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APR 23 2001

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY



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: YOUNG MARVIN 0.
(Last) (First) (Middle)

2. Address: Gallop, Johnson & Neuman, L.C.
101 South Hanley
St. Louis MO 63105
(City) (State) (ZIP+4)

3. Telephone Number: 314-615-6210

4. Facsimile Number: 314-862-1219

5. State the standard hourly fee for your services as a neutral. \$200.00

6. List your appropriate training or equivalent experience in conducting alternative dispute resolution as required for certification under Supreme Court Rule 17.04.

For Mediation, 16 hours of professional training provided by the American Academy of Attorney-Mediators and participation in several successful mediations as a mediator. For Arbitration, advanced 2-day training provided by the American Arbitration Association and Service as an arbitrator in numerous arbitrations. Member of AAA panel of commercial arbitrators for large complex cases.

7. Please list all areas of substantive law or experience which are or have been a significant part of your professional background or practice.

<u>General business transactions</u>	<u>Mergers and Acquisitions</u>
<u>Breach of contract disputes</u>	<u>Shareholder Agreements</u>
<u>Real Estate sales and leases</u>	<u>Long term contracts</u>
<u>Arbitration law</u>	<u>Government regulations</u>
<u>Municipal law</u>	<u>Employment agreements</u>

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.

U.S. District Court, Eastern District of Missouri
Circuit Court, City of St. Louis
Large complex case panel of American Arbitration Association

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.

I have over 40 years experience as an attorney. I have had extensive training and experience in alternative dispute resolution since joining Gallop, Johnson & Neuman as a partner in January 1986. During the prior 17 years, I served as Chief Legal Officer of Peabody Coal Company where I was responsible for management and supervision of all claims and litigation. We used alternative dispute resolution - primarily arbitration - to resolve many of our large contract disputes. The lawyers who have worked with me over the years would attest to my reputation for fairness, a judicial temperament and integrity. References will be provided upon request. Attached is a copy of my resume relating to Arbitration and Mediation Services.

(Signature)

(Date)

THIS FORM WILL BE MADE AVAILABLE TO THE PARTIES TO ASSIST THEM IN CHOOSING A NEUTRAL.

Arbitration Papers

- “How to Make Arbitration Work in Coal Industry Disputes,” 1993 Coal Lawyers Conference sponsored by National Coal Association.
- “Use Baseball Arbitration In Your Business Game Plan,” St. Louis Commerce Magazine, December, 1990.

Education

University of Michigan Law School; J.D. 1954; Order of the Coif, Associate Editor, Michigan Law Review.

Westminster College, Fulton, Missouri; B.A. 1951, Magna Cum Laude.

Honors and Awards

- Distinguished Service Award (“Coal Lawyer of the Year”) presented by the Coal Lawyers Conference of the National Coal Association in October 1994.
- Honorary Doctor of Laws Degree, Westminster College, Fulton, Missouri, May 1989

Professional and Civic Activities

Mr. Young is member of the American Bar Association, the Missouri Bar Association and the Bar Association of Metropolitan St. Louis. He is a trustee and founding member of the Eastern Mineral Law Foundation and a charter member and co-founder of the Coal Lawyers Conference (now known as the Mining Lawyers Conference).

Mr. Young is a member of the Board of Trustees and Executive Committee of Westminster College in Fulton, Missouri. He served as Chairman of the Board of Trustees from 1986 to 1990. He served as chairman of the Board of Trustees of the Winston Churchill Memorial and Library at Fulton, Missouri from 1993 to 2000. He is a member of the Chancellor’s Council of the University of Missouri at St. Louis. He served as a member of the Board of Directors of the Rotary Club of St. Louis from 1993 to 1995. He served as a trustee of the Metropolitan St. Louis Sewer District from 1974 to 1980, as a member of the Missouri Environmental Improvement Authority for five years, and as a member of the Missouri Energy Council for four years. He currently serves as City Attorney for the city of Warson Woods, Missouri.

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GALLOP, JOHNSON & NEUMAN, L.C.

MARVIN O. YOUNG

ARBITRATION AND MEDIATION SERVICES

Mr. Young has been engaged in the practice of law for over 40 years. Since January, 1986 he has been a senior partner in the Corporate Department of Gallop, Johnson & Neuman, L.C., a medium-sized law firm in St. Louis, Missouri. During this period he has represented a wide variety of clients in business transactions, corporate matters. In addition, he has been engaged to serve as an arbitrator and mediator in various types of disputes. He has also provided expert witness testimony in coal industry litigation.

During the prior 17 years, Mr. Young was General Counsel of Peabody Coal Company, Peabody Holding Company, Inc. and affiliated companies headquartered in St. Louis. In that position, he was responsible for the management of all claims and litigation. A great number of such disputes were resolved through alternative dispute resolution methods.

ADR Experience

Mr. Young serves on the large, complex case panel of arbitrators of the American Arbitration Association. He has served as an arbitrator in numerous disputes by selection through that organization. He has also been selected to serve as either a party-appointed or neutral arbitrator in other arbitrations by agreement of the parties. He has attended training workshops for

arbitrators sponsored by the American Arbitration Association. He has written papers on the use of arbitration in business disputes.

Mr. Young has conducted a number of successful mediations. He has received 16 hours of professional training as a mediator provided by the American Academy of Attorney-Mediators. He is a member of Mediator panels of the U.S. District Court for the Eastern District of Missouri (St. Louis) and the Circuit Court of the City of St. Louis.

Areas of Experience

- Arbitration and mediation procedures
- General business transactions
- Mergers and acquisitions
- Shareholder agreements
- Long-term supply contracts
- Employment agreements
- Professional liability insurance issues
- Resolution of business disputes
- Real estate sales and leases
- Health care insurance disputes
- Equipment leases
- Contracts of all types
- Partnerships
- Governmental regulations
- Municipal law
- Nonprofit organizations
- Closely-held and family business issues



GALLOP, JOHNSON & NEUMAN, L.C.
Attorneys and Counselors at Law

MARVIN O. YOUNG
E-mail: moyoung@gjn.com

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JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

Interco Corporate Tower
101 South Hanley
St. Louis, Missouri 63105

Telephone 314-862-1200
Facsimile 314-862-1219
www.gjn.com

April 19, 2001

Jerry Vishy
Circuit Civil Manager
Office of the Circuit Clerk
7900 Carondelet Avenue
Clayton, MO 63105-1766

Re: Marvin O. Young – Arbitration and Mediation Services
And Neutral Qualification Form Pursuant to Local Rule 38

Dear Mr. Vishy:

Enclosed for your files is a Neutral Qualification Form Pursuant to Local Rule 38 and my biography.

Sincerely,

Marvin O. Young

MOY/mg