Department of Management Daniels College of Business Denver, Colorado 80208 303-871-7692, pbowen2@du.edu

Professions: College professor, arbitrator and mediator, former business CEO

# **Employment History:**

Executive:

1975-1999 General Partner/CEO, The Investment Management Group, Ltd. *Arbitration:* 

1996- Arbitration panel chair, arbitrator or mediator for FINRA (merger of NASD the NYSE regulatory bodies), the American Arbitration Association, the Denver and Colorado Bar Associations and the Eagle County (Colorado) Attorney's Office<sup>1</sup>.

#### Academic:

2004- Faculty Member, Department of Management, Daniels College of Business 2000-2003 Assistant Professor, Business Administration, Regis College.

1992-1999 Adjunct Professor, Business Administration, Colorado Mountain College [1998-99, ad hoc Vail Campus Department of Business Chair].

## **Municipal Government History:**

1992-96 Member, Planning and Environmental Commission, Town of Vail, CO.

1985-86 Mayor Pro-tem, Member of Council, City of Greenwood Village, CO.

1981-85 Member and Vice Chairman, Planning and Zoning Commission, City of Greenwood Village, CO.

1982-1997 Chair or member of many task forces at both municipalities.

### **Experience:**

- (1) Management experience: 24 years as General Partner/CEO of the Investment Management Group, Ltd., the successor to a court appointed administrator of a large group of Colorado investment partnerships representing roughly 1,000 investors. 35+ total years as CEO, EVP, VP, director or consultant to firms in the business areas of investments, asset management, real estate investment and manufacturing. Government management experience is noted above.
- **(2) Consulting experience**: Researched and wrote international and regional business development plans for clients; prepared market studies for real estate clients; provided business education research for clients; consulted on human resource management issues; advised a Denver law firm on limited partnership matters; acted as an expert witness on agency law and real estate valuations; lectured (including for CLE) on partnership law and management.
- **(3) Not-for-Profit/501C3/4 Experience:** Founding Partner and Chairman [emeritus], The Partnership for Environmental Education Programs, Inc.; Emeritus member, Board of Advisors, The Gore Range Natural Science School; Trustee, Vail Mountain School Foundation [1986-87].

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See attached abstract of cases.

- **(4) Arbitration/mediation experience and competencies:** Securities, legal fees, financial and general business disputes, real estate, HOA and real estate taxation disputes, contracts, construction, resort management and other commercial disputes.
- **(5) Academic teaching subjects:** Strategic business management, international business, organizational behavior/ human resource management, the legal environment of business, ethics and social responsibility, investments, management of a not-for-profit, marketing/ marketing management.

#### **Education:**

**Graduate**: Master of Science and Ph.D., Business Administration, Hamilton University. [Published Dissertation: *The Legal and Regulatory Environment of Small Business and Entrepreneurship in Colorado*]. Jurisprudence courses: The University of Wisconsin, University of Denver, University of Colorado, CLE in Colorado, Inc.

Undergraduate: B. A., Lawrence University, Government (Economics), [1960].

**Recent Continuing Legal Education courses\***: Securities, ADR, intellectual property, trusts and estates, employment, land use and takings, construction, wetlands, water law, secured lending, commercial real estate, real estate taxation, representing small/start-up businesses, family business succession planning, bankruptcy, corporations/limited liability entities.

Alternative Dispute Resolution (ADR) courses\*: CBA/CLE\*\*, Mediation Certification, 2008 (40)\*\*\*; NYSE, Securities Arbitrator Training, 2004 (2); CBA/CLE, Mediating Conflict in the Workplace, 2003 (6); AAA, Advanced Case Management Issues, 2002 (15); AAA, Effective Labor Conflict Management, 2000 (3); AAA, Construction Industry Arbitration, 1997 (7); NASD Regulation, Inc., Chairperson Training Program, 1999 (3); NASD Arbitrator Training Program, 1997(3); Holme, Roberts & Owen, LLP, Colorado Property Tax Protests,1999 (4); CCMMO, Mediation as ADR 1997 (13). Current with annual education requirements of all associated arbitration forums.

#### Honors:

Biography published in year 2000 and later editions of Marquis *Who's Who in America* and the 2003 and later editions of *Who's Who in American Law.* 1991-92 Vail Rotarian of the year.

**Publications and Arbitrations:** Abstracts are available on request

<sup>\*</sup>All courses accredited by the State of Colorado Supreme Court, Board of Continuing Legal and Judicial Education

<sup>\*\*</sup> CBA/CLE = Colorado Bar Association Continuing Legal Education; NYSE = New York Stock Exchange; NASD = NASD Dispute Regulation, Inc.; AAA = The American Arbitration Association; FINRA = Financial Industry Regulatory Authority (via 2007 merger of regulatory authorities of NYSE and NASD)

<sup>\*\*\*( ) =</sup> CLE credit hours

## PUBLICLY AVAILABLE AWARDS-NYSE/NASD DISPUTE RESOLUTION INC/FINRA.

| 08-00418 | [Names redacted] Dismissed with prejudice by panel (09-03-08  |
|----------|---|
| 07-03409 | [Names redacted] Dismissed with prejudice by panel (06-12-08) |
| 05-16030 | Millar vs. Norwest Investment Securities [Panel chair, NYSE]  |
| 02-07882 | Boice, et al, vs. Merrill Lynch, et al [Panel chair]          |
| 04-07074 | Barrett vs. IMC/Schwab [Panel chair]                          |
| 02-03553 | Nelson Trust vs. Merrill Lynch, et al [Panel chair]           |
| 99-03565 | Schott Trust vs. Jansson, et al [Single arbitrator]           |
| 97-05680 | Binning vs. Chatfield Dean & Co., et al                       |
| 97-04965 | ladarola vs. Muscarella, et al                                |

