



Education

Western New England College School of Law, Springfield, MA - Juris Doctor, 1982
Georgetown University, Washington., DC - AB in History, 1979

Memberships

Professional Licenses State Bar of Connecticut U. S. Supreme Court
State Bar of Indiana U. S. Court of Military Appeals
State Bar of Missouri U. S. Court of Federal Claims
Licensed Property/Casualty Adjuster; State of CT, AK, DE,
GA, ID, ME, MS, OR, TX, UT, WV.

Bar Memberships American Bar Association: Forum on the Construction Industry
Tort & Ins. Practice Section; Fidelity & Surety Law Committee

- Former Vice Chair of Fidelity & Surety Law Committee
- Former Co-Chair of Law Division

Background

Results-oriented professional with more than 30 years of progressive experience in Surety Bond Claims, Construction and Government Law. Possesses superior negotiation skills especially in arbitration, litigation strategy, settlement conferences and mediation. Well versed in surety and construction law; effectively demonstrated. Proven leader, lawyer, manager, trainer and mentor, and team builder.

Experience

- ❑ **Cashin Spinelli & Ferretti, LLC.:** Farmington, CT: Regional Manager (2006-present)
- ❑ **Forcon International-N.E., LLC:** Avon, CT: General Manager (1998-2006)
- ❑ **Liberty Bond Services (n/k/a Liberty Mutual Surety):** Plymouth Meeting, PA – Senior Surety Counsel (1995-1998)
- ❑ **Continental Insurance Corporation (now part of CNA Surety):** Farmington, CT– Assistant Vice President (1992-1995)
- ❑ **Kirwan, Altergott & Cave:** Kansas City, MO - Litigation Associate (1990-1991)
- ❑ **Margolin & Kirwan:** Kansas City, MO - Litigation Associate (1989)
- ❑ **U.S. Army Legal Services Agency (U.S. Army JAGC):** Falls Church, VA - Branch Chief/Appellate Defense Attorney (1987-1989)
- ❑ **Office of the Staff Judge Advocate (U.S. Army JAGC):** Fort Leavenworth, KS - Trial Counsel/Assistant Command Judge Advocate (1984-1987)

Professional Achievements

- ❑ Managed Northeast Offices of national surety bond consulting firms: duties included marketing, establishing budgets, training, supervising, and handling personal claim load of

Performance and Payment Surety Bond Claims.

- ❑ Hired as expert witness on several cases.
- ❑ Managed the handling of all of the Surety Bond Claims in the Southern Region for a large Corporation including budgets, administration, outside counsel, and operations; premiums averaged over \$30,000,000. Instrumental in developing the infrastructure of a new Surety Claim operation and the response strategy for major account defaults.
- ❑ Personally handled the vast majority of the claim load during the staffing up of a new operation; decision-maker on several multimillion dollar defaults.
- ❑ Investigated Payment and Performance Bond Claims on federal, state, municipal and private construction projects across the country.
- ❑ Investigated, established, set and supervised the litigation strategy for all outside counsel, obtained related budgets and managed expenses of consultants.
- ❑ Generated various legal documents including release agreements, repayment plans, completion and takeover contracts, notes and security agreements.
- ❑ As a private lawyer, devoted practice to Surety Bond Claims and construction and government contract law.
- ❑ Very knowledgeable in several legal fields including contracts, bankruptcy, municipal law, federal government procurement regulations, statutory interpretation, evidence, secured transactions, commercial paper, negotiations, appellate procedure, trial advocacy and criminal law.
- ❑ Supervised and managed four attorneys representing clients on appeals before U. S. Army Court of Military Review up to and including the U. S. Supreme Court.
- ❑ As private law practitioner, tried and arbitrated complex commercial litigation cases, took depositions and negotiated settlements.
- ❑ Filed over 180 appellate pleadings and briefs; successfully presented oral arguments.
- ❑ Qualified as an expert and provided expert witness testimony for Surety Bond-related trials in State and Federal Courts and arbitration.

Publications

- ❑ **American Bar Association:**
 - *The Importance of Insurance Coverages for Sureties* – materials for the Mid-Winter Meeting of the ABA Joint Forum on the Construction Industry and TIPS Fidelity & Surety Law Committee (Co-author); January 2005;
 - *The Payment Bond Manual, Third Edition* – Co-editor, 2006;
 - *The Law of Payment Bonds, 2d ed.* – Co-editor, 2011;
 - *Selecting a Completion Contractor* – materials for the Mid-Winter Meeting of the ABA, Tort Trial & Insurance Practice Section, Fidelity & Surety Law Committee (Co-author); January 2016.
- ❑ **Northeast Surety and Fidelity Claims Conference:**
 - *Issues and Practical Considerations for the Surety in Using Subcontractor Ratification Agreements* - November 2001 (Co-author);
 - *Change Orders and the Penal Sum of the Performance Bond* – September 2004;

-- *The Surety's Salvage Opportunities Under Insurance Policies* –September 2005.

