

## **John Rusk**

**Master Mediator Panel, American Arbitration Association;** Rusk Renovations Inc. - President ; Constructive Decisions, Inc. President; Columbia University, Adjunct Professor in Construction Management

**Work History** President of Rusk Renovations since 1985, performing single apartment and brownstone high end residential general construction in Manhattan as well as owner's representation services. Arbitrator and mediator primarily for the American Arbitration Association since 1993.

**Experience** Construction professional with over 30 years' experience as a contractor, owner's representative, and construction manager. Firm specializes in renovations of high-end residential apartments, high-end retail establishments, and medical and imaging facilities. Winner of the Lucy G. Moses award from the New York Landmarks Conservancy for Outstanding Contributions Made in the Field of Architectural and Historic Preservation. Best Companies to work for in New York, Crain's and Society of Human Resource Management Professionals

**Alternative Dispute Resolution Experience** Involved in over 200 construction mediations and arbitrations. Carefully crafts process with the help of the attorneys to focus on determinative issues that result in efficient and fair outcomes. Preparation is essential and pre-mediation work is often substantial so that parties are making decisions based on thorough knowledge of the case for and against them. Specific dispute resolution experience with pay request, delay, change order, project accounting, contract, workmanship, subsurface conditions, hazardous materials, mechanical systems, interior decoration, design build, improper termination, etc. Disputes resolved among owners, municipalities, bonding agents, general contractors, designers, subcontractors, manufacturers and architects. Cases range from less than \$20,000 to over \$25 million and from two to seven parties in mediations.

**Alternative Dispute Resolution Training** Harvard Law School, Program on Negotiation, Negotiation Theory and Practice. 1992. Center for Dispute Resolution, The Mediation Process, 40 hour coached mediation training. 2004; Attended AAA Neutrals Conference, 2006, 2005, 2004, 2003; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE001), 2005; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2004; AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2003; Attended Partnering Facilitation Workshop, 2003; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2003; AAA

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Arbitrator Update 2003, 2001; AAA Construction Arbitrator II Training: Advanced Case Management Issues, 2001; AAA Construction Arbitrator Training, 1996;

**Professional Associations:** American Arbitration Association; International Mediation Institute Certified Mediator; Painting and Decorative Contractors of America; Better Business Bureau; Conseil International du Batiment pour la Recherche (L'Etude et al Documentation); Remodeler's Advantage.

**Education:** AAA 2016 Construction Conference: Ahead of Schedule and Under Budget, 2016; AAA/ICDR/Mediation.org Panel Conference, 2016; AAA 'Controlling Chaos in Mediation Navigating the Behavioral Paradigm' 2014; Faculty, AAA Construction Professionals Guide to Conducting an AAA Arbitration, 2013, 2012; AAA Construction Conference: Cutting Construction Arbitration Costs Without Compromise, 2012; Faculty, AAA Construction Arbitration: A Blueprint for an Effective Process, 2011; Faculty, AAA Spring Construction Conference, Mediation: It's Not New, So What's Next?, 2011; AAA Fall Construction Conference: Planning Resolution Strategies, 2010; AAA, Advanced Mediator Training, 2010; ICDR 8th Annual Miami International Arbitration Conference: Resolving International Construction Disputes, 2010; AAA Webinar, Judicial Remands of Challenged Awards: What Happens When the Decision Isn't Final, 2009; AAA/ICDR Neutrals Conference, 2009; AAA Webinar, Ensuring That Your Clients' Interests are Addressed in Mediation, 2008; ACR, Advanced Commercial Mediation Institute, 2007; AAA Construction Mediation Conference: What You Can't Not Know, 2007; ICDR The Common Law/Civil Law Gap: The Issues and How International Arbitrators May Resolve Them, 2006; Attended AAA Neutrals Conference, 2006, 2005, 2004, 2003; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE001), 2005; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2004; Center for Dispute Resolution, The Mediation Process, 2004; AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2003; Attended Partnering Facilitation Workshop, 2003; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2003; AAA Arbitrator Update 2003, 2001; AAA Construction Arbitrator II Training: Advanced Case Management Issues, 2001; AAA Construction Arbitrator Training, 1996; Harvard Law School, Program on Negotiation, 1992.

**Publications and Speaking Engagements** The Benefits of alternative Dispute Resolution for Resolving Construction Disputes, Rusk, Breakell & Eckman, White Paper for New York Dispute Resolution Lawyer, Summer, 2011; Faculty, AAA Spring Construction Conference, Mediation; It's Not New, So What's Next? 201. Numerous presentations to architect and contractor groups, "Minimizing risk for Architects, Contractors and their Clients", 2006-2007; AAA Faculty, ACE004 - Practical Tips for Dealing with Delay Tactics of Parties and Advocates, 2005 Co-presenter, "Breaking the Impasse, Moving from Stalemate to Settlement in Mediation," American Arbitration Association, October 2004; speaker, "Ethics in Alternative Dispute Resolution," American Arbitration Association, 2002; ON TIME AND ON BUDGET, A HOME RENOVATION SURVIVAL GUIDE (How to make allies of your architect and contractor), Doubleday, June 1996; articles on causes of construction inefficiencies and appearances on the Today Show, Good Day New York, WALL STREET JOURNAL, NEWSWEEK, ELLE DECOR, LADIES HOME JOURNAL; columnist Taconic Newspaper chain.

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**Compensation**

\$600.00 per hour including study time. No charge for travel time within 50 miles of NYC for full day sessions.

**References:** Kevin O'Neil, [kjo@bonlaw.com](mailto:kjo@bonlaw.com) (212) 422-9424; Thomas Welby, [twelby@wbglp.com](mailto:twelby@wbglp.com), (914)428-2100; Robert Herrmann, [rherrmann@mhjur.com](mailto:rherrmann@mhjur.com) (212)545-1900; additional references available upon request.