



# Resolute Systems, LLC

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MEDIATION, ARBITRATION & DISPUTE RESOLUTION

## Randall S. Rapp, Esq. Chicago, Illinois

**Randall S. Rapp, Esq.**  
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### Case Manager

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### Biography

**Rapp Law Group, LLC, Chicago, IL**  
Member 2017 – present

**Kozacky, Weitzel, McGrath, P.C., Chicago, IL**  
Of Counsel 2010 – 2017

**Woods Equipment Company, Oregon, IL –**  
General Counsel, Vice President – Corporate  
Services & Secretary 2000 – 2010

**Foley & Lardner, Chicago, IL**  
Partner 1988 – 2000

**Wilson & McIvaine, Chicago, IL**  
1976-1988 (Partner 1984)

**Illinois Institute of Technology  
Chicago Kent College of Law**  
Adjunct, International Law (1980)

### Professional Licenses/Admissions

- Illinois Bar, 1976
- U.S. District Court for the Northern District of Illinois, 1976, and Trial Bar, 1983 - 2017
- U.S. Court of Appeals for the Seventh Circuit, 1977
- Certified Mediator, Illinois Circuit Courts of Lake, McHenry, & Cook Counties (Law, Chancery & Domestic Relations)
- Certified Arbitrator, Circuit Courts of McHenry and Lake Counties

### Professional Associations

- American Arbitration Association Construction (1982) & Commercial (2008) Panels
- Chartered Institute of Arbitrators - Fellow
- Association of Attorney-Mediators
- American Bar Association
- Illinois State Bar Association
- Chicago, McHenry County & Lake County Bar Associations
- American Bar Foundation, Fellow

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Randall Rapp concentrates his ADR practice in commercial and construction matters, drawing on his 40+ years in the practice of law as a litigator, general counsel, business executive, arbitrator, and mediator. He has significant experience in:

- Construction (contracts, design, testing, suretyship, defects, claims, building codes and standards, environmental)
- Commercial transactions and disputes (contracts, corporate, governance financing, restructuring, mergers and acquisitions, partnerships, banking)
- Real property transactions and disputes (acquisitions, financing, leasing, sale/leaseback, landlord-tenant, agency, condominiums)
- Distribution (antitrust, unfair competition)
- Product liability and product safety
- Employment (discrimination, harassment, contract, compensation)
- Intellectual property (patent infringement, trademark)
- International law (commercial transactions and disputes, human rights)
- Not-for-profit (governance, funding, management)

### ADR Training

- Association of Attorney-Mediators, Advanced Mediator Training (2010, 2012, 2013, 2014, 2016 & regular training meetings) and Advanced Elder Mediation training (2017)
- Chartered Institute of Arbitrators (CIArb), Accelerated Route to Fellowship Training (2016)
- Resolution Systems Institute, 19<sup>th</sup> Judicial Circuit Foreclosure Mediation Training (2013, 2016)
- Chicago Bar Association, Mandatory Arbitration Program of the Circuit Court of Cook County Law Division (2015)
- DePaul Center for Dispute Resolution, Mediation Skills for the Advocate (2012)
- Illinois State Bar Association, 40-Hour Mediator/Arbitrator Training, October 2010
- Pepperdine University School of Law, Strauss Institute for Dispute Resolution, Mediating the Litigated Case, February 2009
- American Arbitration Association: Challenges to Arbitrator Authority (2017); eDiscovery (2016); Principled Deliberations (2014); Neutral's Conferences (2004, 2006, 2012, 2016); Construction Conference (2008); Chairing an Arbitration Panel (2008), among other regular AAA training.

### Professional Experience

Mr. Rapp is associated with the Chicago firm of Rapp Law Group, LLC, where he focuses on commercial and construction law. He served as General Counsel, Vice President – Corporate Services & Secretary of Woods Equipment Company, a national, mid-sized manufacturing and distribution company. Mr. Rapp was responsible for legal affairs, corporate governance, human resources and payroll, product safety, product liability, and workplace safety. As a member of the executive management team, he was among the small group of decision-makers for all aspects of the business. Before Woods, Mr. Rapp was a partner at Foley & Lardner in the Litigation Practice Group.

