

RESUME

Carl F. Ingwalsen, Jr.

P.O. Box 91166, San Diego, CA 92169-1166

Phone: 858-581-1125

Fax: 858-483-6515

E-Mail: CIngwalsen@CFILaw.Com

I. Education

- A. Miami University, Oxford, Ohio (1960 - 1964; A.B. Degree, political science, 06/01/1964).
- B. University of Michigan, School of Law, Ann Arbor, Michigan (1964 - 1967; J.D. Degree 05/10/1967)

II. Admissions

- A. State Bar of California, 12/21/1967 (#40871).
- B. District Court, Southern District of California, 03/04/1968.
- C. District Court, Central District of California, 03/20/1969.

III. Professional Experience

- A. Higgs, Jennings, Fletcher & Mack, LLP (1968-1971).
- B. Tetley, Ingwalsen & Corona (and predecessor firms) / Sole Practitioner (1971-1981).
- C. Phillips, Haskett & Ingwalsen, a P.C. (and predecessor firms) (1981-01/2009).
- D. Carl F. Ingwalsen, Jr., self-employed (02/2009-present).

IV. Professional Associations

- A. American Bar Association (Member, 1968-present).
 - 1. Forum on Construction Law (Member, 1984-present).
- B. State Bar of California (Member, 1967-present).
 - 1. Special Committee on Fee Arbitrations (Member, 1979-1980).
 - a. Local Guidelines Subcommittee (Member 1979-1980).
 - 2. Litigation Section (2008-present).
- C. San Diego County Bar Association (Member 1968-present).
 - 1. Fee Arbitration Committee (Chair 1978, 1979, 1980).
 - 2. Construction Law Section (Founder 1987; Member 1987-present; Chair 1987, 1988, 1989).
 - 3. Alternative Dispute Resolution Section (Member 1992-present; Chair 1994-1997).
 - 4. Bench/Bar ADR Committee (Member 1994-2009).
- D. College of Commercial Arbitrators (Fellow 2005-present).
- E. California Academy of Distinguished Neutrals (Diplomat 2005-present).
- F. National Academy of Distinguished Neutrals (Member 2010-present).

V. Construction Experience

- A. Forty years professional experience including litigation, arbitration, mediation, early neutral evaluation, discovery referee, expert witness on construction issues, and judge pro tem in construction matters.
- B. Representation of owners, lenders, general building and engineering contractors, specialty contractors, design professionals, insurance carriers and sureties on residential and commercial, private and public, construction and engineering projects in contract negotiation, drafting and analysis, claim evaluation, licensing, construction defects, collections, and prosecution and defense of claims before state and federal courts and administrative boards, and in arbitration and in mediation.

C. Representation of wide variety of construction-related matters in leasing, buying, selling and development of real property; franchise disputes; insurance; and general business matters.

D. Martindale-Hubbell A-V rated.

VI. Construction Associations

A. **Associated General Contractors** (Member 1984-1991).

01. Subcontractor Relations Committee (Member 1986-1990).

02. Legal Affairs Committee (Member 1985-1991; Chairman 1986-1988, 1990).

03. Joint Workshop Committee (1987).

04. Forms Committee (Founder 01/01/1988; Member 1988-1991; Chairman 1988-1991).

05. Emerging Business Task Force (Member 1990-1991).

06. Bylaws Committee (1991).

B. **American Society of Professional Estimators** (Member 02/07/1986 - ? ; Board of Directors 06/01/1989 - ? ; Secretary 06/01/1990-05/31/1993; Executive Secretary 06/01/1993 - ?).

C. **American Building Contractors Association** (Member 1983-1988; Board of Directors 1986-1987).

D. **Building Industry Association** (Member 1980-1990).

E. **American Subcontractors Association**, San Diego Chapter, charter member (Member 07/01/1990-2009; Board of Directors 07/01/1990-1993; Secretary 07/01/1990-06/30/1992; Legal Counsel 07/01/1990 - ?).

01. Ethics & Standards Committee (Chair 07/01/1990-06/30/1991).

02. Liaison Committee (Member 07/01/1990-06/30/1992).

03. Program Committee (Member 07/01/1990-06/30/1991).

04. National Attorneys' Council (07/01/1990-2009).

F. **Engineering & General Contractors Association**, San Diego Chapter (01/01/1995 - ?).

G. **Construction Specifications Institute**, San Diego Chapter (07/01/1996 - ?).

VII. Alternative Dispute Resolution Experience

A. San Diego County Municipal Court. Arbitrator (1985-2000) and Mediator (1996-2000).¹

B. San Diego County Superior Court. Arbitrator (1990-2000) and Mediator (1993-present).

C. Dispute Review Board Foundation Training Received.

01. Using DRB - How Contractors & Owners Can Save Millions, San Diego, CA (05/29/98).

02. The Dispute Review Board Administration and Practice Workshop, Chicago, IL (10/02/98).

03. World Wide Perspective and Issues of DRB's, Chicago, IL (10/03/98).

04. Subcontractors' Perspective and Issues of DRB's, Chicago, IL (10/03/98).

05. Contractors' Perspectives and Issues of DRB's, Chicago, IL (10/03/98).

05. 2nd Annual Meeting and Conference, Chicago, IL (10/04/98).