### OTHER NASD ARBITRATION CASES

| 06-0769<br>06-3407 | [Names redacted] (Resignedconflict of interest [Names redacted] (Resigned as chairconflict of interest) | (06-13-08)<br>(11-20-07) |
|--------------------|---|--------------------------|
| 01-04827           | Brandt vs. Solomon Smith Barney (Participated in initial pre-hearing conference)                        | (4-11-03<br>settled)     |
| 01-04384           | Rudloff vs. Merrill Lynch, et al (As chair, issued 3 lengthy dispository and discovery rulings)         | (12-15-02<br>settled)    |
| 99-5316            | Katich vs. Schneider Securities, et al (As chair, issued 2 lengthy discovery rulings)                   | (5-17-01<br>settled)     |
| 98-04865           | Singleton vs. Falconer, et al (As chair, issued 1 venue ruling)   | (6-24-00<br>settled)     |
| 98-02509           | Etkin vs. Alpert, et al<br>(Heard three days of testimony)  | (3-2-00 settled)         |

## EAGLE COUNTY ATTORNEY'S OFFICE - PUBLICLY AVAILABLE AWARDS

| Peterson vs. Eagle County Assessor             |
|--|
| Garvey, Trustee vs. Eagle County Assessor      |
| Billingsley vs. Eagle County Assessor          |
| Kenneth Wilson Trust vs. Eagle County Assessor |
| Fisher vs. Eagle County Assessor               |
| Cavness vs. Eagle County Assessor              |
| Peterson, et al vs. Eagle County Assessor      |
| King vs. Eagle County Assessor                 |
|  |

# DENVER BAR ASSOCIATION LEGAL FEE ARBITRATION COMMITTEE

Client #224 et al, vs. [Redacted] Client #290 vs. [Redacted] Client #300 vs. [Redacted]

## THE AMERICAN ARBITRATION ASSOCIATION: PUBLICALLY AVAILABLE AWARDS:

77-181-00319-04 Thomas Ruemmler and Brandywine Chase Condominium Association v. Charles H. Stone Family Trust and Vail Gear, Inc. (Solo arbitration)

77-181-00319-04 [names redacted] Resigned from panel 01-10-2008--conflict of interest

## **MEDIATIATED SETTLEMENTS AS SETTLEMENT MASTER** [Client and attorney names Redacted]

### DENVER BAR ASSOCIATION, LEGAL FEE ARBITRATION COMMITTEE

Client #354 vs. [Redacted] Mediated settlement.
Client #360 vs. [Redacted] Mediated settlement.
Client #373 vs. [Redacted] Settled by parties after mediation conference
Client #418 vs. [Redacted] Went to arbitration
Client #429 vs. [Redacted] Mediated settlement

# COLORADO BAR ASSOCIATION, LEGAL FEE ARBITRATION COMMITTEE

Client #261 et al, vs. [Redacted] Mediated settlement.

[Participant in scheduled meetings of both Bar Association arbitration committees]

# ABSTRACT OF COMMERCIAL WRITING AND PUBLICATIONS

I. BOOKS: BUSINESS MANAGEMENT/LAW

<u>The Legal and Regulatory Environment of Small Business and Entrepreneurship in Colorado;</u> Acton, MA: Copley Custom Textbooks 2006\*

<u>Casebook for Management 3800, Policy and Strategy</u> (Compiler and Editor); Boston: Prentice Hall Custom Business Resources, 2006, 2007

A Small Business Primer for Displaced Corporate Executives; Baltimore: American Literary Press, 2000

II. AMERICAN BUSINESS/LAW RESEARCH PAPERS:

<u>An introduction to Arbitration and Mediation</u> (with David L. Erickson, J. D.) New York: Dispute Resolution Journal, The American Arbitration Association, Winter 2006

<u>Preliminary Research Report: Academic Curricula, Job Competence and Hiring Criteria;</u> Copyrighted (Client) 1994

The Education of American Children: Has the Ship Left Without Us? Copyrighted (Client) 1993

Resort Employee Housing--A Case Study and an Analysis of the Issues: New York: Real Estate Finance Journal, Winter 1992

Real Estate Syndication and Fair Market Value: a Cross Section of Expert Opinion; (with others); Boston: Real Estate Journal of Finance, Spring 1984

<u>Operating a Limited Partnership in a Recessionary Market:</u> Scottsdale, AZ: The International Journal of Real Estate, 1983

II. INTERNATIONAL BUSINESS RESEARCH PAPERS

<u>Creation of a Market Economy in Russia using the Military Manufacturing Network;</u> Copyrighted, (Client) 1992

The Russian Master Corporation; Copyrighted, (client) 1992

Plan for a Russian-American Agricultural System; Copyrighted, (Client) 1992

IV. IN PROCESS [2008]

Observations on Independent Study for Delivery of Undergraduate Business Education

<sup>\*</sup>Edited for legal accuracy by David Erickson, J. D.