

Robert A. Creo
Arbitrator & Mediator & Educator
Curriculum Vitae

1151 Freeport Road, Suite 347
Pittsburgh, PA 15238
Phone: 412 361-7983 Fax: 412 517-8668
eM: racreo@gmail.com

EDUCATION

J.D. 1977, Washington University in St. Louis School of Law
-Washington University Law Quarterly Senior Editor
- Tied Scholar (full tuition scholarship and stipend for 3 years)
- Honor Council Member

B.A. 1974, Brandeis University, Waltham, Massachusetts
- *Magna Cum Laude* with Departmental Honors in History.

Neutral Training

Mr. Creo apprenticed as a Labor Arbitrator with Samuel Krimsly and others from 1979 to 1981. Since 1979, he attended and presented at numerous arbitration programs co-sponsored by bar associations, National Academy of Arbitrators, American Arbitration Association and other organizations.

Mr. Creo was trained as a mediator by Professor Len Riskin in 1986 via Pennsylvania Bar Association, by United States Arbitration and Mediation in 1989, and by Michael Lewis and Linda Singer in 1990. He has attended and presented at numerous conferences sponsored by such organizations as American Bar Association, International Institute for Conflict Prevention and Resolution (CPR), International Academy of Mediators, Master Mediator Institute, Pennsylvania Bar Association, universities, and for-profit entities.

COURT ADMISSIONS

Pennsylvania Supreme Court, 1977
U.S. District Court for the Western District of Pennsylvania, 1977
U.S. Supreme Court, 1981

EMPLOYMENT & PROFESSIONAL PRACTICE AFFILIATIONS

Corporate Counsel, Ampco-Pittsburgh Corporation, 1977-79

Law Offices of Robert A. Creo, 1979-85

Creo & Malley, 1985-1995

United States Arbitration and Mediation, 1988-1993

JUSTUS ADR Services, 1993-1995

JAMS, 1995-1998

Law Offices of Robert A. Creo, 1998-2004

Counsel to Counsel, 2004-2019

Master Mediators LLC, 2009-

PROFESSIONAL PRACTICE

Focus Areas

Mr. Creo mediates or arbitrates 100 to 200 cases yearly and has served as a neutral over 5000 days since 1979. He has mediated numerous serious injury/death claims, complex business transactions and cases involving multimillion dollar settlements. He has significant experience in litigation as both an advocate and neutral. He has served as settlement counsel to negotiate complex claims. The substantive areas of practice include: Antitrust, Banking, Business, Civil Rights, Class Actions, Commercial, Construction, Employment, Environmental, Estates, Finance, Healthcare, Insurance Coverage, Intellectual Property, Labor-Management, Partnership, Personal Injury & Product Liability, Professional Malpractice, Securities, Software, Sports & Real Estate.

Labor-Management Experience

Mr. Creo began his work as a neutral in 1979 by apprenticing with several prominent arbitrators in the Pittsburgh area, primarily Samuel Krimsly. Mr. Krimsly has served as the counsel for Jock Yablonsky and District 5 of the United Mineworkers of America for many years prior to becoming an arbitrator. By 1980, Robert's own caseload developed, especially in the coal industry with appointment on panels in West Virginia, Illinois, Pennsylvania, Kentucky and Indiana. Starting in the 1980s, the US Postal Service also retained Mr. Creo for a number of panels in Western Pennsylvania. A significant amount of cases were also received during his beginning years in the public sector, including schools, county and governmental entities of that he was admitted to the National Academy of Arbitrators at age 33 in 1986.

The Federal Advocates Arbitration Handbook was co-authored with Albert Celmer and published in 1993. Mr. Creo has done a significant amount of federal sector labor arbitration over three decades.

Rosters of Designating Agencies

American Arbitration Association (AAA)
Court of Arbitration for Sports (TAS-CAS) Lausanne, Switzerland
CPR Panel of Distinguished Neutrals
Federal District Court, Western Dist. PA-ADR Roster
Federal Mediation and Conciliation Service (FMCS)
National Mediation Board (NMB)
Pennsylvania Bureau of Mediation
Pennsylvania Labor Relations Board

Significant Assignments and Cases

Mr. Creo served as a salary arbitrator for Major League Baseball and the Major League Baseball Players Association from 1991 to 1998. He also served as a grievance arbitrator for the National Football League and National Football Players Association to resolve disputes under the collective bargaining agreement from 1995 to 1998. He served as a neutral for the U.S. Senate Select Committee on Ethics, Office of Fair Employment Practices from 1992 to 1997. He has been on the panel for the Court of Arbitration for Sports since 1998.