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#### Education

- University of Iowa College of Law, J.D., 1976 (Order of Coif)
- Illinois Wesleyan University, B.A., 1973 (magna cum laude)

#### Select Professional Activities

- Sanibel Beach Club Condominium Association, Inc., Sanibel, FL, Board of Directors 2009 – Present (Vice-President, Treasurer & President)
- Illinois State Bar Association, Member, Construction Law Section Council, 2015 - Present
- American Bar Association, Member, Forum Committee on the Construction Industry, @1980 - 2001 & 2010 - Present
- Alden Township Planning Commission, Alden, IL, Member, 1995 - present (Chairman, 1995 – 1997)
- National Immigrant Justice Center (f/k/a Midwest Immigrant Rights Center), Co-founder (1985); Member, Leadership Council or Board, 1985 - Present
- The Land Conservancy of McHenry County (IL), Board of Directors 2012 - Present (Treasurer)
- Chicago Lawyers Committee for Civil Rights under Law, Inc., Board of Directors, 1989-2000

## Commercial & Employment

Experience in commercial contracts, software licenses, distribution, real estate, land use, financing, product safety, product liability, corporate compliance, corporate governance, intellectual property, international commercial agreements, international law, environmental, and labor/employment matters. As private attorney, represented clients in wide range of commercial disputes including construction, real estate, leases, land use, loan workouts, contracts, business torts, competition, banking, international letters of credit, environmental, condominiums, and intellectual property. As business executive and General Counsel, negotiated, reviewed, and approved hundreds of commercial contracts for all aspects of \$100+M manufacturing business including two sales of the Company; multiple financings; intellectual property licenses and transactions; office, manufacturing plant, and distribution facility leases; agreements for international distribution and sales; sale of construction attachment division to an international buyer; sale of manufacturing business and disposition of industrial property; supply; and distribution. Supervised product safety, European Union product certification, NAFTA compliance, and product technical manuals. Oversaw management, acquisition, and disposition of owned and leased real property. Directed human resource management for 1,800 employees in 13 U.S. locations including hiring, retention, separations, evaluations, wage & salary planning, training, plant safety, benefits, payroll, plant and facility moves and closings, reductions-in-force, and employment claims.

## Construction

**2010 - Present:** Arbitrated many construction cases including an environmental clean-up dispute involving over \$5M, a dispute over a 150,000 sq. ft commercial building roof, a dispute involving \$70M apartment and retail complex, and a multi-party lien foreclosure action. Mediated over 30 construction disputes including a dispute with claims totaling \$20M for a \$300M public project and another dispute involving fraud claims against a contractor. Represent construction clients including fast-growing Chicago-area general contractor.

**2000 - 2010:** At Woods Equipment Company, primary business and legal responsibility for construction of multi-million dollar manufacturing plant including land acquisition, public and private financing, architect (and agreement), contractor (and agreement), change orders, pay requests, and close-out. Served as the Owner's Representative during construction. Responsible for all owned and leased properties nationally and involved in business and legal construction issues such as leasing, tenant build-outs; renovations; and installations of heavy cranes, steel fabrication cutting machinery, and robotic welding equipment. Business and legal responsibility for proposed sale of construction attachment manufacturing division to Northern Ireland company (negotiated to signature documentation). Supervised and actively involved in investigating incidents and defending multi-million-dollar claims arising out of construction accidents involving construction equipment manufactured by Woods.

**1976 - 2000:** Represented owners, architects, engineers, construction managers, general contractors, environmental engineers and contractors, subcontractors, and suppliers on construction legal issues in all aspects of the construction process. Handled construction claims relating to delays, defects, design, environmental, change orders, surety bonds, liens, and building. Involved as advocate or arbitrator in many multi-party, multimillion dollar construction disputes. As counselor, negotiated well over \$1 billion in construction contracts.

## Not-for-Profit

Chicago Lawyers' Committee for Civil Rights under Law and Heartland Alliance, among others, Board member. National Immigrant Justice Center f/k/a Midwest Immigrant Rights Center, Officer & Board Member, 1985 – present. Immigration Project, Inc. (legal services provider), Officer & Board Member, 1997- present. Land Conservancy of McHenry County., Officer & Board Member, 2012 – present. Sanibel Beach Club Condominium Association, Officer (current President) & Board Member, 2009 - Present. McHenry County Conservation Voters, Founder & Board Member, @ 1988 – 1993. Alden (IL) Township Planning Commission, 1995 – Present. Deep experience in funding, staffing, corporate governance, budgeting, strategic planning, and legal issues involving not-for-profit entities.

## Alternative Dispute Resolution

Neutral sole arbitrator, neutral panel member, and advocate in over 75 construction and commercial disputes involving a wide variety of commercial issues (e.g., contracts, international software license, antitrust & professional services) and most aspects of construction (e.g., design, bonds, liens, defects, claims & environmental).

American Arbitration Association arbitration panel member since 1982. Mediator in over 250 construction and commercial disputes. Parties' settled over 85% of mediated cases.

**To schedule mediation or arbitration with Mr. Rapp, please call Mike Weinzierl at 312.346.3770, x125 or [mweinzierl@resolutesystems.com](mailto:mweinzierl@resolutesystems.com)**