06. Owners' Perspective and Issues of DRB's, Chicago, IL (10/04/98).

07. Legal Perspective and Issues of DRB's, Chicago, IL (10/04/98).

D. American Arbitration Association.

1. Panel of Arbitrators (commercial; construction).

a. Fast Track Panel (04/96-present).

b. Regular Track Panel (09/79-present).

c. Large Complex Case Panel (05/93-present).

d. Construction Arbitration Master Panel (2004-present)

2. Panel of Mediators (02/92-present).

1

Municipal Court merged with Superior Court in 2000.

3. National
 - a. Construction ADR Task Force (Member 06/1994-12/31/1995).
 - i. Non-Binding ADR Subcommittee (Member 06/1994-12/31/95).
 - (a) Partnering Working Group (Member 06/1994-12/31/95).
 - (b) Fast Track ADR Working Group (Member 06/1994-12/31/95).
 - (c) Site-Based ADR Working Group (Member (06/1994-12/31/95).
 - b. Construction Dispute Resolution Council (Member 07/1996-present).
4. Training Conducted.
 - a. Construction and Commercial Arbitrator Training of Arb I (basic), Arb II (advanced) and specialized courses at various locations (05/23/1996-present).
 - b. Mediator Training, various locations (1997- ?).
5. Training Received.
 - a. Basic Commercial/Construction Arbitrator Training.
 - b. Advanced Commercial/Construction Arbitrator Training (08/1996; 07/1997; 12/2007; 10/2008 discovery and motion issues; 10/2008 LCCP pre-hearing case management; miscellaneous others).

VIII. Articles & Presentations:

- A. Presenter, *Fifteenth Annual Review of ADR Law*, Atkinson, Andelson, Loya, Ruud & Romo, a PLC, Cerritos, CA (01/10); Gordon & Rees, LLP, San Diego, CA (05/10).
- B. Panelist (with Thomas Welby), *Enforcing the Award: Tips & Traps*, AAA Construction Conference, Los Angeles, CA (11/09)
- C. Panelist (with Tom Brewer), *How to Prevent Arbitration from Transforming Into Litigation*, AAA Commercial/Construction (Webinar, 09/09).
- D. Panelist (with Tom Brewer), *Arbitrator Boundaries: What Are the Limits of Arbitrator Authority?* AAA Commercial/Construction (Webinar, 09/09).
- E. Presenter, *Drafting Arbitration Clauses: Functional and Dysfunctional*, Sempra Energy house counsel, San Diego, CA (09/09).
- F. Panelist, *Mediation Advocacy for Corporate Counsel*, Association of Corporate Counsel, San Diego, CA (06/09).
- G. Panelist (with Stan Sklar & Christi Underwood), *Cross Fertilization: Common Issues for Construction and Commercial Arbitrations*, New York, NY (04/09).
- H. Presenter (with Tom Brewer), *Arbitrator Update - Topical Issues and Case Law in Arbitration*, AAA Neutrals' Conference, Coronado, CA (02/09).
- I. Panelist (with John English), *Arbitrator Selection and Disclosures*, San Diego County Bar Association, San Diego, CA (01/09).
- J. Presenter, *Arbitration - Recent Developments and What Every Litigator Should Know*, Litigation Section, State Bar of California, Berkeley, CA (01/09).
- K. Presenter, *Arbitration of Attorney Fee Disputes*, County Law Library Lecture Series, San Diego, CA (01/09).
- L. Presenter, *Drafting Arbitration Clauses*, Business & Corporate Law Section, San Diego County Bar Association, San Diego, CA (10/08).
- M. Presenter, *Disclosure Issues in Arbitration*, Orange County Bar Association, Santa Ana, CA (10/08).
- N. Presenter, *Class Action Waivers*, Littler, Mendelson, PC, San Diego, CA (07/08).
- O. Panelist (with Michael Powell & Charles Berwanger), *Arbitration Advocacy: Effective Presentations & Recent Developments*, Litigation Section & Committee on ADR, State Bar, Anaheim, CA (09/07).
- P. Panelist (with Paul Lurie), *Arbitration & the Unauthorized Practice of Law*, College of Commercial Arbitrators, Chicago, IL (10/06).