Mr. Creo has mediated complex cases involving dozens of parties. He was appointed as a Special Master by Judge Stanton R. Wettick, Allegheny County Court of Common Pleas to resolve an accident involving 42 vehicles where 6 fatalities and other injuries. The U.S. Court for the Middle District of Pennsylvania appointed him to mediate a claim by over 60 plaintiffs against 12 defendants involving subprime mortgages. Courts have also appointed him to mediate gas land leases and other commercial disputes involving multiple plaintiffs and defendants.

Professional Recognition

Annually since 2005, has been recognized in the Alternative Dispute Resolution category by Best Lawyers in America, SuperLawyers and Pittsburgh Magazine, including being one of "The Top 50" Lawyers within the Pittsburgh Area. He was included by Lawdragon as one of the 500 Leading Judges in America. For decades he has maintained an A-V rating from Martindale-Hubbell. He is included in numerous Who's Who and other publications recognizing professionals accomplished in their field.

Labor & Employment Issues Experience

Absenteeism, Act 111 Interest, Affirmative Action, Arbitrability, Assignments, Attendance, Bargaining Unit Work , Benefits, Conduct, Classification, Demotion, Disability, Discharge, Dishonesty, Discrimination, Disparate Treatment, Due Process, Fringe Benefits, Health Care, Holidays, Incentive Pay, Insubordination, Insurance, Interest Arbitration, Job Posting & Bidding, Jurisdiction, Layoffs/Bumping/Recall, Management Rights, Misconduct, Official Time, Overtime, Past Practices, Pay Rates, Pension & Welfare Plans, Promotion, Resignations,

Retirement, Safety, Scheduling, Seniority, Sexual Harassment, Sick Time, Subcontracting, Substance Abuse, Tardiness, Tenure, Transfers, Wages, Work Stoppages, Working Conditions, Vacations, Violence.

Labor & Employment Industry Experience

Aerospace, Airlines, Automotive, Bakery, Banking, Beverages, Brewery, Cement, Chemicals, Coal, Communications, Construction, Courts, Dairy, Education, Electric, Energy, Equipment, Federal Sector, Financial, Fire, Forestry, Gambling, Gas, Glass, Government, Health Care, Heavy Equipment, Hotels, Insurance, Iron, Railroads, Resorts, Machinery, Manufacturing, Media, Metals, Marine, Mining, Municipalities, Newspapers, Paint, Paper, Plastics, Police, Postal, Professional, Public Sector, Publishing, Real Estate, Retail, Rubber, Security, Sewage, Schools, Steel, Sports, Transportation, Tax, Telephone, Trucking, Utilities, Warehousing.

EDUCATOR EXPERIENCE

Mr. Creo started his teaching aspects of his career in 1981 at the Philip Murray Institute of Community College of Allegheny County and the Penn State University Union Leadership Academy teaching courses on labor arbitration. He taught courses at both institutions until 1991 when he was appointed as an Adjunct Professor at Duquesne University School of Law where he taught a course on Alternative Dispute Resolution from 1991 to 2004. Since 2003 he has been an Adjunct Professor at the University of Pittsburgh School of Law teaching a course on International Alternative Dispute Resolution. Chatham University appointed Mr. Creo as an Adjunct Professor in 2008. Mr. Creo has been a member of the Faculty at Firera & Liuzzo Group, S.r.l. (*formerly Istituto Carlo Amore*) which educates mediators in Italy since 2000. In 2008, Mr. Creo co-founded the Master Mediator Institute (MMI) a non-profit organization created to engage highly experienced, intellectually inquisitive mediators and decision makers with leading educators to collaborate and pursue innovative theories and applications to the art and science of mediation, negotiation and facilitated decision making. (www.mastermediatorinstitute.org).

Mr. Creo has designed training courses, materials and exercises for hundreds of courses and presentations on arbitration, mediation and negotiation. In 1986 he wrote, produced and acted in a training video-tape of a labor arbitration which involved a discharge case with the footage being stopped for discussion of the procedural aspects of the case. He conducts workshops on negotiation skills for lawyers and other professionals. Here is a sampling of his serving as an educator or as a presenter at course, program or conference within the last decade.

The Science Behind the Sense, Master Mediator Institute, at Duke University, May, 2012.
Ask the Arbitrator, Labor-Management Conference, Indiana University of Pa., April, 2012.
Ask the Arbitrator, PELRAS, Penn State University, March, 2012.

