

7/8/2009

# Application for Inclusion on the DOA Roster of Dispute Resolution Providers for Local Governments

Division of Intergovernmental Relations  
Municipal Boundary Review  
101 E. Wilson Street, 10<sup>th</sup> Floor  
Madison, WI 53702-0001

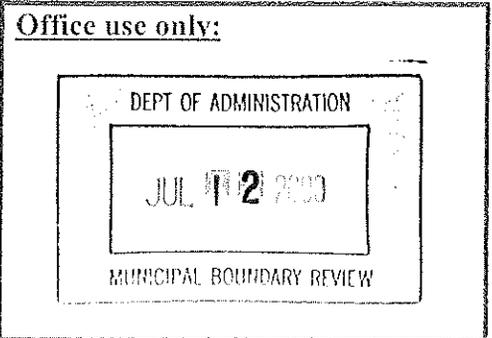
608-266-0683 Fax: 608-267-6917  
[george.hall@wisconsin.gov](mailto:george.hall@wisconsin.gov)  
[www.doa.state.wi.us/municipalboundaryreview](http://www.doa.state.wi.us/municipalboundaryreview)

Wisconsin Department of Administration



**Instructions:** Completion of this form is required for inclusion on the Department of Administration's list of dispute resolution professionals, located online at [www.doa.state.wi.us/municipalboundaryreview](http://www.doa.state.wi.us/municipalboundaryreview), and maintained pursuant to s. 66.0217(6)(b) Wis. Stats. This list is not a certification program – completion of this form is the only requirement for inclusion on the list. Inclusion on this list does not represent an endorsement by the Department, nor is the Department responsible for the accuracy of the information provided by persons appearing on this list. Responses are to be completed within the boxes provided, although you may supplement your answers with up to four pages of additional material. Please mail or fax your completed form to the address above.

Name: Terry F. Peppard  
Address: PO Box 5101, Madison, WI 53705  
Business or Organization: Law Office of Terry Peppard  
Phone: 608-233-7799  
Fax: 608-233-7799  
Email: tfp@peppard-adr.com  
Web Site: www.peppard-adr.com



## Dispute Resolution Training, Education, Teaching and Presentations:

List any dispute resolution training or certifications received and the training provider. List any publications in journals or periodicals and presentations on dispute resolution given to associations or other organized groups, or affiliation with academic or other institutions providing dispute resolution training.

Numerous courses in arbitration and mediation law and practice methods sponsored by national, state, local and international institutions, including the American Arbitration Association, the American Bar Association, etc. Author, Arbitration and Mediation of Business Disputes, 3rd Ed., State Bar of Wisconsin, CLE Books Division (2009). Adjunct professor of negotiation, mediation and arbitration law and practice for the University of Wisconsin Law School. Trainer in mediation and arbitration practice methods for the State Bar of Wisconsin, the Dane County Bar Association and other professional organizations. Co-winner of the State Bar of Wisconsin's Charles Dunn Award (2008) for excellence in legal writing for the Wisconsin Lawyer magazine, for an article entitled "Mediating Complex Construction Claims Cases."

**Experience**

Briefly describe your experience working with disputes involving municipalities or other public/private sector entities involving issue areas such as engineering and public works, municipal contracts, intergovernmental agreements, boundaries, land use, environmental problems, neighborhood disputes, personnel or workplace, or other comparable intra- or intergovernmental disputes.

Arbitrator in more than 400 disputes, mediator in more than 90 controversies, and trial attorney with more than 30 years of experience in a wide range of legal, factual and policy issues, from business contract interpretation and enforcement, employment relations, banking, finance, insurance coverage and municipal regulation to construction claims, real estate and land use, and intellectual property rights.

Please identify whether you may have particular subject matter expertise in any of the following areas:  Business/Corporate,  Community/Neighborhood,  Contracts,  Employment/Workplace;  Labor Union/Management,  Health Care,  Civil Engineering/Public Works;  Environmental;  Municipal Finance

**Memberships**

List memberships in any professional dispute resolution or related associations, or affiliation with public or private sector mediation providers such as county dispute resolution centers.

State Bar of Wisconsin and its Section of Construction and Public Contracting Law, and its Section of Alternative Dispute Resolution (member, board of directors, 1999-2005, and chair of the section, 2002-03); American Bar Association and its Section of Dispute Resolution; Dane County Bar Association and its Case Mediation Program (member, oversight committee)

Are you familiar with and willing to abide by the code of ethics adopted by any of the associations of which you may be a member?  
 Yes  No If "no" please explain: \_\_\_\_\_

**Availability**

Indicate your willingness to travel, as well as potential limitations on availability based on time of day or year.

Willing to travel within \_\_\_\_\_ miles of your place of residence or business.

Willing to travel throughout the state

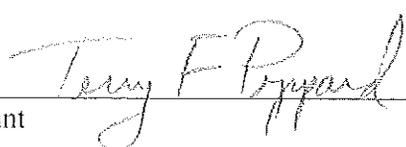
Other limitations: none

**Fee Requirements**

Arranging for the payment of any required professional fees is the responsibility of the parties. Describe your fee schedule, including expense reimbursement or cancellation fees, if any.

