

**Leland M. Shurin**

**Shareholder, Managing Partner**



### **Experience**

**Legal Experience:** General trial and business practice. 50% of legal practice in litigation of commercial, negligence and employment matters, equally for plaintiffs and defendants. Has litigated and/or negotiated on behalf of: tenants and landlords; franchisors and franchisees; employers and employees; contractors, subcontractors, developers and landowners; physician groups, physicians and patients; represented numerous small businesses, Fortune 500 companies, insurance carriers and individuals. 50% of legal practice in representation of small businesses, and medical and dental practices in regard to mergers, acquisitions, leasing, contracting, franchising and employment related matters. Has represented numerous high-level executives in employment matters.

Successfully tried as first chair jury and non-jury cases in numerous courts including in Jackson, Clay, Greene, Stone, Platte, St. Louis, and Cass County (Missouri) Circuit Courts and Johnson, Douglas and Wyandotte County (Kansas) District Courts. Trial counsel in lawsuits in the state courts of Florida, Arizona, Illinois and Texas; the United States Claims Court; the United States District Court for the District of New Jersey; the United States District Court for the District of Kansas; and the United States District Court for the Western District of Missouri. Appeared before the Eighth Circuit and Tenth Circuit Courts of Appeal, the Missouri Courts of Appeal and the Missouri Supreme Court. Counsel in arbitration matters for clients in New York City, Washington, D.C. and Kansas City.

**Alternative Dispute Resolution Experience:** Has served as a mediator in hundreds of cases, the large percentage of which have settled. Many cases involve multiple parties whose interests are adverse. As a mediator, has had a broad range of assignments, including cases involving professional fees, employment-related disputes, financial institution issues, franchising, construction and commercial disputes (including, but not limited to, family succession of businesses, shareholder disputes, and numerous breach of contract claims), bodily injury and wrongful death claims. Amounts in dispute from a few thousand dollars to hundreds of millions of dollars.

Has served as chair of three-person arbitration panels as well as sole arbitrator in numerous proceedings that have gone to hearing and Award. Arbitrator in disputes involving design professionals/clients, advertising agencies/clients, and attorney/clients; contractor/subcontractor/owner disputes,

technology disputes; financial institution liability issues; property damage disputes involving homeowner's insurance claims, claims involving securities and dealer representatives; employment related claims; franchisee/multiple franchisee contract issues and other commercial and bodily injury claims. Size of claims range from a few thousand dollars to multi-million dollars.

Included on list of neutrals by the United States District Court for the Western District of Missouri. Appointments as Special Master by Jackson County Circuit Court, and U.S. District Court. Extensive experience throughout career as an attorney advocate in alternative dispute resolution involving arbitrations and mediations, in commercial, employment, construction, advertising and bodily injury matters.

**Extraordinary Services/Matters:** Nominated by President Clinton to be a Judge of the United States District Court for the Western District of Missouri; nomination withdrawn at Mr. Shurin's request due to delays in the nomination/confirmation process.

Appointed in 2012 Special Deputy Liquidator of General American Mutual Holding Company in Receivership ("GMHC"). GAMHC was in voluntary receivership after a liquidity crisis. The receivership distributed \$1.523 billion over a nine year period to 302,359 Eligible Members of GAMHC. Currently in dormancy, Mr. Shurin as SDL authorized the escheatment of \$4.9 million to the State of Missouri Unclaimed Property Division in May 2013, the only remaining uncashed distributions to the Eligible Members. One of the largest receiverships in Missouri, Mr. Shurin will be responsible for winding up and final closure of GAMHC in 2016.

Appointed in 2013 as Special Master in the matter of Healthcare Foundation of Greater Kansas City v. HCA, et al., Case No. 0916-CV-30692. A judgment was entered by the Court in January 2013 in favor of plaintiff and against the defendant finding a minimal shortfall of over One Hundred Sixty One Million (\$161,000,000) Dollars due to plaintiff pursuant to a contract between the parties. Duties are to provide an accounting and report to the Court of the exact amount due plaintiff, if anything, for multiple years of capital expenditures and charity care required under the contract.

Co-Allocation Master in a mass tort environmental case; duties were to allocate a multi-million dollar settlement among over 250 plaintiffs.

Special Discovery Master Appointments in regard to e-discovery issues.

Numerous appointments as Special Discovery Master in State and Federal Courts.

Reviewer in the Prudential Remediation Plan Appeals Committee in 1998, handling over 100 claims as a mediator and/or arbitrator.

Appointed as Special Discovery Master and Mediator on 2012 in a series of cases against a Midwest based automobile dealer with multiple locations. Based upon the formula created, one hundred twenty-six cases were settled by mediation.

## **Professional**

Mr. Shurin was the Jackson County Delinquent Land Tax Attorney 1969-1970 and an assistant Jackson County Attorney 1971-1972. Mr. Shurin is admitted to practice law before the State Bar of Missouri, the State Bar of Kansas, the United States District Court for the Western District of Missouri and the United

States District Court for the District of Kansas. He is a member of the American Bar Association (Litigation and ADR sections), the Missouri Bar Association, the Kansas Bar Association and the Kansas City Metropolitan Bar Association, International Mediation Institute (IMI) Certified Mediator; American Arbitration Association Commercial, Construction and Employment Arbitration and Mediation Panels.

**Mediation Training:** International Academy of Mediators - 2014 Spring Conference, May 2014; AAA/ICDR Neutrals Conference, 2012 and 2009; AAA - Unleashing Innovation in ADR, March 2012; Forty Lines Mediators Can Hang Clothes On, March 2012; "Green" Construction Update: How Does ADR Apply to "Green" Construction, September 2010; American Bar Association - Settlecasting: The Right Number at the Wrong Time is the Wrong Number, April 2013; Construction Conference: Maximizing ADR Advocacy for Today's Economy, 2009; AAA Webinar, Mediation of Construction Disputes: Controlling Your Own Destiny, 2011; AAA Construction Conference: Maximizing ADR Advocacy for Today's Economy, 2009; University of Missouri Law Center - Advanced Mediation Training, 2000; Mediation of Civil Cases, 2000; US District Court – Advanced Mediation Training, 2000; AAA Sponsored Training for Prudential Mass Claims ADR Project, 1998.

### **Education**

Mr. Shurin received his law degree from the University of Missouri at Kansas City in 1968. He received his undergraduate degree from the University of Missouri in Columbia in 1965, where he majored in Economics.

**Publications and Speaking Engagements:** Annually conducted employment law seminar for large Kansas City based client. Speaker, "Drafting Effective Arbitration Clauses," AAA Seminar, March 2004; speaker, "Negotiating Contracts with Sports and Entertainment Personalities," April 2005; Sports and Entertainment Law Class, UMKC Law School.

**Professional Honors:** Super Lawyer 2009-2014 inclusive; 2014 was 29<sup>th</sup> consecutive year rated AV by Martindale-Hubbell; Ingram's Business Magazine as of Kansas City's best commercial litigation attorneys in 2011 – 2014 inclusive

**Personal:** Mr. Shurin and his wife, Jill, enjoy international traveling. He reads biographies, World and American history and mysteries. He collects American political campaign buttons.