Anatomy of a Labor Arbitration, Allegheny County Bar Association, March, 2012.
Mediation Advocacy Competition, ICMA, Toronto, Canada, March, 2012.
Effective Decision Making in Mediation and Negotiation, US Dist. Court, Western District of Pennsylvania & Federal Bar Association, February, 2012.
Effective Decision Making for Lawyers, Philadelphia, October, 2011.
The Art and Science of Decision Making, 360 Degree Institute, Las Vegas, September, 2011.
The Art and Science of Decision Making, ADR Center, Bowie, Maryland, June, 2011.
Wired for Empathy: Understanding Human Connection, Trust and Effective Decision Making, Master Mediator Institute, at Claremont University, March, 2011.
Ethical Issues in Mediation, Mediation Council of Western Pennsylvania, September, 2010.
Perfectly Wire: Integrated Decision Making, MMI, UCLA, October, 2009.
Advanced Mediator Training, ABA, Philadelphia, October, 2009.
Labor Arbitrator Roundtable, Allegheny County Bar Association, September, 2009.
The Art of Negotiation, Duquesne Light Company, Pittsburgh, June, 2009.
Mediation Simulation, PAMIC, Harrisburg, April, 2009.
The Power of Apology in Medical Malpractice Claims, Duke University, January, 2009.
The Science of Mediation, Southern California Mediator Association, November 2008.
Breaking Impasse, AMRI, Harrisburg, September, 2008.
Ethical Issues in Mediation, Mediation Council of Western Pennsylvania, Pittsburgh, May, 2008.
Mediator Dilemmas, Pa. Bar Institute, Pittsburgh, May, 2007.
Social Media and Conflict Resolution, Carnegie Mellon University, Pittsburgh, April 2008.
Mediator Basics, Federal District Court, Pittsburgh, January, 2007.
Business Aspects of Neutral Practices, ACR, Phoenix, 2007 and Philadelphia, 2006.
The Business of Mediators, ABA, Philadelphia, June, 2006.
Advanced Mediator Training, USAM Mid-West, St. Louis, 2008, 2007 & 2006.
Advanced Mediator Training, MAPS, New Orleans, 2006, 2005, 2004 & 2003.
Art of Mediation, Minnesota Bar Association, Minneapolis, October, 2005.
Ethical Issues in Negotiation, Allegheny County Bar Association, April, 2005.
Mediation: Beyond the Basics, Michigan Bar Association, October, 2003.

International work has included presentations in Ukraine, Poland, Bulgaria, Serbia, England, and Italy, including being a Fulbright Scholar for the United States State Department. He has taught in Italy Mediation Training, Italy, (Milano, Naples, Palermo, Roma) including in 2011, 2010, 2009, 2007, 2006, 2005, 2004, 2003, 2002, 2001 & 2000.

Mentoring

Mr. Creo takes his obligation to mentor and nurture future generations of neutrals very seriously. For over 25 years he has had numerous interns and other novice arbitrators and mediators serve as apprentices, assistants or observers of cases. He has organized numerous educational

programs and presentations on the subjects of Alternative Dispute Resolution for bar associations and other professional organizations. He has taught ADR to hundreds of law students.

In 2006 Mr. Creo mentored a lawyer from abroad for 3 months. This included hosting her in his home and having her observe cases with other prominent neutrals in the Pittsburgh area. The success of this informal relationship prompted Mr. Creo in 2006 to create a formal Fellowship of one year duration for a minority lawyer to promote diversity in the field. This Fellowship included a stipend and benefits, conference fees and travel for the Fellow to attend programs sponsored by organizations such as the International Academy of Mediators and the American Bar Association. Mr. Creo provided this leadership in the hope that other organizations and individuals might adopt this or a similar model to assist young professionals interested in a career in ADR.

PROFESSIONAL AFFILIATIONS:

Association for Conflict Resolution (ACR); American Bar Association (ABA) Labor Law & Dispute Resolution Sections; Allegheny County Bar Association (ACBA), Labor & Health Conciliation Service; International Institute for Conflict Prevention and Resolution (CPR); Court of Arbitration for Sport (TAS-CAS); Decision Analysis Society (DAS); Inter-America Bar Association; International Society for Labor and Security Law (ISSLS); Master Mediator Institute (MMI) (Co-Founder); Mediation Council of Western Pennsylvania (MCWP); Mediators Beyond Borders (MBB) (Secretary/Treasurer & Co-Founder); National Academy of Arbitrators (NAA); National Association of Securities Dealers (NASD); PA Bar Association; PA Council of Mediators (PCM); Society of Federal Labor Relations Professionals (SFLRP); Society for Judgment and Decision Making (SJDM); World Intellectual Property Organization (WIPO); and World Mediation Forum.

