

ERIC D. GREEN
PRINCIPAL
RESOLUTIONS, LLC
PROFESSOR (ret.)
BOSTON UNIVERSITY SCHOOL OF LAW

Address:

Office: RESOLUTIONS, LLC
125 High Street, Suite 2205
Boston, Massachusetts 02110
(617) 556-0800

Education:

Brown University
Class of 1968, A.B. with Honors

Harvard Law School, Cambridge, Massachusetts
Class of 1972, J.D. Magna Cum Laude; Knox Memorial Traveling Fellowship
Award 1972-73, Harvard Law Review Editor and Executive Editor, Vols. 84-
85; Harvard Civil Rights-Civil Liberties Law Review, co-author, Summer
Research Project Note, Vol. 6

Cambridge University, Cambridge, England
Research Student in Criminology
Knox Fellow, 1972-1973

Professional Membership & Activities:

State Bar of California; State Bar of Massachusetts; U. S. District Courts for N.D. Cal.,
C.D. Cal., D. Mass. Special Master, Northern District of Ohio, Ohio Asbestos Litigation;
D. Mass. Massachusetts Asbestos Litigation; Guardian Ad Litem, Ahearn Class Action
Settlement, E.D. Texas; Mediator, Suffolk County Superior Court Mediation Program;
Governors Working Group on Alternative Dispute Resolution (Gov. Dukakis); American
Bar Association, Section on Litigation (Conference Coordinator, 1982
ABA/Harvard/NIDR Conference on The Lawyer's Changing Role in Resolving Disputes),
Individual Rights, Legal Education, and Criminal Justice. Center for Public Resources
(CPR) Legal Program on Reducing The Cost of Business Disputes. Advisor, CPR Judicial
Panel. Member, National Panel of Commercial Arbitrators, American Arbitration
Association. Boston Bar Association, Long Range Planning Committee and Board of
Editors, Boston Bar Journal. Association of American Law Schools, Chairman, Section
on Alternative Dispute Resolution. Honorary member American College of Civil Trial
Mediators (Lifetime Achievement Award 2001). Member of Board of Directors for The
International Institute for Conflict Prevention & Resolution (CPR).

Employment Experience:

- 1997 - Present: Founder, Principal
RESOLUTIONS, LLC
125 High Street, Suite 2205
Boston, Massachusetts 02110
- 2014 – Present Monitor of the Residential Mortgage Backed Securities Settlements between the Department of Justice and various states and each of Bank of America, Mortgage Stanley, and Goldman Sachs
- 1982 – 1997: Founder, Director, Chief Mediator
J•A•M•S/ENDISPUTE, Inc.
73 Tremont Street
Boston, Massachusetts 02108
- 1977 - 2008: Professor
Boston University School of Law
765 Commonwealth Avenue
Boston, Massachusetts 02215
- Fall, 1979: Visiting Professor
Harvard Law School
Cambridge, Massachusetts 02138
- June - August, 1978: Attorney Advisor to the Regional Director
Los Angeles Regional Office
Federal Trade Commission
11000 Wilshire Boulevard
Los Angeles, California 90024
- 1974 - 1977: Partner - General Civil Litigation
Munger, Tolles & Olson
612 South Flower Street
Los Angeles, California 90014
- 1973 - 1974: Law Clerk
Chambers of Justice Benjamin Kaplan
Massachusetts Supreme Judicial Court
Boston, Massachusetts 02210

1961 - 1981: Surveyor/Draftsman/General Counsel/Board of Directors
Green International, Inc.
504 Beaver Street
Sewickley, Pennsylvania 15143

Teaching Experience:

Professor, Boston University School of Law -- taught courses in Evidence, Alternative Dispute Resolution, Constitutional Law, The Legal Method, and Free Press Issues.

Visiting Professor, Harvard Law School, Fall 1979 -- taught course in Evidence.

Lecturer in Law, Harvard Law School, Fall 2016 -- Evidence

Awards:

Recipient of 2001 Lifetime Achievement Award, American College of Civil Trial Mediators

Recipient of 2010 James F. Henry Award, The International Institute for Conflict Prevention & Resolution (CPR)

Selected as one of the Lawdragon 500 Leading Judges in America. March 2006.

Major Publications:

Settling Large Case Litigation: An Alternate Approach (with Marks & Olson), 11 Loyola of Los Angeles Law Review 493 (1978).

Avoiding the Legal Logjam -- Private Justice, California Style, Dispute Management (1981).

An Ounce of Prevention: Dispute Resolution by Contract (with Jacobs), Dispute Management (1981).

The Mini-Trial Approach to Complex Litigation, Dispute Management (1981).