- Q. Panelist (with Michael Powell, Charles Berwanger & Charles Rumbaugh), *Advocacy in Arbitration*, State Bar of California, Monterey, CA (10/06).
- R. Panelist (with Paul Lurie), *Arbitration & the Unauthorized Practice of Law*, ABA Forum on the Construction Industry, San Diego, CA (05/06).
- S. Presenter, *Breaking Impasse in Mediation*, American Arbitration Association, San Diego, CA (11/05).
- T. Panelist (with Dixon Dern, Kimberly Moore & Charles Rumbaugh), *Creating an Effective Dispute Resolution Clause*, Phoenix, AZ (04/05).
- U. Panelist (with Doug Barker, Maureen Summers & Colin Wied), *Settling the Litigated Case*. National Conflict Resolution Center, San Diego, CA (12/04).
- V. Presenter, *Construction Arbitration & Mediation*, American Arbitration Association, Orlando, FL (11/04).
- W. Presenter, *Construction Arbitration*, Construction Law Section & ADR Section, Orange County Bar Association, Costa Mesa, CA (10/04).
- X. Presenter, *Breaking Impasse in Mediation*, American Arbitration Association, San Diego, CA (10/04), New Orleans, LA (03/01).
- Y. Panelist (with Ellen Miller & Dennis Sharp), *Conflicts & Vacatur in Arbitration*, ADR Section, San Diego County Bar Association, San Diego, CA (10/04).
- Z. Presenter, *How the Courts Have Come to Manage ADR*, Orange County Bar Association, Costa Mesa, CA (06/03).
- A. Presenter, *Dysfunctional Drafting of Construction Clauses*, Construction Specifications Institute, San Diego, CA (01/03).
- B. Presenter, *Practical Aspects of Multi-Party Construction Mediation*, Public Construction Superconference, San Francisco, CA (12/01).
- C. Panelist (with Jim Madison & Paul Van Loon), *Management Techniques for Large, Complex Cases*, American Arbitration Association, San Diego, CA (10/01).
- D. Panelist (with Robert Ames, Michael Duckor, Robert O'Neill, Thomas Sharkey & Dennis Sharp), *Strategies for Conducting Successful Contractual Arbitrations*, State Bar of California, San Diego, CA (10/01).
- E. Panelist (with Kimberlee Kovach, Ellen Miller & Susan Yates), *Mediation in the Courts: A National Dialogue*, American Bar Association, ADR Section, San Diego, CA (02/01).
- F. Presenter, *Ethics in Mediation*, California Western School of Law, San Diego, CA (11/00).
- G. Presenter, *Practical Aspects of Mediating the Multi-Party Construction Dispute*, American Arbitration Association, Chicago, IL (09/00).
- H. Presenter, *Construction Innovations in Alternative Dispute Resolution*, Construction Financial Management Association, San Marcos, CA (08/00).
- I. Panelist (with Wendi Kuefer), *What Makes Successful Partnering Successful?* California Department of Transportation, San Diego, CA (03/00)
- J. Presenter, *Dysfunctional Drafting of Contracts*, San Diego Roofing Contractors Association, San Diego, CA (11/99).
- K. Panelist (with Serge Tomassian), *Mediation Procedures*, San Diego & Orange County Bar Associations, Carlsbad, CA (09/99).
- L. Panelist (with Robert Weston), *Construction Dispute Prevention & Resolution*, Building Department, City of San Diego, San Diego, CA (09/99).
- M. Presenter, *Common Errors in Contract Documents*, Construction Specifications Institute, San Diego, CA (08/99).
- N. Presenter, *Dispute Avoidance & Resolution*, ABA Forum on the Construction Industry, Las Vegas, NV (04/99).

