toronto, Canada involving a claim of defective software.
- Two-week arbitration in Sandusky, Ohio involving a claim of accounting malpractice.
- Two-week arbitration in Cleveland involving patent and trademark infringements against a major European company.
- One-week arbitration involving a major international manufacturer charging a company working as its independent contractor with theft.

- Arbitration with a major international manufacturer involving claims of product liability and breach of contract against an equipment manufacturer for loss of production.
- Two-week arbitration involving employee claims against a former employer.
- One-week arbitration in Bloomfield Hills, Michigan involving an alleged defective computer software design.
- One-week arbitration in Cleveland involving a churning claim against a national brokerage firm.

Richard McQuade has mediated and arbitrated disputes across the country, including New York, Los Angeles, Chicago, San Francisco, Boston, Atlanta, Denver, Cleveland, Columbus, Cincinnati, Toledo, Akron, Dayton, Youngstown, Pittsburg, Fort Lauderdale, Minneapolis, New Orleans, Ann Arbor, Cedar Rapids, St. Louis, Milwaukee, Waco, and Des Moines.

**A Sample of Mediation Experience:**

- Mediated claim against food processors as a result of a five state salmonella outbreak.
- Mediated scores of claims against physicians, nurses and hospitals involving obstetrical malpractice.
- Mediated numerous cases against nursing homes for negligent care.
- Mediated trademark infringement cases against major automobile manufacturers.
- Mediated wrongful death and survival claims as a result of the death of four American civilians employed by a private contractor in Iraq.
- Mediated fraud claim brought by West Coast financial institution against California bank.
- Mediated bad faith claim of major national transportation company against its carrier.
- Mediated bad faith claim of major Colorado law firm against malpractice carrier.
- Mediated dissolution of several medical, legal and accounting
- Mediated class action claims against major refinery for spill.
- Mediated claims of gas station owners against major international fuel refiner.
- Mediated Fair Labor Standard Act claims of employees of major insurance company.
- Mediated class action claims of borrowers of national automobile financing corporation.
- Mediated scores of FELA claims.
- Mediated liquidation of claims against failed insurance Mediated class action against petroleum company for claims resulting from an explosion.
- Mediated numerous claims of police brutality.

**Business Experience**

Richard McQuade has a broad range of business experience, including:

- Former President of Blue Cross Blue Shield of Ohio.
- Served on the Blue Cross Blue Shield of Ohio Board of Directors for over twenty years.
- Served on the Board of Directors of National City Bank.

- Completed executive business coursework at the Wharton School,
  - The University of Pennsylvania (Finance & Accounting),
  - The University of Michigan (Business Processes & Business Process Improvement),
  - George Mason University (Law & Economics), and
  - Case Western Reserve University Weatherhead School of Business (Finance).
- Serves on the Board of Trustees for The University of Toledo.
- Serves as Chairman of the Board of Trustees for St. John's Jesuit High School & Academy.

Richard McQuade has extensive experience mediating business disputes, including:

**Commercial Litigation/Corporate Shareholder Disputes:**

Shareholder derivative suits are common topics of his dispute resolutions. His business experience gives him a quick understanding of the issues and provides a basis for his unique, innovative strategies to resolve issues.

**Partnership Disputes**

Richard McQuade has resolved many disputes concerning partnership rights. He has also mediated partnership dissolutions.

**Antitrust-Unfair Trade Practices:**

Several successful resolutions have involved price-fixing and other anti-competition claims.

**Class Action Lawsuits:**

Richard McQuade has resolved a number of class action lawsuits for Fortune 500 companies. He has been called upon frequently to give his opinion as to the fairness of class action settlements. He is familiar with the subtleties needed to craft successful solutions.

**Employment Disputes:**

A large part of Richard McQuade's mediation practice involves resolving Title VII and ADA type disputes.

**Alternative Dispute Resolution Training:**

AAA Arbitrator Ethics & Disclosure (ACE003), 2006; AAA Commercial Arbitrator II Training, Detroit, MI 9/'02; AAA Arbitrator Update 2001; AAA Commercial Arbitrator Training, Southfield, MI 3/'00; Faculty, AAA Large Complex Case Program Arbitrator Training, Cleveland, 10/'95; AAA Large Complex Case Program Mediator Training, Cleveland, 10/'93; AAA Large Complex Case Program Arbitrator Training, Cleveland 6/'93; and various other ADR training programs.

**Professional Licenses:**

- Admitted to the Bar, Ohio and United States Courts.

**Education:**

- J.D., The University of Toledo College of Law.
- B.A., The University of Toledo. R

- Completed executive business coursework at the
- Wharton School at the University of Pennsylvania,
- The University of Pennsylvania (Finance & Accounting),
- The University of Michigan (Business Processes & Business Process Improvement),
- George Mason University (Law & Economics), and
- Case Western Reserve University Weatherhead School of Business (Finance).

**Publications and Speaking Engagements:**

- The University of Toledo College of Law, Legal Intern Program;
- Contributing Editor and Lecturer, “Products Liability,” Ohio Legal Center Institute;
- Lecturer, School for New Prosecuting Attorneys;
- Lecturer, “Justice in Ohio,” Ohio University;
- Contributing Editor and Lecturer, “Sentencing,” Ohio Legal Center Institute;
- Contributing Editor, “Handbook for Prosecuting Attorneys,” Ohio Prosecuting Attorneys Association;
- Contributing Editor and Lecturer, “New Ohio Criminal Code,” Ohio Legal Center Institute.
- “Use of Pre-sentence Reports,” Judicial Notice Magazine;
- Lecturer, Ohio Arson Seminar, Ashland College;
- Lecturer, “Liability,” Ohio Recordors Association;
- Lecturer, “Sentencing in Ohio,” Ohio Judicial Conference;
- Lecturer, The University of Toledo College of Law, Legal Intern Program;
- Contributing Editor and Lecturer, “Products Liability,” Ohio Legal Center Institute;
- Lecturer, School for New Prosecuting Attorneys;
- Lecturer, “Justice in Ohio,” Ohio University;
- Contributing Editor and Lecturer, “Sentencing,” Ohio Legal Center Institute;
- Contributing Editor, “Handbook for Prosecuting Attorneys,” Ohio Prosecuting Attorneys Association;
- Contributing Editor and Lecturer, “New Ohio Criminal Code,” Ohio Legal Center Institute.

**Awards/Special Appointments:**

- Nine Superior Judicial Service Awards, The Supreme Court of Ohio
- Chairman, Ohio Legislature and The Supreme Court of Ohio Commission to Redistrict Appellate Districts
- Chairman, The Supreme Court of Ohio Commission on Judicial Ethics, to Reform Judicial Canons, and for More Effective Judicial Elections
- “12th Man” Honor, The University of Toledo
- “Man for Others” Award, St. John’s Jesuit High School & Academy



- Ohio Prosecuting Attorneys Association Leadership Award
- Community Service Award, Ohio Junior Chamber of Commerce
- Order of the Coif, The University of Toledo College of Law
- Distinguished Alumni, Swanton High School
- Gold T Award, University of Toledo