Proceedings of the Intercorporate Disputes Task Force: Expanded Use of the Mini-Trial, Private Judging, Neutral-Expert Fact Finding, Patent Arbitration, and Industry Self-Regulation, Dispute Management (1981).

The CPR Legal Program Mini-Trial Handbook, in Corporate Management, New York: Matthew Bender & Co., Inc., 1982.

Problems, Cases and Materials on Evidence (with Nesson), Little, Brown & Co. 1983, with Teaching Manual and 1984 Supplement.

"A Comprehensive Approach to the Theory and Practice of Dispute Resolution," 34 Journal of Legal Education 245 (June 1984).

Dispute Resolution (with Goldberg & Sander), Little Brown & Co., Fall 1985.

"A Heretical View of the Mediation Privilege," 2 Ohio State Journal on Dispute Resolution 1 (1986).

"Corporate Alternative Dispute Resolution," 1 Ohio State Journal on Dispute Resolution 285 (1986).

Probability and Inference in the Law of Evidence, (with Tillers), Kluwer Academic Publishers, 1988.

Federal Rules of Evidence: with Selected Legislative History and New Cases and Problems, (with Nesson), Little, Brown and Company (1988).

Rhode Island Rules of Evidence with Advisory Committee Notes & Case Law Developments, Salem, N.H.: Butterworth Legal Publishers (1990).

Problems, Cases and Materials on Evidence, 2nd Edition (with Nesson), Little, Brown & Co. 1994, with Teaching Manual and 1994 Supplement.

Rhode Island Rules of Evidence, (Issue 4) Butterworth Legal Publishers, October 1994.

What Will We Do When Adjudication Ends? We'll Settle in Bunches: Bringing Rule 23 Into the Twenty-first Century, 44 UCLA L. Rev. 1773 (1997).

Future Claimant Trusts and "Channeling Injunctions" to Resolve Mass Tort Environmental Liability in Bankruptcy: The Met-Coil Model, (with Patton & Harron), Volume 22, Emory Bankr. Dev. J. 157 (2005).

Re-examining Mediator and Judicial Roles in Large, Complex Litigation: Lessons from Microsoft and Other Megacases, 86 Boston University Law Review 5 (2006).

Prepackaged Asbestos Bankruptcies: Down but Not Out, (with Fitzpatrick, Patton, Harron & Turner), 63 NYU Annual Survey of American Law 4 (2008).

Other Articles, Addresses, Studies, and Testimony

"Preventive Detention: An Empirical Analysis," 6 Harvard Civil Rights-Civil Liberties Law Review (1971). An original field study sponsored by the American Bar Foundation into the incidence and prediction of recidivism during pre-trial release--extensively reprinted and distributed by the American Bar Foundation Law Review Research Series.

Author, primarily responsible for "The Supreme Court, 1970 Term, *Coolidge v. New Hampshire*," 85 Harvard Law Review 327, 1971.

Editor, Fletcher, "Fairness and Utility in Tort Theory," 85 Harvard Law Review 537 (1972); Cox, "Labor Law Pre-emption Revisited," 85 Harvard Law Review 1337 (1972); "Recent Case, *J.E. Bernard & Co. v. United States*," 85 Harvard Law Review 1478 (1972).

Alternative Dispute Resolution in Complex Civil Cases, (MCLE-NELI 1981) (Editor).

"Resolution of Business Disputes Outside the Courts" 4 Corporate Counsel Review, June, 1981.

"Mini-Trials Now Used in Government Contract Dispute" Dispute Resolution, Summer, 1982.

"Growth of the Mini-Trial," 9 Litigation 12, Fall 1982.

"James H. Chadbourn (in Memoriam)," 96 Harvard Law Review 1982.

"Ohio Asbestos Litigation: Case Management Plan and Case Evaluation and Apportionment Process," presented to Hon. Thomas D. Lambros, U.S. District Court, Northern District Ohio, by Special Masters Green and McGovern, December 1, 1983.

"Getting Out of Court - Private Resolution of Civil Disputes," 28 Boston Bar Journal 11, May/June 1984.

"Reading the Landscape of ADR -- The State-of-the-Art of Extra-Judicial Forms of Dispute Resolution," First Annual Judicial Conference of the United States Court of Appeals for the Federal Circuit, 1984.

"Asbestos Litigation: Addressing the Problem -- One Court's Strategy," 8 State Court Journal 19 (with Lambros, J. and McGovern), Winter 1984.

"The Life of the Mediator: To be or Not to Be . . . Accountable?," 1 Negotiation Journal: On the Process of Dispute Settlements (with Goldberg and Sanders), July 1985.

"Use of the Mini-Trial in Ocean Related Disputes, in Coastal Zone and Continental Shelf Conflict Resolution: Improving Ocean Use and Resource Dispute Management" MIT Sea Grant Report Series, 1985.

