

APPLICATION  
UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MARYLAND  
BANKRUPTCY DISPUTE RESOLUTION PROGRAM PANEL

Name: John S. Graham, III

Office Address: 1622 World Trade Center, 401 E. Pratt Street

Baltimore, MD 21202

City State Zip

Office Phone: (410) 547-1919 Office Fax: (410) 685-3453

Education: J.D. Yale Law School, 1974

B.Phil. University of St. Andrews (Scotland) 1969

B.A. Washington and Lee University, magna cum laude, 1967

Professional licenses or memberships and accreditations:

Member of Bar of US Supreme Court; US Fourth Circuit Court of Appeals; US District Courts of Maryland, Virginia (E.D.) and District of Columbia, and State Bars of Maryland, Virginia and District of Columbia; Member of Bars of US Tax Court and US Court of Claims

Dispute Resolution Training: Yes XX No \_\_\_\_\_

(a) U.S. Bankruptcy Court Training \_\_\_\_\_

(b) Other Training \_\_\_\_\_

AAA Commercial Arbitrator Training, Washington, D.C., 400; AAA National Energy Panel Training, San Diego, 596; AAA National Energy Panel Training, San Francisco, 407.

Experience: Founding member of AAA National Energy Panel and commercial arbitrator since 1997;

Conducted first mediation in connection with private law practice in 1980, and periodically since that time.

Currently mediating cases for Maryland Commission on Human Relations and as court-designated (pursuant to Maryland Rule 17) mediator for six Maryland Circuit courts.

Counties in which you are willing to serve as a Resolution Advocate:

All counties in Maryland, as well as in Virginia and District of Columbia (if required)

If you are also applying to be a Paid Resolution Advocate, rates charged:

Yes - \$250 per hour

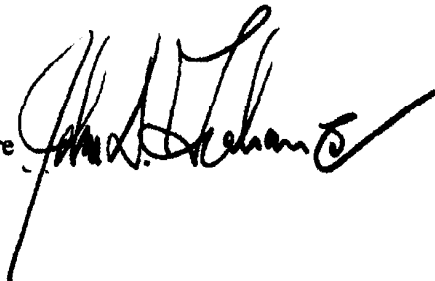
Yes - \$250 per hour

Additional Information: More than 20 years of law practice, as a partner in private firms in Maryland, Virginia and the District of Columbia ranging in size from less than 20 to more than 900 lawyers. Former managing partner of Baltimore office of major (600+ lawyers) national law firm; Business experience as managing director and general counsel of international telecommunications company.

Resume Attached

I hereby certify that the information set-forth above is true and correct.<sup>1</sup> I agree to serve for a minimum of one year and to act as an unpaid Resolution Advocate in matters, not to exceed one matter per calendar quarter.

7/15/03  
Date

Signature 

<sup>1</sup> It is the responsibility of the applicant to submit an amended application if any information contained on this application changes.

## **JOHN S. GRAHAM, III**

1622 World Trade Center

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Baltimore, Maryland 21202 USA

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*John Graham has practiced law and alternative dispute resolution, in law firms in Maryland, Virginia and the District of Columbia, and recently through his consulting firm, Sullivan Cove Consultants llc, for nearly 30 years. Alternative dispute resolution, including mediation, conciliation and arbitration, has become an increasingly important portlon of his professional activities.*

### **REPRESENTATIVE PROFESSIONAL EXPERIENCE**

#### ***Alternative Dispute Resolution:***

Mediation: Mr. Graham is designated as a mediator for court-ordered alternative dispute resolution proceedings in six Circuit Courts in the State of Maryland pursuant to Maryland Rule 17-107. In addition to his other ADR training, he has completed the 40-hour mediator certification course conducted by the Maryland Commission on Human Relations, and serves as a mediator for cases referred by the Commission, cases referred by the Maryland Courts and cases referred directly by the parties.

Arbitration: Mr. Graham is a founding member of the National Energy Panel of the American Arbitration Association. He has successfully completed the full battery of training courses offered by the AAA, included Advanced Arbitration Training, and is a member of the American Arbitration Association's National Roster of Neutrals. He has arbitrated cases as a neutral on three-arbitrator panels as well as serving as sole arbitrator.

***Corporate Transactions:*** Mr. Graham's multi-faceted business law practice has included service as primary outside counsel to private and publicly traded entities, from closely-held to Fortune 500, including multinational holding company with domestic and foreign operating subsidiaries. He has served as outside director of the parent of a Fortune 500 oil company, and a member of the audit and executive compensation/benefits committees and special committee of the board in a corporate restructuring. He has been lead counsel to public companies in acquisitions, sales, divestitures and spin-offs and has represented a private equity fund in the divestiture of portfolio investments. He has represented issuers and underwriters in public offerings of corporate and municipal securities and borrowers and lenders in the issuance of unsecured senior notes and in syndicated borrowing under secured and unsecured credit agreements. His corporate transactions have involved structuring and sale of equity interests, the structuring and financing of joint ventures overseas and U.S. joint ventures involving foreign and domestic participants. He has represented clients in protracted disputes, including environmental liability and labor disputes involving organized labor in a national corporate campaign.

