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Commercial Panel
John Allen Chalk, Sr., Esq.

Current Employer-Title Whitaker Chalk Swindle & Schwartz, P.L.L.C. - Partner.

Profession Attorney - Commercial Litigation, Employment, Insurance, Corporate and Project Finance, Arbitration, Mediation, Appellate, Healthcare, General Corporate, Business Transactions, Energy, and International Transactions.

Work History Partner, Whitaker Chalk Swindle & Schwartz, P.L.L.C., 1987-present; Partner/Associate, Gandy, Michener, Swindle, Whitaker & Pratt, L.L.P., 1986-87; Executive Vice President, Dabney Corporation, President, Dabney Capital Co., 1984-86; Vice President/Secretary/General Counsel, LaJet, Inc. 1978-84; Partner, Rhodes Doscher, Chalk & Heatherly, 1973-78.

Experience Obtained multimillion-dollar jury verdicts and arbitration awards in commercial cases. Litigated and arbitrated numerous commercial, employment, restrictive covenants, intellectual property, real estate, insurance bad faith, insurance coverage, personal injury, oil and gas, aviation, and franchisor-franchisee disputes. Arranged funding for corporate and project finance clients in excess of \$1 billion. Negotiated and financed \$55 million in infrastructure projects in Republic of Kazakhstan after its independence from Soviet Union. Opened and maintained international oil trading offices in London and Switzerland for U.S. company; obtained European funding for U.S. oil and gas and real estate projects; and assisted Republic of Kazakhstan in recognition of its central bank by U.S. Export-Import Bank. Represented healthcare entities in managed care and other relationships.

Alternative Dispute Resolution Experience Member of AAA National Roster of Neutrals since 1992. Arbitrated and mediated numerous commercial, intellectual property, insurance, employment, healthcare, technology, oil and gas, consumer, mass tort, real estate, aviation, and international disputes. Member of exclusive five-member AAA mediator panel for the Dallas-Ft. Worth region (1997-98). Contract mediator for EEOC (Dallas Region) (2000-01). Named arbitrator in more than 460 arbitrations (through October 2013) and mediator in more than 160 mediations (through October 2013).

Alternative Dispute Resolution Training “Principled Deliberations: Decision-Making Skills for Arbitrators,” AAA ACE8, Dallas, Texas (May 1, 2014); “Conducting Research & Investigations: The Arbitrator’s Authority” AAA ACE9, Dallas,