"Private Judging: A New Variation of Alternative Dispute Resolution," 21 Trial 36, 1985.

"Saying You're Sorry," Negotiation Journal (with Goldberg & Sander), July 1987.

"Litigation, Arbitration or Mediation: A Dialogue," 75 American Bar Association Journal 70, (with Goldberg & Sander), 1989.

"Voluntary ADR: Part of the Solution" 29 Trial Magazine 35, April 1993.

"The General Counsel's Guide to ADR in the 1990's: A Negotiation-Based Approach," Business Lawyer; North Carolina Bar Association: Corporate Counsel Section, 1995.

"The Role of the Broker in Residential Real Estate Transactions," A Report to the Federal Trade Commission (with B. Brown).

Chairman, Keynote Speaker and Editor, "Getting Out of Court: Alternative Dispute Resolution in Complex Civil Cases," Massachusetts Continuing Legal Education Program, May, 1981.

Testimony before the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, re proposed amendments to the Federal Rules of Civil Procedure, October, 1981.

Coordinator and Speaker: First Annual Corporate Dispute Resolution Institute, Northwestern Law School, November, 1982.

"Teaching Alternative Dispute Resolution in Law Schools," AALS Workshop October, 1982, Harvard Law School.

"Reducing and Mitigating Institutional Disputes: The Causes and Effects of Corporate and Private Institutional Disputes With Government, Employees, Consumers and Each Other." in The Lawyer's Changing Role in Resolving Disputes (forthcoming). (This paper was presented at the "National Conference on the Lawyer's Changing Role in Resolving Disputes," October, 1982, at Harvard Law School, published in The Lawyer's Changing Role in Resolving Disputes, (ed. with Marks and Sander), will be the major publication of the National Conference held at Harvard in October, 1982. Law & Business Department of Harcourt, Brace, Javonovitch.

Minnesota Continuing Legal Education Program 1982.

Speaker, American Arbitration Association Workshop on Alternative Dispute Resolution, March, 1983.

"Alternatives to Litigation," Eight Annual Judicial Conference of the District of Columbia, June, 1983.

"Private Resolution of Corporate Disputes," ABA Committee on Corporate Counsel, Annual Meeting, 1984.

"Resolution of Corporate Disputes," Southeastern Corporate Law Institute, 1984.

"Alternative Dispute Resolution," The American Lawyer Conference on "Coming of Age in the '80s - How Corporate Counsel can Cope with Success," 1984.

Speaker and Program Chairman, "Cost-Effective Dispute Resolution and Management," Center for Public Resources Dispute Management Education Program, to more than a dozen corporate legal staffs 1982-1983.

"Alternative Dispute Resolution of Patent and Antitrust Cases," PLI Patent and Antitrust Conference, 1984.

"International Commercial Dispute Resolution: Courts, Arbitration, and Mediation - Introduction," 15 BU International L.J. 175 (1997).

"Advancing Individual Rights Through Group Justice," and "A Post – *Georgine* Note," 30 U.C. Davis L. Rev. 791 (1997).

Law School Administrative and Committee Activities

Committees

Faculty Council Rep. (1993 - 1994)
Placement and Clerkship (Chairman, 1978-79)
Clinical (Chairman, 1982) (Primarily responsible for Rhode Island Correctional Clinical Program Proposal)
Appointments (Co-Chairman, Minority Recruitment Subcommittee, 1980-82)
Combined Degrees Programs
J.D. Program (primarily responsible for Upper-Class Writing Requirement Program Proposal)

Advisor, Environmental Law Society

Judge, Albers & Stone Moot Court Competitions

Other Professional and Community Membership Activities:

Reporter to the Advisory Committee on Proposed Rules of Evidence for Rhode Island.

Special Master, United States District Court, Northern District of Ohio, Ohio Asbestos Litigation.

Conference Coordinator, Harvard Law School/ABA, National Conference on the Lawyer's Role in Resolving Disputes (October 14-16, 1982).

Executive Committee and Chairman, AALS Section on Alternative Dispute Resolution.

Member, AALS Sections on Evidence and Alternative Dispute Resolution

Consultant and Member, Center for Public Resources, Inc. ("CPR"), Legal Project on Reducing the Costs of Business Disputes; also former Chairman, CPR Task Force on

Inter-corporate Disputes and former Co-Chairman, CPR Dispute Management Education Program.

Chairman, New England Sierra Club Legal Committee (1981).

Consultant, FTC Real Estate Brokerage Investigation (1979).

Editor, Organizer, MCLE-NELI 1981 Seminar on Alternative Dispute Resolution in Complex Civil Cases.

Founder and Chairman, Open Arms, Inc. (non Profit Refugee resettlement group).