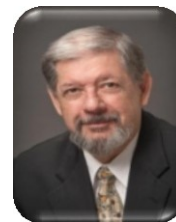


Michael Palmer, J.D., Dr. Phil.

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The headings of the following outline contain hyperlinks to more detailed information on subsequent pages.

Education and Licenses

J.D., Dr. Phil., licensed by state and federal courts of Illinois and Vermont, certified early neutral evaluator, mediator, college/university teacher

Business and Professional Experience

Ethics & compliance professional, startup business executive, lawyer, intellectual property consultant, online educator, college and university teacher, entrepreneur, international economic development consultant, negotiation teacher/consultant

Teaching Experience

University of Vermont, Middlebury College, Champlain College, Chicago Kent Law School, Freie Universität Berlin, University of Maryland, workshops and seminars, online courses

Author:

Books, articles, courses, and lectures on business ethics, professional ethics, business management, negotiation, corporate law, professional judgment, decision making, litigation risk management, systems theory, risk management, dispute resolution, organizational ombuds programs, technology theory.

Skills:

Writing, editing, legal analysis, legal advocacy, legislative drafting, business planning, strategic contracting, collaborative negotiation, consensus building, public speaking, German (rudimentary French, Swedish, Greek, and Latin), translator, computer (Excel, Camtasia video, PowerPoint)

Knowledge:

Business management, professional judgment, business and professional ethics, group decision making, strategic negotiation, commercial law, intellectual property, philosophy, economic development, risk management, litigation strategy, dispute resolution systems design, applied systems theory, fraud prevention, case valuation

Member

Licensing Executives Society, Society of Corporate Compliance and Ethics, American Bar Foundation, Vermont Bar Association

Civic Engagement

Non-profit boards, association leadership, business development, political organizing, peace and human rights, conflict resolution, community consensus building, and environmental stewardship

Expanded Descriptions

Education and Professional Accreditation

J.D. *magna cum laude*, Georgetown University, Washington, D.C., May 1980
(Editor, *Georgetown Law Journal*)

Dr. Phil. *magna cum laude*, Freie Universität Berlin, July 1976. Concentration:
Systematic Theology, Philosophy, and History of Religions. Dissertation: *Das
Problem der Technik in der gegenwärtigen wissenschaftlichen Diskussion* (The Problem
of Technology in the Current Scholarly Discussion).

M.A. *summa cum laude*, Freie Universität Berlin, July 1971. Concentration:
Systematic Theology, Philosophy, and Psychology

Fellow, American Bar Foundation, 2018 - present.

Fellow, Salzburg Seminar on The Rule of Law: Reconciling Religion and Culture
in a Constitutional Framework, October 2006

Mediation Program, Harvard Law School, June 2001

Negotiation Program, Harvard Law School, June 1992

Admitted to practice law before Vermont Supreme Court (1987), Illinois Supreme
Court (1980), U.S. District Courts for Vermont and Northern District of Illinois,
U.S. Courts of Appeals for the Seventh and Eleventh Circuits.

Member, Early Neutral Evaluation Panel, U.S. District Court for the District of
Vermont

Employment History

1996-Present: Owner, Legal Risk Management AI (www.legalriskmanagement.ai)

Software and consulting to help organizations prevent and resolve lawsuits quickly,
wisely, fairly, and cost-effectively.

2014-Present: Consultant, [Waterotor Energy Technologies, Inc.](http://WaterotorEnergyTechnologies.com)

IP Plan Man; lead management of IP development and licensing strategy.

1987 - 2007: Owner, Palmer Legal Services

Commercial law (including bankruptcy), civil litigation, business and corporate law.

1980 -1987: Jenner & Block, One IBM Plaza, Chicago, Illinois

Litigated anti-trust, trademark, contract, commercial law, civil rights, and death penalty
cases in large law firm.

2007-Present: Owner, ETHICS BY DESIGN (www.EthicsByDesign.com)

Design and implementation of ethics programs in small and medium enterprises. Design and facilitation of online courses and training programs in organizational ethics.

2002- Present: Senior Professional, CMI Concord Group, Inc.,
(www.CMIConcord.com).

Assist organizations in diagnosing and resolving conflict management problems and help train senior management in the use of strategic negotiation techniques. Consult on dispute resolution systems design for businesses and educational organizations.

2004 – 2013: Occasional employment as legal and dispute resolution expert by American Bar Association, Cardno, and Chemonics Int'l on international economic development projects

1988 – 1991: Co-founder and General Counsel, New England World Trade, Inc.
Exported Vermont products to Japan, Canada, and Bahrain.

1996 – 2007: Winter Term lecturer, Middlebury College, Middlebury, Vermont.
Courses: Negotiation and Conflict Management, Beyond the Law, Principled Resistance, Conflict Management Education, Practical Ethics

1978 – 1980: Research assistant to Commissioner Bertram Cottine, Occupational Safety and Health Review Commission, Washington, D.C.