- O. Presenter, *Applying the Lessons Learned in Public Sector Partnering to the Future*, AAA DART Conference, New Orleans, LA (03/99).
- P. Presenter, *Alternative Dispute Resolution, or How to Avoid Litigation Pollution* (Federal Executive Board, La Mirada, CA (12/98)
- Q. Panelist (with Tim Simons), *Know Your Contract Documents*, Construction Specifications Institute, San Diego, CA (11/98).
- R. Presenter, *Alternative Dispute Resolution*, Federal Dispute Resolution Conference, Indian Wells, CA (08/98)
- S. Presenter, *Alternative Dispute Resolution and the Critical Path Method*, National Association of Women in Construction, San Diego, CA (07/98).
- T. Panelist (with Carl Calvert), *Pass Through Claims and Liquidation Agreements*, ABA Forum, Orlando, FL (04/98); published in The Construction Lawyer, ABA Forum, Vol. 18, No. 4 (10/98).
- U. Panelist, *Dispute Prevention and Management Systems on Infrastructure Projects*, Construction Superconference, San Francisco, CA (12/96).
- V. Panelist, *Partnering for the Small Project*, DART/CII Conference, San Antonio, TX (03/96).
- W. Presenter, *Alternative Dispute Resolution*, San Diego County Bar Association, San Diego, CA (01/96).
- X. Panelist, *New Developments in Construction Claims* (09/95).
- Y. Panelist, *Real Property ADR*, San Diego County Bar Association, San Diego, CA (09/95).
- Z. Presenter, *Selection of a Contractor*, San Diego Association of Realtors, San Diego, CA (09/95).
- A. Presenter, *Alternative Dispute Resolution in Construction*, AAA Arbitration & Mediation Day, Coronado, CA (12/93).
 - B. Presenter, *Contractor Licensing*, Networking Fair & Workshop, Del Mar, CA (10/93).
 - C. Presenter, *Lien Law*, Networking Fair & Workshop, Del Mar, CA (10/93).
 - D. Presenter, *Arbitration and Mediation of Construction Claims*, American Subcontractors Association, Ontario, CA (02/93).
 - E. Presenter, *Construction Contracts*, Insurance Company of the West Continuing Education Workshop, Lake San Marcos, CA (02/93).
 - F. Presenter, *Arbitration and Mediation Day 1992*, AAA, Coronado, CA (05/92).
 - G. Faculty, *Mediating and Arbitrating Construction Disputes*, American Arbitration Association, San Diego, CA (02/92).
 - H. Presenter, *Lien Rights*, The American Group of CPA Firms, San Diego, CA (11/90).
 - I. Presenter, *Construction Law Update*, Energy Products & Services Association, San Diego, CA (10/1990).
 - J. Panelist, *Construction Law Contracts and Disputes*, State Bar of California, San Diego, CA (07/89).
 - K. Consultant, Attorney's Guide to California Construction Contracts and Disputes (2d edition)(State Bar of California, C.E.B. 1990).
 - L. Presenter, *Advanced Training for Arbitrators in Commercial Arbitration*, AAA, San Diego, CA (06/89).
 - M. Panelist, *Mechanics Lien Seminar*, Associated General Contractors, San Diego, CA (11/88).
 - N. Presenter, *Mechanic's Lien Law and Arbitration*, Arbitration Day, AAA, Coronado, CA (11/88).
 - O. Presenter, *Workshop on Mechanic's Liens & Stop Notices*, Associated General Contractors, Construction Industry Forum, San Diego, CA (11/87).
 - P. Panelist, *Ethics in Estimating*, American Society of Professional Estimators, San Diego, CA (10/87).
 - Q. Presenter, *Effect of Death on Construction Operations*, Western Remodelers Conference, Las Vegas, NV (10/86; 10/87).
 - R. Presenter, *Construction Lending*, Building Industry Association, San Diego, CA (06/85).
 - S. Presenter, *Lien Law Update*, Energy Products & Services Association, San Diego, CA (05/83).

- T. Presenter, *Mechanics Liens and Other Remedies*, San Diego Lathing & Plastering Institute, San Diego, CA (04/83).
- U. Presenter, *Mechanic's Lien Litigation*, San Diego Trial Lawyers Association, San Diego, CA (06/81).
- V. Presenter, *Contractor Remedies*, American Building Contractors Association, El Cajon, CA (11/80).
- W. Presenter, *Contractor Remedies*, Sunlight Electric Supply Co., Inc., La Mesa, California (04/80).
- X. Presenter, *Home Improvement Law, Preliminary Notices, Mechanic's Liens and Contractors's License Law*, Energy Products & Services Association, San Diego, CA (01/80).
- Y. Presenter, *Lien Laws*, California Association of Landscape Contractors, San Diego, CA (09/78).
- Z. Consultant, Attorney's Guide To California Construction Contracts and Disputes (State Bar of California, C.E.B, 1976).
- A. Presenter, *Mechanic's Liens and Preliminary Notices*, Wholesale Credit Women of San Diego, La Mesa, CA (09/76).
- B. Other.**
 - i. Presenter, *Construction Law Update*, Construction Law Section, San Diego County Bar Association, San Diego, CA, American Subcontractors Association, San Diego, CA, and/or various law firms (1994-2006).
 - ii. Presenter, *ADR Update*, ADR Section, San Diego County Bar Association, San Diego, CA, American Arbitration Association, San Diego & Orange Counties, and/or various law firms (1996-2010)
 - iii. Guest Instructor, *Construction Law*, Helix Adult School, La Mesa, California (1974 - ?).
 - iv. Numerous articles in publications of the Associated General Contractors, American Subcontractors Association, Dispute Review Board Foundation, and American Arbitration Association.
 - vi. Periodic Guest Instructor, California Western School of Law and Thomas Jefferson School of Law.