

Frederick M. Luper

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### Mediation Services

Mediation can be the most cost-effective dispute resolution process, by bringing together parties in a confidential, secure environment to explore alternatives to public litigation.

In his 46 years as an attorney-at-law, Frederick M. Luper mediates routinely and effectively, applying his practical experience in commercial litigation.

Fred's mediation style is more facilitative than evaluative. His goal is to listen to the real needs of the parties and to try to find win-win solutions to their problems. He is creative, always looking for solutions that help one party achieve its goals without hurting the other party. While he has expertise and can give opinions on burden of proof, valuation and other trial issues, he would rather facilitate real communication and dispute resolution between the litigants. "Auctions," in which the parties start at a number and bargain from that number are not really mediations. Real mediations find solutions to problems, not just arrive at a number.

Fred has participated in mediation training both commercially and through the U.S. District Court. He has been recognized by the Franklin County Common Pleas Court and the U.S. District Court and the Bankruptcy Court for the Southern District of Ohio as a "gold" mediator, taking on some of their thorniest mediation assignments during settlement week mediations. The Bankruptcy Court for the District of Delaware has certified him as a mediator. He has had success in mediating such diverse cases as a trade secret dispute over the design of billiard balls, to a dispute with a manufacturer of earth-moving equipment destined for the airport at Kandahar, Afghanistan. He has mediated numerous bankruptcy preference cases, personal injury cases and a \$60,000,000 asset purchase dispute. He also has mediated a case involving HVAC equipment in a newly built office building.

Fred's practice has centered on commercial, personal injury and malpractice litigation, bankruptcy and reorganization. He is a board-certified business bankruptcy specialist, and has been continuously appointed by the U.S. Attorney General to the Chapter 7 panel of trustees since the inception of that program in 1979. Fred has been recognized in Best Lawyers in America and Ohio Super Lawyers. His firm is a first tier

Super Lawyer firm in bankruptcy and reorganization. Fred has had 2 settlements in excess of \$4,000,000.00, a verdict in Franklin County of \$10,000,000.00, and the largest medical malpractice jury verdict in Allen County, Ohio.

Frederick M. Luper is the founding member and chair of Luper Neidenthal and Logan, a twenty lawyer AV-rated general practice firm in Columbus Ohio. Formed in 1968, LNL has achieved recognition in many areas of civil practice, including Bankruptcy and reorganization, commercial and personal injury litigation, foreclosure, subrogation, construction, public law, business, taxation ERISA, estate planning and administration.

In teaching, Fred has lectured for many organizations including the National Conference of Bankruptcy Judges, Ohio State and Columbus Bar Associations and the Commercial Law League in America, in such diverse areas as litigation strategies, valuation expert testimony, professionalism, and emerging statutory and case law topics. He has testified on an expert panel before the U.S. House of Representatives, House Judiciary Committee, Subcommittee on Commercial and Administrative Law. He has also consulted for the State Department in the UNCITRAL initiative. He was president of the Commercial Law League of America, a 5,000-member international organization containing lawyers, commercial collection agencies and law directory publishers.

Fred graduated from Cornell University and The Ohio State University College of Law in 1965. Fred and his wife of 47 years, Carol, live in Columbus Ohio. They have 3 children and 7 grandchildren.