

BARRY L. HOWARD

Neutral, Miles Mediation & Arbitration, LLC.

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Experience:

I began mediating cases in 2007. Since then, I have mediated over 2,400 cases in a variety of areas including construction defects, construction injury, personal injury, wrongful death, medical malpractice, products liability, professional liability, civil rights, and commercial disputes. More than 350 of these cases were conducted in part or entirely via Zoom.

Construction law mediations include commercial buildings with multiple party/subcontractor issues, condo and apartment construction issues, personal injury claims by bystanders and jobsite workers, and insurance coverage issues related to the various aspects of the construction and participants.

Commercial dispute cases include multi-million-dollar equipment leases, management contract performance disputes, breach of contract, transportation contracts, financial institutions consumer transaction disputes, and mortgage/wrongful foreclosure cases.

I also mediate professional liability cases including attorney malpractice, real estate agent errors and omissions (E & O), insurance agent E&O, and accountant professional liability.

Prior to limiting my practice to fulltime alternative dispute resolution, I primarily defended products liability, professional liability, construction, and commercial cases. I have tried over 200 cases to jury verdict, including a two-week construction defect case in Davidson County, TN chancery court and a four-week products liability case in Davidson County, TN circuit court.

Education:

University of Tennessee, Knoxville, Sept 1971-June 1975, Bachelor of Science in
Business Administration, Major: Accounting, Minor: Finance

University of Tennessee College of Law, Sept. 1975-Dec. 1977, J. D.

Admitted to Practice:

Tennessee Supreme Court, 1978

USDC Middle District of Tennessee, 1978

US 6th Circuit Court of Appeals, 1979

USDC Eastern and Western Tennessee

Tennessee Supreme Court Rule 31 Listed Mediator April 2007

Employment History:

Miles Mediation & Arbitration, LLC.

August 2021- Present

Neutral

Howard, Tate, Sowell, Wilson, Leathers & Johnson, PLLC.

January 1987 – August 2021

Partner/member

Gracey, Maddin, Cown & Bird

April 1978 – December 1986

Partner and associate

Professional and Trade Associations:

National Academy of Distinguished Neutrals

Tennessee Association of Professional Mediators

Nashville Bar Association

Nashville Bar Foundation

Tennessee Bar Association

Tennessee Association of Construction Counsel

Defense Research Institute (past member)

Tennessee Defense Lawyers Association (past member)

International Association of Defense Counsel (past member)

Honors and Awards:

Best of the Bar 2013, Nashville Bar Journal

Listed as a "Super Lawyer" multiple years

Speaking Engagements:

Strategies for Getting to Yes, The Doctors Companies, December 2022

Mediating Civil Cases, Tennessee Attorneys Memo, Seminar on Civil Litigation, 2019

Mediating Health Care Liability Cases, Medical Malpractice Conference for Tennessee Attorneys, 2018

Tennessee Products Liability Law, Samford University, Cumberland School of Law

Preparing a Case for Mediation, Nashville School of Law, Trial practice course, guest speaker

Current Issues in Products Liability Law, Tennessee Defense Lawyers Association, annual meeting

Cross-Examination of an Economist in a Wrongful Death Case, Tennessee Defense Lawyers Association, annual meeting

Preventing Insurance Agent Errors and Omissions Claims, Insurers of Tennessee

E-Discovery Issues in the Amended Federal Rules of Civil Procedure, Barristers, Inc.