Texas (May 1, 2014); “How to Handle Your First (or Next) Arbitration,” State Bar of Texas CLE Seminar, Austin, Texas (December 6, 2013); “Managing the Arbitration Process for Efficiency & Economy Through the Preliminary Hearing,” 13ACE6, AAA Facilitator, Dallas, Texas (October 16, 2013); “Maximizing Efficiency and Economy in Arbitration: Challenges at the Preliminary Hearing,” AAA ACE6, Dallas, Texas (October 16, 2013); “Managing the Arbitration Process for Efficiency & Economy Following the Preliminary Hearing,” AAA ACE7, Dallas, Texas (October 16, 2013); “Managing a Successful Arbitration,” AAA/CCA Seminar, New Orleans (March 14, 2013); “Confronting Arbitrability and Jurisdiction Issues in Arbitration,” AAA Webinar (February 27, 2013); “Annual Meeting,” College of Commercial Arbitrators,” New York, New York (October 25-28, 2012); “Handling Dispositive Motions and Evidentiary Objections in Arbitration,” DFW Arbitration Group (October 24, 2012); “Texas Law of Arbitrator Disclosures and Award Vacatur,” DFW Arbitration Group, Dallas, Texas (September 19, 2012); “Disclosures, Depositions and Dispositive Motions in Employment Arbitration,” AAAU (ED7312011, September 12, 2012); “What We Have Here, Is ... Failure to Communicate,” AAA ACE Seminar, Dallas, Texas (August 16, 2012); “The Final Curtain: Post-Hearing Submissions, Deliberations and Enforcement,” 24th Annual ITA Workshop, Dallas, Texas (June 22, 2012); “Maximizing Efficiency & Economy in Arbitration: Challenges at the Preliminary Hearing,” (12ACE6), Dallas, Texas (April 24, 2012); “ABA DR Section Annual Meeting - Arbitration Track,” Washington, D.C. (April 19–20, 2012); “2012 AAA/ICDR Neutrals Conference (March 9 and 10, 2012) (ACE 103, 201, 305, 405); “Arbitration Clause Drafting and Practice in the Wake of *AT&T Mobility, LLC v. Concepcion*,” State Bar of Texas Webinar (07/14/11); “Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics,” 10ACE57101, AAA, Dallas, Texas (12/14/10); “*Jackson v. Rent-A-Center* Raises Unconscionability Challenges: Who Decides What, the Court or the Arbitrator, and Why Does It Matter?” ABA ADR Section Teleconference (July 20, 2010); “Arbitrator Ethics and Disclosure,” 10ACE3, AAA, Dallas, TX (July 8, 2010); “Commencing an International Arbitration: Fundamentals and Strategy,” ITA Workshop, Dallas, TX (June 17, 2010); “U.S. Law of International Commercial Arbitration,” ALI Consultative Group, Philadelphia, PA (January 31, 2010); “Arbitration for Advocates and Arbitrators,” AHLA ADR Service (01/20/10); “Arbitration Roundtable,” State Bar of Texas ADR Council (11/07/09; 01/16/10; 02/20/10); “Protecting Patient Safety & Quality Care: Embracing the Joint Commission’s Leadership Standard on Conflict Management,” AAAU Webinar (09/16/09); “International Awards: Remedies, Damages and Interest,” ICDR-105, AAA/ICDR Neutrals Conference, San Diego, CA (02/27-28/09); “Chairing the ICDR International Arbitral Tribunal,” ICDR-205, AAA/ICDR Neutrals Conference, San Diego, CA (02/27-28/09); “Managing the ICDR Guidelines on Information Exchange,” AAA/ICDR Neutrals Conference, San Diego, CA (02/27-28/09); “Electronic Discovery in Arbitration,” AAA-401, AAA/ICDR Neutrals Conference, San Diego, CA (02/27-28/09); “Arbitrating the Mega-Case,” ABA ADR Section, Los Angeles (02/08/08); “Arbitrator Training,” Conflict Solutions of Texas, San Antonio (09/22/07 and 10/13/07); “Best

Practices in Commercial Arbitration,” Juris Conferences, Washington, D.C. (04/30/07); “Arbitration Roundtable,” Fort Worth, TX (April 14, 2007); “Arbitration Training Institute - Comprehensive Training in Commercial Arbitration,” ABA ADR Section, New York (02/22-24/ 07); “Comprehensive Guide to Arbitration Success,” Texas Institute of CLE, Austin (11/20-12/01/06); AAA Chiring an Arbitration Panel, Dallas, 11/2/05; AAA Neutrals Conference (ACE3; ACE4), Palm Springs, 03/04-05/05; AAA Neutrals Conference (ACE1; ACE3), San Antonio, 3/04; AHLA ADR Service, The Essentials of Arbitrating a Healthcare Dispute, Washington, D.C. 10/03; ABA-ADR Arbitration Clauses, Arbitration and Mediation Track Courses, New York, 2004, San Antonio, 2003; “Arbitration Advocacy,” AAA-Dallas, 2002; ITA, Technology Transfer Disputes in Arbitration, Dallas, 2002; AHLA Advanced Mediation Techniques, Scottsdale, 2002; AAA Arbitrator Update, 2001; AAA Drafting Effective Clauses, Dallas, 2001; The Chartered Institute of Arbitrators, International Commercial Arbitration Assessment/Workshop, New Orleans, 11/01; AAA Commercial Arbitrator II Training, Dallas, 1/01; AAA Mediator Conference, Chicago, 9/00; AAA Mediator Retreat, Denver, 3/00; The Chartered Institute of Arbitrators, International Commercial Arbitration, Houston, 4/00; AAA Effective Employment Conflict Management Seminar, Dallas, 2/00; NAF Arbitrator Training Course, St. Paul, 11/99; “Commercial Arbitrator Training,” Orlando, 10/98; AAA Panels Retreat, Kerrville, 10/97; Award Drafting, AAA-Dallas, 8/97; “Int’l Commercial Mediation,” Int’l Ctrs for Arbitration, Santa Monica, CA, 1994; “Int’l Commercial Arbitration,” Int’l Ctrs for Arbitration, Bermuda, 1993; Dispute Resolution Services Mediator Training, 10/92; AAA Basic Arbitrator Training, Dallas, 6/92.

