



CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

NEUTRAL QUALIFICATION FORM
Pursuant to Local Rule 38

I am applying for inclusion on the list of neutrals to be maintained by the Circuit Clerk pursuant to Local Rule 38 of the Circuit Court of St. Louis County. The following information is supplied in support of this application.

1. Name: Whitt David Lynn
(Last) (First) (Middle)

2. Address: 1071 Wyndgate Ridge Drive
§

Lake Saint Louis, MO 63367-4354
(City) (State) (ZIP+4)

3. Telephone Number: 417-259-4960

4. Facsimile Number: 314-667-3300

5. State the standard hourly fee for your services as a neutral. \$ 350.00
**Plus USA&M, Midwest Administrative fee of \$225.00

6. List your appropriate training or equivalent experience in conducting alternative dispute resolution as required for certification under Supreme Court Rule 17.04.
ACR Conference - 10/08; ICDR Int'l Commercial
AAA Mediator Training - 5/91; Arbitration & Mediation Conf. - 200
AAA Construction Industry Arbitrator Training - 3/97
MOBAR - Mediator Civil Cases Training - 8/99
AAA Construction Industry Arbitrator Training II - 2/01
AAA Arbitrator Update 2003 & 2001
AAA Neutrals Conferences - 8/03, 10/04, 9/05

7. Please list all areas of substantive law or experience which are or have been a significant part of your professional background or practice. - 10/02
Construction Contracts Corporate
Labor OSHA Workers Comp
Employment EEO

8. [If the answer to any of the following questions is yes, please explain the circumstances on a separate sheet and attach.]

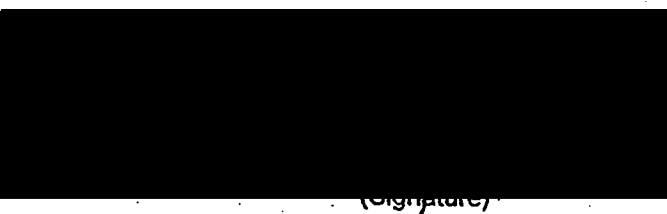
- a. Have you ever been disciplined for violation of any code of professional ethics or responsibility? NO
- b. Have you ever pled guilty to or been found guilty of a felony? NO
- c. Have you ever been found liable for fraud or any other intentional tort? NO
- d. Have you ever had a professional license revoked or suspended for reasons other than non-payment of dues? NO
- e. Have any professional malpractice judgments been entered against you? NO

9. List the courts and professional organizations in which you currently hold certifications as a neutral, mediator, arbitrator, or other ADR service provider.

AAA

10. In the space below, briefly describe your experience, qualifications, special areas of expertise, and any other reasons why you should be selected as a neutral.

See attached AAA Profiles



(Signature)

3/2/09

(Date)

Professional Associations American Contract Management Association;
American Association of Construction Engineers.

Education Georgia Institute of Technology (BSCE-1966); Memphis State
University (JD-1972).

Publications and Speaking Engagements "What to do When' PM
Contracting Relationships," Illinois NBI, February 26, 1992; "Project Management for
the Hazardous Waste Professionals," February 20, 1992; "Managing Hazardous
Materials at Excavation Sites," University of Missouri, October 8, 1991; presenter,
"Environmental Obligations on a Construction Site," 5th Annual St. Louis Briefing
Conference, The Bar Association of Metropolitan St. Louis, June 18, 1990; presenter,
"Claims Prevention - Art, Science or Luck?" 4th Annual St. Louis Briefing
Conference, The Bar Association of Metropolitan St. Louis, April 13, 1989; presenter,
"How to Prepare and Present a Construction Claim," 3rd Annual St. Louis Briefing
Conference, The Bar Association of Metropolitan St. Louis and The Engineers Club,
February 25, 1988; "Change Order and Claim Documentation," The University of
Missouri, September 22, 1987; presenter, "Warranties on a Construction Project," 2nd
Annual St. Louis Briefing Conference, The Bar Association of Metropolitan St. Louis,
February 26, 1987; presenter, "Legal and Practical Relationships of the Contracting
Parties," St. Louis Briefing Conference, The Bar Association of Metropolitan St.
Louis, February, 27, 1986.