***Law Firm Management:*** Mr. Graham is the former managing partner of the Baltimore

office of major (600 lawyer) U.S. national law firm. He established the office via merger, serving as lead lawyer for its most significant client group, and managed the growth of professional personnel by 75%, while increasing revenues by more than three-fold.

### **PROFESSIONAL AFFILIATIONS**

Principal in Sullivan Cove Consultants, llc and in John S. Graham, III Attorney at Law, LLC, private law and consulting firms based in the Washington-Baltimore Area.

Outside counsel since 1997 and Managing Director and General Counsel, 2002-2003, Omni Communications, Inc. and Omni-Metromedia Caspian, Ltd., Nassau, Bahamas. Chairman of Board of Directors, Caspian American Telecommunications, LLC, Baku, Azerbaijan.

Former partner in private law firms ranging in size from fewer than 30 lawyers to more than 900 lawyers. These firms include Akin, Gump, Strauss, Hauer & Feld, District of Columbia; McGuire, Woods, Battle & Boothe, Virginia, Maryland and the District of Columbia; Browder, Russell, Morris & Butcher, Virginia; and Ober, Kaler, Grimes & Shriver, Maryland, Virginia and the District of Columbia.

### **PROFESSIONAL ACTIVITIES**

American Arbitration Association, Commercial Arbitrator and founding member of National Energy Panel, 1997 to the present.

American Trading and Production Corporation, Member of Board of Directors and member of Audit Committee and Executive Compensation and Benefits Committee, 1993 to 1999. Member of Special Committee of Board of Directors, 1997 to 1999.

World Trade Center Institute, Baltimore, Corporate Secretary and Member of Board of Directors and Executive Committee, 1993 to the present.

Chesapeake Innovation Center (technology business incubator) Annapolis, Maryland, Advisory Board Member, 2003 to the present.

State of Maryland, Member of Export MD Review Committee, Department of Business and Economic Development (DBED), 1999 to the present. International Law Counsel to DBED and Maryland Attorney General, 1994 to 1998.

**Biographee, *Marquis Who's Who in America.***

**Publications:** Mr. Graham has presented papers on international law at the University of Dundee's Centre for Petroleum and Mineral Law & Policy, and at international

conferences in Alaska, Ecuador, Brazil, Peru and the United States. His published works include: "Alternative Dispute Resolution - Applications in the Upstream Sector" 2 *OIL AND GAS EXECUTIVE* 36, 1999; "Structuring International Mineral Joint Ventures," *PROCEEDINGS of FAIRBANKS ALASKA CENTENNIAL MINERAL LAW SYMPOSIUM*, 1997; "Regulating Energy Resources: Virginia Grapples With New Rules," 36 *LANDMAN* 37, September/October 1991; "Energy Resources in the Commonwealth: The Virginia Gas and Oil Act of 1990." 39 *VIRGINIA LAWYER* 22, January 1991; "Consolidation for Desegregation: The Unresolved Issue of the Inevitable Sequel," 82 *YALE LAW JOURNAL* 1681, 1973.

**Member:** U.S. Supreme Court Bar; Maryland Bar; Virginia State Bar; District of Columbia Bar; International Bar Association; Inter-American Bar Association; Wranglers Law Club.

**Fellow:** American Bar Foundation and Maryland Bar Foundation.

### CIVIC ACTIVITIES

Living Classrooms Foundation, Baltimore, Maryland, Chairman of Board of Trustees, 2000 to present and Member of Board of Trustees, 1992 to the present.

St. Andrews University, Member of North American Volunteer Board, 2000 to the present.

B&O Railroad Museum, Baltimore, Maryland, Member of Executive Committee and of Board of Directors, 1995 to 2001.

### EDUCATION

J.D., Yale Law School, 1974; Attendance (1968 to 1974) interrupted by military service 1969-1971. Board of Editors, *Yale Law Journal*, 1972-1974.

B. Phil. in Political Economy, University of St. Andrews, Scotland, 1969. Thesis: *"The Registrar of Restrictive Trading Agreements: Guardian of the Competitive System."* (British Restrictive Trade Practices Law). Recipient of national fellowship from St. Andrews Society of the State of New York

B.A. (*magna cum laude*), Washington & Lee University, 1967. Major: Economics; Minors: Philosophy and History. Phi Beta Kappa; Omicron Delta Kappa