Hourly or daily rates to meet the needs of the parties; reimbursement of reasonable out-of-pocket expenses; no cancellation fees

I represent that all information provided me in this application is true and correct:



Signature of applicant

7/7/09

Date

**RESUME OF  
TERRY F. PEPPARD**

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website: [www.peppard-adr.com](http://www.peppard-adr.com)

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**Professional** Dispute Resolution Neutral, Arbitrator and Mediator (1980-to-date)

Private Law Practice (1992-to-2007)

Practice Concentration: securities, commodities and trade regulation; dealerships, distributorships and franchises; employment relations; real estate and land use; liability insurance coverage; business, corporate, partnership and limited liability company law; unfair competition; construction; municipal regulation; litigation, arbitration and mediation

Partner (1979-92), Managing Partner (1987-92), Wendel & Center, attorneys & counselors

Practice Concentration: securities, franchise and trade regulation; employment relations; real estate and land use; business, partnership and corporate law; municipal regulation; litigation and arbitration

Chief Attorney (1973-78), Office of the Wisconsin Commissioner of Securities, Madison, Wisconsin

Responsibilities: trial counsel and Director, Division of Enforcement

**Education** University of Wisconsin, Madison, Wisconsin  
Master of Business Administration (MBA) (1997)

University of Wisconsin, Madison, Wisconsin  
Juris Doctorate (JD) (1973)

Marquette University, Milwaukee, Wisconsin  
Bachelor of Electrical Engineering (1966)  
Member, Eta Kappa Nu (national electrical engineering honor society)

**Honors** Ranked among *The Best Lawyers in America* for alternative dispute resolution (2006, 2007, 2008)

- Affiliations** Member, American Bar Association (ABA) and State Bar of Wisconsin's Sections of (Alternative) Dispute Resolution and Business Law
- Member, Board of Directors, Section of Alternative Dispute Resolution of the State Bar of Wisconsin (1999-2005)(Chair of the Section, 2002-03)
- Member, State Bar of Wisconsin Section of Construction & Public Contracting Law
- Vice-Chair, Special Committee for Oversight of the State Bar of Wisconsin's Lawyer Dispute Resolution Program
- Member, Coordinating Committee, Dane County (Wisconsin) Court-Annexed Case Mediation Program
- Member, State Bar of Wisconsin's Technology Resource Committee (1987-92)
- Arbitration** Member, panels of arbitrators, for the Financial Industry Regulatory Authority (FINRA), formerly the National Association of Securities Dealers; the National Futures Association; the National Arbitration Forum; the Council of Better Business Bureaus; the CPR Institute for Dispute Resolution; the State Bar of Wisconsin's Lawyer Dispute Resolution Program; and the Wisconsin Association of Home Inspectors
- Completed numerous courses for sole arbitrators, panel members and panel chairs specific to domestic and international arbitration law and practice methods sponsored by: the American Arbitration Association, the Chartered Institute of Arbitrators, the American Bar Association, the National Futures Association, the State Bar of Wisconsin, the National Association of Securities Dealers, the New York Stock Exchange and the Council of Better Business Bureaus
- Instructor in advanced training seminars for attorneys on arbitration theory and practice sponsored by the State Bar of Wisconsin (1989-90 and 2001); Instructor for arbitrator training program of the Wisconsin Association of Home Inspectors (2006) (2007) (2008)
- Arbitrated more than four hundred (400) business, commercial, financial and regulatory disputes as sole arbitrator, panel member or panel chair in both *ad hoc* and administered proceedings

**Mediation** Member, panels of mediators: the Financial Industry Regulatory Authority (FINRA), formerly the National Association of Securities Dealers (NASD Regulation, Inc.); the State Bar of Wisconsin's Lawyer Dispute Resolution Program; and the Dane County, Wisconsin, Court-Annexed Case Mediation Program

Completed more than one hundred (100) hours of introductory and advanced instruction in mediation law and practice in courses sponsored by Nova Southeastern University, the Institute for Conflict Management, Inc., the State Bar of Wisconsin, the American Bar Association and the National Association of Securities Dealers (NASD Regulation, Inc.)

Guest Lecturer on mediation theory, practice and ethical standards for the Dane County (Wisconsin) Bar Association Continuing Legal Education (CLE) program for attorneys (2005-06) and for University of Wisconsin Law School course on negotiation-mediation (2005)

Mediated more than ninety (90) business, commercial, financial and regulatory disputes, in both *ad hoc* and administered proceedings, with settlement rate of approximately ninety per cent (90%)

Adjunct professor in negotiation-mediation for the Law School of the University of Wisconsin-Madison (2007) (2008)(2009); Instructor in mediation practice methods for the Dane County Bar Association Case Mediation Program (2005-2006)

**Publications** Article for the State Bar of Wisconsin's Bar Bulletin (now the Wisconsin Lawyer) on the International Bar Association's rules of evidence for international commercial arbitrations (1999); author of reference text: *Arbitration and Mediation of Business Disputes*, published by the State Bar of Wisconsin's CLE Books Division (2006), 2<sup>nd</sup> Ed. (2008) and 3<sup>rd</sup> Ed. (2009); Co-Author of article for the Wisconsin Lawyer on "Mediating Complex Construction Claims Cases." (winner of the State Bar of Wisconsin's 2008 Charles Dunn Award for excellence in legal writing)

**Legal/ADR Experience** Commercial contracts, securities regulation, franchises, dealerships & distributorships, construction, trade secrets, confidentiality & non-competition agreements, software procurement, technology licensing, real estate and land use, municipal regulation, internet domain names, business transfers, financial accounting, commodity futures contracts, liability insurance coverage, consumer protection, housing and age discrimination, and employment relations