Hourly Mediation Rate \$275 Per Hour

Preparation, study and out of town travel time at the hourly rate; no charge for
cancellations if given notice two weeks before the mediation; otherwise, there will be
a half-day charge.

Citizenship United States of America

Locale St. Charles, MO

Contact American Arbitration Association

100 N. Broadway St.
Suite 1820
St. Louis, MO 63102
telephone: 314-621-7175
facsimile: 314-621-3730

D. Lynn Whitt, Esq.

Current Employer-Title The Challenge Group, Inc. - President

Profession Construction Consultant; Arbitrator, Mediator, Attorney; Program Manager

Work History President, The Challenge Group, Inc., 1998-present; President/Senior Vice President/General Manager, Landmark Contract Management, Inc., 1996-98, 1987-92; Project Executive, TWA Dome Project, St. Louis Regional Convention Sports Complex Authority, 1992-96; Division Vice President/General Counsel, Fru-Con Construction Corporation, 1979-87; Operations Manager/Construction Manager/Assistant General Counsel, Chicago Bridge & Iron Co., 1966-79.

General Experience As a neutral, 60% of cases were arbitrations on construction and commercial disputes, and 40% were mediations of construction and employee/employer disputes. As an attorney, 90% of cases are construction disputes and 10% are real estate, collection or commercial disputes. As a program manager, projects include commercial, sports, entertainment, gaming, institutional, public, rehabilitation, infrastructure and residential building programs ranging in value from \$50,000 to \$600 million. As a construction consultant, assignments have included the complete spectrum of construction projects.

Representative Issues Handled as a Mediator Served as a mediator in a contract dispute between a developer and general contractor on a hotel/convention center project. Mediated delay and changes claims by a contractor against a multi-national corporation on a major expansion of its facilities. As a mediator, assisted in resolving an age discrimination claim between a major manufacturing corporation and a former employee. Served as a mediator in a contract dispute between a new home owner and a subdivision developer.

Alternative Dispute Resolution Training ICDR International Commercial Arbitration and Mediation Conference, 2006; Attended AAA Neutrals Conference and satisfied 2005 ACE requirements, Philadelphia, 9/05; Attended AAA Neutrals Conference, Atlanta, 10/04; ACE001 - Arbitration Awards: Safeguarding, Deciding & Writing Awards, Atlanta, 10/04; Attended AAA Neutrals Conference and satisfied 2003 ACE requirements, Providence, 8/03; AAA Arbitrator Update 2003, 2001; AAA Construction Industry Arbitrator II Training, Chicago, 2/01; Missouri Bar Association, Mediating Civil Cases Training, 8/99; AAA Construction Industry Arbitrator Training Workshop, St. Louis, 3/97; AAA Mediator Training, St. Louis, 5/91; various other ADR training.

Professional Licenses Admitted to the Bar: Tennessee, 1972; Illinois, 1973; Missouri, 1979; U.S. District Court, Northern District of Illinois, 1973; U.S. Court of Appeals: Seventh (1974) and Fifth (1976) Circuits; U.S. Supreme Court, 1980.

March 10, 2009

Ms. Joan Gilmore, Clerk
Circuit Court of St. Louis County
7900 Carondelet
Clayton, MO 63105

RE: Neutral's Application Form

Dear Ms. Gilmore:

Enclosed please find the application for Mr. David Lynn Whitt who is now on our panel. If any additional information is required, please advise the undersigned.

Very truly yours,



Michael S. Geigerman

MG/as
enclosure

cc: Mr. D. Lynn Whitt

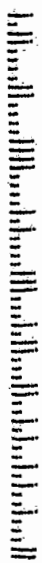


Suite 2300
720 Olive Street
St. Louis, Missouri 63101

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Circuit Court of St. Louis County
7900 Carondelet
Clayton, MO 63105

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RECEIVED
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JOAN M. GILMER
CLERK, ST. LOUIS COUNTY