Professional Licenses Admitted to the Bar: Texas, 1973; District of Columbia, 1978; U.S. District Court, Northern (1974), Western (1978, 2007), and Southern (2003) Districts of Texas; U. S. Court of Appeals, Fifth Circuit, 1978; U.S. Supreme Court, 1978.

Professional Associations Texas Bar Association (Former Chair, ADR Section Council); District of Columbia Bar Association; American Bar Association (ADR Section); Federal Bar Association; American Health Lawyers Association (ADR Service Task Force); Master, Eldon B. Mahon Inn of Court (2008-13); Counselor, Mahon Inn of Court (2012-2013); Tarrant County (Texas) Bar Association (Former President); Fellow, College of Commercial Arbitrators; Fellow, College of State Bar of Texas; American Bar Association Foundation (Life Fellow); Texas Bar Foundation (Sustaining Life Fellow); Tarrant County Bar Foundation (Sustaining Charter Fellow); Southwestern Legal Foundation Institute for Transnational Arbitration (Advisory Board); Fellow and Chartered Arbitrator, Chartered Institute of Arbitrators, London; Member, London Court of International Arbitration; Member, American Law Institute.

Education Freed-Hardeman College (AA-1956); Tennessee Tech University (BS-1962; MA-1967); University of Texas (JD-1973).

Publications and Speaking Engagements “Fundamentals of Negotiation,” Texas Society of Certified Public Accountants, Fort Worth, Texas (June 6, 2014); “Principled Deliberations: Decision-Making Skills for Arbitrators,” AAA ACE8, Dallas, Texas (May 1, 2014); “Conducting Research & Investigations: The Arbitrator’s Authority” AAA ACE9, Dallas, Texas (May 1, 2014); “The Award,” State Bar of Texas CLE Seminar on Arbitration, Austin, Texas (December 6, 2013); “Arbitrator Disclosure and Evident Partiality,” DFW Arbitration Group, Dallas, Texas (December 4, 2013); “Federal Arbitration Act Preemption,” *The Arbitration Newsletter* (December 2013); “Evident Partiality Revisited,” *The Arbitration Newsletter* (November 2013); “Arbitrator’s Inherent Power to Sanction,” *The Arbitration Newsletter* (October 2013); “Adjunct Professor, Law 1632: Arbitration Advocacy and Practice,” Pepperdine U. Law School, Malibu, California (July-August, 2013); “Current Arbitration Practice: Users, Advocates, and Arbitrators,” Mahon Inn of Court, Fort Worth, Texas (April 9, 2013); “Texas Law of Arbitrator Disclosure and Award Vacatur,” DFW Arbitration Group, Dallas, Texas (September 19, 2012); “How Disputes Are Being Resolved in Texas,” Tarrant County Young Lawyers Ass’n (February 2013); City Club Luncheon, Fort Worth, Texas (August 9, 2012); “Maximizing Efficiency & Economy in Arbitration: Challenges at the Preliminary Hearing,” (12ACE6), AAA Facilitator, Dallas, Texas (April 24, 2012); “Law 1632: Arbitration Practice and Advocacy,” Pepperdine U. School of Law, Malibu, CA, Adjunct Professor (July 19–30, 2011); “Arbitration Clause Drafting and Practice in the Wake of *AT&T Mobility, LLC v. Concepcion*,” State Bar of Texas Webinar (July 14, 2011); “Negotiating Pipeline Rights-of-Way in Pennsylvania,” Contributor, The Pennsylvania State University College of Agricultural Sciences, Code No. UA465 (2010); “How to Stay Out of the Courthouse,” Fort Worth (Texas) Club Breakfast (August 13, 2010); “Settling of Commercial Disputes in the U.S.,” Russian Delegation, U.S. Dept. of State International Visitor Leadership Program, Fort Worth, Texas (July 26, 2010); “Arbitration - A More Beautiful Process,” AHLA Annual Meeting (June 28, 2010); “Arbitration: Boilerplate Which Avoids the Court (If the Court will Enforce It),” TCBA CLE Seminar (May 21, 2010); “Having Your Cake and Condemning It Too: When Asserting the Power of Eminent Domain Constitutes Breach of an Oil and Gas Lease,” TWU School of Law Energy Symposium,” (April 17, 2010); “Eminent Domain Power Granted to Private Pipeline Companies Meets with Greater Resistance from Property Owners in Urban Rather than Rural Areas,” 16 *Tex. Wesleyan LR* 1, 17 (Fall 2009); “Arbitration Under Attack,” Tarrant County Trial Lawyers Ass’n (May 27, 2009); “White Paper on Arbitration,” ADR Section of State Bar of Texas (January 2009); “Arbitration Empirical Studies,” *Alternative Resolutions*, State Bar of Texas ADR Section (Winter 2009); “*Hall Street* Applied to Texas General Arbitration Act in *Quinn v. NAFTA Traders, Inc.*,” *Alternative Resolutions*, State Bar of Texas ADR Section (Winter 2009); “Arbitration: What Every Lawyer Needs to Know,” *Texas Lawyer* Roundtable (December 15, 2008, Vol. 24, No. 37); “Choosing a Party-Appointed Arbitrator (Without Breaching Impartiality and Independence),” *Alternative Resolutions* (Winter 2008); “Arbitrator Training Course Outline and