❑ **Southern Surety and Fidelity Claims Conference:**

- *Discharge and Recoupment: Claims by a Surety Against an Oblige for Overpayment*- April 1996;
- *Suggestions for Improved Surety Bond Claims Handling* - April 2001;

❑ **Surety Claims Institute:**

- *The Role of the Consultant in the Surety Performance Bond Default* – June 2006

Speaking Engagements

❑ Presented Seminars on Missouri Construction Law for Federal Publications, 1991

❑ **American Bar Association:**

- Torts and Insurance Practice Section (“TIPS”) Fidelity and Surety Law Committee, *“Takeover by the Surety”* Spring Meeting in New Orleans, LA, May 9 and 10, 2002;
- ABA Joint Forum on the Construction Industry and TIPS Fidelity and Surety Law Committee: *“The Importance of Insurance Coverages for Sureties”* Mid-Winter Meeting in New York, NY, January 27, 2005;
- Co-Chair of Spring 2006 Conference in Scottsdale, AZ: Presenter of Six Payment Bond Claim Workshops, May 2006;
- ABA TIPS Fidelity & Surety Law Committee, *“Trial Techniques for Surety Cases”* Panelist at the Mid-Winter Meeting in New York, NY, February 1, 2008;
- Co-Chair of Spring 2011 Conference in Lake Geneva, WI: *“The Law of Payment Bonds”*; June 2011;
- ABA TIPS Fidelity & Surety Law Committee, *“Documenting the Indemnity Obligation and the Essential Elements”* Panelist at the Mid-Winter Meeting in New York, NY, January 24, 2014.
- ABA TIPS Fidelity & Surety Law Committee, *“The Default - Has the Starting Gun Been Fired?”* Presenter at the Spring Conference at Louisville, KY, May 8, 2014.
- ABA TIPS Fidelity & Surety Law Committee, Site Work [Excavation and Foundation Preparation; Mid-Winter Meeting in New York, NY, January 21, 2016.
- ABA TIPS Fidelity & Surety Law Committee, *Selecting a Completion Contractor*, Spring Conference in Palm Springs, CA, May 5, 2016.

❑ **National Association of Independent Sureties:**

- *“What Obligees Expect When They Purchase a Surety Bond”* Panelist at the Fall 2000 Meeting in Chicago, IL, September 22, 2000

❑ **National Association of Surety Bond Producers:**

- *“Surety Bond Claim Trends”* Northeast Regional Conference, Lake George, NY, September 2002;

❑ **National Bond Claims Association Conference:**

- *“Takeover By the Surety: The Obligations That You Forget About (And Wish You Hadn’t)”* Panelist at the Annual Conference held at Kiawah Island, SC, October 1999;
- *“Do You Know What You Bonded?”* Panel Moderator at the Annual Conference held at Scottsdale, AZ, October 2007

❑ **Northeast Surety and Fidelity Claims Conference:**

- *“Issues and Practical Considerations for the Surety in Using Subcontractor Ratification Agreements”* Annual Conference held at Atlantic City, NJ, November 2001;
- *“Change Orders and the Penal Sum of the Performance Bond”* Annual Conference held at Atlantic City, NJ, September 30, 2004;
- *“The Surety’s Salvage Opportunities Under Insurance Policies”* Annual Conference held at Atlantic City, NJ, September 22, 2005

- **Southern Surety and Fidelity Claims Conference:**
 - *“Discharge and Recoupment: Claims by a Surety Against an Obligor for Overpayment”* Annual Conference held at Atlanta, GA, April 11, 1996;
 - *“A Case Study of Documenting Contract Surety Financial Transactions”* Annual Conference held at Atlanta, GA, April 1997;
 - *“How Obligees View the Bond Product and How Claims Representatives Can Help Change That Perception”* Annual Conference held at St. Petersburg Beach, FL, April 2001

- **Surety Claims Institute:**
 - *“The Role of the Consultant in the Surety Performance Bond Default”* Annual Conference held at Cape Cod, MA, June 22, 2006