SPECIAL ACTIVITIES

Promotion of ADR

Mr. Creo served as the first President of the International Academy of Mediators (IAM) from 1996 to 1999 and was the IAM observer for the ABA Ethics 2000 Commission and NCCUSL Uniform Mediation Act. He has implemented ADR programs for bar and realtors associations, hospitals, universities, corporations including programs for resolution of employment claims. He has also served on the Advisory Editorial Board for the CPR Alternatives publication for many years.

ADR courses were added to the curriculum of both the University of Pittsburgh and Duquesne University law schools in 1991 by Mr. Creo initiating proposals to the Deans of both schools which were accepted.

The Allegheny County Bar Association created its ADR Committee in response to a proposal from Mr. Creo who then served as its Chair for a number of years. While Chairing the PBA DR Committee, the Pennsylvania Mediation Privilege statute was enacted with his co-leadership on this initiative.

Civic and Humanitarian Activities

In 2006 Mr. Creo co-founded Mediators Beyond Borders (www.mediatorsbeyondborders.org) with Ken Cloke as a non-profit 501(c) charitable and humanitarian organization to promote peace in troubled communities. He served as its Secretary-Treasurer until June, 2009, and donated the office overhead from 2006 to present and provided significant financial and other support for the mission of MMB. Mr. Creo led an innovative initiative to education, rehabilitate and relocate 100 former child soldiers from the Liberia civil wars from the U.N. Buduburam Refugee camp in Ghana back to Liberia. This involved year long training in vocational and life skills and treatment by professional mental health providers via a program established and funded by MBB at the University of Ghana in Accra. Mr. Creo personally donated and raised substantial funds for this ongoing project. He spent over 30 days in the field in Africa leading volunteers he had recruited to donate their time and energy to this worthwhile endeavor. During these trips he also created and conducted mediation training courses for professionals in Ghana and Liberia to assist in improving their justice system.

PUBLICATIONS

Mr. Creo has published extensively on arbitration, mediation & dispute resolution, including: CPR, Master Mediator Series Podcast: 1st podcast (4/13/09), "I'm Sorry? Acknowledgment and Apology in Preventing Medical Malpractice Claims," is an exploration of the pros, cons, ethics, legal ramifications, and efficacy of health care providers discussing medical errors with patients and family and the role of apology in resolving claims; 2nd podcast (5/11/09), "The Ethics of Fictional Lawyers," discusses popular portrayal of lawyers, and the ethics issue they raise under the ABA's Model Rules of Professional Conduct; and the 3rd podcast (9/28/09), "The Science of Conflict" with Monique McKay, is a discussion on the Master Mediator Institute and effective negotiation and decision making in conflict. (Podcast available online at (www.westlegaledcenter.com); The Master Mediator, a periodic web column found on The CPR Institute website: www.cpradr.org,

Alternative Dispute Resolution: Law, Procedure and Commentary for the Pennsylvania Practitioner, George T. Bisel Company, Inc. (October 2006) (1600 page treatise).

Update on Medical Malpractice Mediation in Western PA, Allegheny County Medical Society, The Bulletin June 2005.

Business and Practice Issues of US Mediators, .Mediators on Mediation, Christopher Newmark and Anthony Monaghan, eds., (September 2005).

Mediation 2004: The Art and the Artist, 108 Dickinson Penn State Law Review 1017 (2004).

The Mediation Process, Computer Based CLE, Bisel Company (Jan. 2003).

Establishing the Bargaining Model” CPR Alternatives (Fall 2001).

A Pie Chart Tool to Resolve Multiparty, Multi-Issue Conflicts, 18 CPR Alternatives (May 2000).

How a ‘Blind Trust Method’ Resolves Multi-Defendant Cases, 17 CPR Alternatives (Sept. 1999).

A Dialogue on Mediation, ACBA (Feb. 1999).

An Essay on Professionalism: The Portrayal of Lawyers in Popular Fiction” Pittsburgh Legal Journal (Jan. 1998).

Federal Arbitration Advocate’s Handbook, 2nd Ed. (1993).

A Day in the Arbitral Life, Perspective, LRP Publications (June 1987).

Arbitration of Nonunion Employees’ Discharge Cases” (Winter 1984).

Duty of Fair Representation After *Bowen*, Federal Bar Association, 2 Labor Relations Council Newsletter (Oct. 1983).

Arbitration of Wrongful Discharge Claims” Federal Bar Association, 2 Labor Relations Council Newsletter (Apr. 1983).

An Arbitrator’s Power to Compel Testimony: Part I, Perspective, Labor Relations Press (Dec. 1982), Part II (Jan. 1983).

Comment, Standard for Effective Assistance of Counsel” Washington University Law Quarterly 504 (1976).