Materials," Conflict Solutions of Texas, Inc., San Antonio, Texas (September 22 and October 13, 2007); "Arbitrator Immunity for Bias or Failure to Disclose," *Alternative Resolutions*, (Summer, 2006); "The Flexible Arbitral Process," *Alternative Resolutions* (Summer, 2006); "Arbitrator Disclosures," AAA-Dallas, 02/05; "Texas Workforce Commission - Sunset Changes, Reorganization, and New Regulations," CSCT Annual Meeting, October 2, 2003; "Arbitration Clauses," ABA-ADR Meeting, New York, 2004, San Antonio, Texas, 2003; "International Arbitration," AAA, Dallas, Texas, 2002; "Drafting Arbitration Clauses," TCYLA, Fort Worth, Texas, 2001; "Introduction to Arbitration," Fort Worth, Texas 2001; "The Use of Conflict Management and ADR for Claims Adjusters," Dallas, Texas, 2001; "Review of Recent U.S. E.D. Regulations," Region IV Advisory Council, Irving, Texas, 2001; "International Arbitration," Fort Worth, Texas, 2001, 1998; "Handling Condemnation Proceedings," Fort Worth, Texas, 2000; "Summary of Final Regulations for the 1998 Amendments to Higher Education Act of 1965," Region VI Advisory Counsel, Irving, Texas, 2000, NSAS Annual Conference, Irving, Texas, 2000; "The Work Product Doctrine," 38th RIMS, San Francisco, California, 2000; "How to Prepare and Present an Arbitration Case," AAA Seminar, 1999; "The Work Product Privilege," 37th RIMS, Dallas, Texas 1999; "Forensic Issues in Neuropsychology: Expert Testimony," Fort Worth Neuropsychological Society Conference, 1997; "Executive Summary of the Preliminary Commitment by Export Import Bank of the United States," Russian Ministry of Fuel and Energy, Moscow, 1993.

Compensation \$2,600.00 Per Day
 \$325.00 Per Hour

Daily rate based on an eight-hour day. Hourly rate applies to all study time and all hearing time in excess of eight hours per day. Out-of-pocket expenses such as fax charges, long distance telephone charges, and copying will be billed monthly as incurred.

Citizenship United States of America

Locale Fort Worth-Dallas, Texas
 (willing to travel)