

Henning Mediation & Arbitration Service, Inc.

Hubert J. Bell, Jr. Esq.

EMAIL: hjbell@smithcurrie.com

EDUCATION:

- Davidson College, A.B. (1966)
- Pacific Lutheran University, M.A. (1974)
- University of Georgia Law School; J.D., cum laude, Order of the Coif (1981)
- Defense Procurement Management Course (1976)
- Defense Advanced Procurement Management Course (1977)
- Defense Utilities Contracting Course
- Federal Supply Schedule Contracting Course



BAR ADMISSIONS & LICENSES:

- Georgia 1981
- District of Columbia 1991
- Florida 1994
- Admitted to practice: all courts GA, FL and DC; US District Courts ND and MD GA; ND, MD and SD FL; WD TX; ED WI and DC; US Circuit Courts of Appeal for the 5th, 11th and DC Circuits; US Court of Federal Claims; US Supreme Court
- FAA Commercial Pilot's Certificate, Airplane Single & Multi-Engine Land, Rotorcraft Helicopter, Instrument including Helicopter (Senior Army Aviator, Special Instrument Qualification, Instrument Flight Examiner)
- Registered Neutral in General Mediation and Arbitration by the Georgia Supreme Court, Office of Dispute Resolution

LEGAL EMPLOYMENT & EXPERIENCE:

- Partner, Smith, Currie & Hancock, LLP (1981 - Present)
- United States Army (1966-1978)
- United States Army Reserve (1978-1997), Lieutenant Colonel, Retired

- Inspector General, U.S. Army Forces Command (1976-1978), inspecting government contracting operations at 23 installations
- Army General Staff: (1980-1987), office of the Deputy Chief of Staff for Research, Development and Acquisition, procurement analyst, major aviation weapons systems, Development and Acquisition, procurement analyst, major aviation weapons systems
- Office of the Assistant Secretary of the Army for Research, Development and Acquisition as Mobilization Competition Advocate General
- Previously served two years in Vietnam (1967 and 1971) as helicopter and multi-engine airplane pilot
- Commanded aviation unit in combat; commanded infantry company
- Served in various operations and other staff assignments at battalion, brigade and division levels
- Represents contractors, subcontractors and owners in construction and government contract matters
- Represents parties in other commercial contracts
- Extensive experience dealing with differing site conditions, changes, delays, performance and payment bond issues, furnishing supplies and equipment and material failures
- Has handled cases dealing with concrete, geotechnical issues, MSE retaining walls, structures, roofing, drywall, mold, foundations, retaining walls, residential renovation and construction, brick, stucco and EIFS exterior finishes, paving, highway and bridge construction, airport runway and terminal construction, airport hydrant fueling systems, biomedical laboratory, hospital, hotel and multi-family housing construction and aluminum rolling mill furnishing and installation and equipment rental contracts
- Experience in bid protests, size protests and other federal, state and local administrative law

PROFESSIONAL ASSOCIATIONS:

- State Bar of Georgia, DC Bar, Florida Bar
- American Bar Association: Section Chair, Section of Public Contract Law(2003-2004); Chair, Dispute Resolution Committee 3 years; Chair, ADR Subcommittee; Chair, Construction Division (1995-98); member, Section Council (1997-2006), Litigation Section, Forum Committee on Construction Industry
- Lawyers Club of Atlanta: President (1998-1999); member Executive Committee (1993-2000)
- Current member, American Arbitration Association ("AAA") Construction and Commercial Panels of Neutrals; member since 1985
- Current member, AAA National Construction Dispute Resolution Committee
- Currently Co-Chair of the ADR Committee of the Section of Public Contract Law, American Bar Association.

- Selected as one of "Georgia SuperLawyers" (2004, 2007, 2008)
- Founding Member, Georgia Academy of Mediators and Arbitrators
- Founding Member, National Academy of Distinguished Neutrals
- Appointed 2010 by Georgia Supreme Court to five-year term on Georgia Commission on Dispute Resolution

ESTIMATED NUMBER OF ADR CASES HANDLED:

Participated as arbitrator, mediator and legal counsel in many arbitrations and mediations since 1981

ADR TRAINING:

- AAA Introductory Arbitrator Training (1985)
- Instructor at AAA Introductory and Advanced Arbitrator Training (1987 and 1995)
- Instructor ABA/AAA arbitration and mediation training seminars Atlanta and Seattle (1993)
- AAA Introductory Construction Industry Arbitrator Training Workshop, Atlanta, (April, 1997)
- Three-day mediation training course, Resolution Resources Corporation (1997)
- AAA Advanced Arbitrator Training Workshop (2001)
- AAA Annual Arbitrator Continuing Education (2002, 2003)
- Three-day mediation skills training course at the Straus Institute for Dispute Resolution of the Pepperdine University Law School (2004)
- Mediation observation training to qualify for registration as a neutral by the Georgia Office of Dispute Resolution (2004)
- Appointed in 1996 by AAA President Bill Slate to serve on a 55-member AAA Construction ADR Task Force to review and recommend changes to construction ADR rules, AAA policies and selection, training and retention of arbitrators

PUBLICATIONS:

- Author of "Inadvertent Disclosure of Privileged Material," Georgia State Bar Journal (May 1982)
- Co-author of "The Economic Loss Rule: A Fair Balancing of Interests," The Construction Lawyer (April 1991)
- Chapter 9, "Current Status of the Economic Loss Rule," Construction Law Update, Wiley (1992)
- Chapter VI "Contract Changes," Common Sense Construction Law, Wiley (1995)
- Contributing author, Alternative Clauses to Standard Construction Contracts, Second Edition, John Wiley & Sons, Inc. (1998)

- “Eroding Foundations: Increased Liability of Construction Design Professionals,” *The Procurement Lawyer*, vol. 32, no. 2 (Winter 1997)
- Co-author of “Challenging a Scheduling Expert,” *The Procurement Lawyer*, vol. 35, no. 1 (Fall 1999)
- Contributing Editor *Common Sense Construction Law*, 4th ed., John Wiley & Sons (2009)
- Co-editor *Federal Government Construction Contracts*, John Wiley & Sons (2008), and 2d ed. (2010)

AREAS OF EXPERTISE:

- Construction
- Government Contracts
- Administrative Law
- Commercial Transactions