1971 – 1976: Graduate teaching fellow (wissenschaftlicher Assistent), Freie Universität, Berlin, Germany

1972 – 1977: Adjunct Professor, University of Maryland

Teaching Experience

Adjunct Instructor, University of Vermont Sustainable Entrepreneurship MBA (2014)

Designed and taught Ethics for Entrepreneurs in inaugural SEMBA program

Online courses through ETHICS BY DESIGN, 2010-2011

- Promoting and Protecting Personal Integrity in Organizations
- Managing Corporate Integrity
- Preventing Fraud, Theft, and Corruption
- Preventing Workplace Harassment: An Introduction for Executives, Managers, and Supervisors
- Sex & Power: What Lawyers and Their Clients Must Know and Do to Prevent Workplace Harassment
- Creating a Code of Conduct for Your School, Business, or Non-Profit

Online course on Winning Settlements: How to Negotiate the Best Outcomes Possible for Your Clients (2013)

12-hour course on the WIN BEFORE TRIAL method of identifying and analyzing interests and estimating the financial value of a lawsuit with the goal of achieving the best outcome possible for clients, whether through a negotiated settlement or trial of the case.

Online course on Professional Ethics through Champlain College, 2008-2011

15-week course on business and professional ethics in an organizational context; addresses the professional's dilemma, the nature of discretionary authority and fiduciary duties, the genetic and cultural aspects of morality, the trust economy, why good people do bad things, professional codes and specialized ethics, the economics of cheating, the problem of diffused responsibility, manners and morals, professional problems arising in organizations, moral competence, and the stakeholder theory of the corporation

Online courses for Udemy.com

[Negotiation for Entrepreneurs](#)

Multi-part introduction to the basics of strategic negotiation for entrepreneurs and small business leaders. Includes analytical tools and directions on how to use them.

[Sex, Power, and the Law: Workplace Harassment Prevention](#)

4-part course for managers that explains what workplace harassment is, presents the legal requirements, summarizes the costs of harassment to organizations, and provides a guide on how to prevent workplace harassment in any organization regardless of size.

Middlebury College

- 1996, 1997: Negotiation and Conflict Management
- 1998: Beyond the Law: The Ethical Foundations of Peacemaking
- 2002: Principled Resistance
- 2003, 2004: Conflict Resolution Education
- 2005: Negotiating Peace: Conflict Management Involving Individuals and Groups
- 2006: The Quiet Revolution: Peace, Prosperity, and the Rule of Law
- 2007: Practical Ethics

Chicago Kent College of Law, Illinois Institute of Technology, 1986

Co-taught course on jurisprudence (philosophy of law) with Charles Barker.

Freie Universität Berlin, 1971-1976

Pro-seminars in systematic theology and social ethics: Paul Tillich's Systematic Theology; The Puritan Ethic and the Spirit of Capitalism, Biblical exegesis

University of Maryland, Berlin Campus, 1972-1977

Undergraduate philosophy courses: Introduction to philosophy, logic, 20th century philosophy, ethics, history of philosophy

Evangelische Realschule, Steglitz, Berlin, Germany, 1973

Taught religion in grades 7-9.

Workshops (partial selection)

Harassment Prevention and Difficult Conversation Training. U.S. Forest Service, Albuquerque, NM, October 4, 2014

Numerous workshops on negotiation and conflict resolution for medical care providers, lawyers, insurance claims adjusters, insurance executives, university professors and executives, major accounting firms, and others.

Designed ethics training program for KPMG Advisory University (not delivered).

Major Presentations

Federal Contracting and Subcontracting Ethics and Compliance

With Jim Kirlin, Raytheon Procurement Officer
National Contract Management Association Annual Meeting
Washington, DC, July 28, 2014

Predictably Unethical: Why Good People Do Bad Things

Institute of Internal Auditors, May 16, 2014, Salt Lake City, Utah

The Morally Responsible College: Practicing What We Teach

Society of Corporate Compliance and Ethics, Higher Education Compliance Conference, June 12-15, 2011, Austin, Texas

Measuring Your BATNA: Improving the Calculation of the Financial Value of Your Case

American Bar Association, San Francisco, April 7-10, 2010

Words Work: Empowering Youth through the Fourth R

American Bar Association, Atlanta, April 5-8, 2006

Overcoming Barriers to Agreement

5th Annual Advanced Mediation & Advocacy Skills Training, Toronto, October 19-20, 2006

Designing Conflict Resolution Systems in the International Arena

American Bar Association, Los Angeles, April 14-15, 2005

Books, Articles, Case Simulations, and Book Reviews

Books

[*Complying with the Ethics Mandates of the Federal Acquisition Regulation*](#) (Legal Access Press eBook, 2011)

[*The Morally Responsible College: Practicing What We Teach*](#) (Legal Access Press, 2011)

[*Professional Ethics for Managers*](#) (Legal Access Press eBook, 2010)

[*More Than Rules & Platitudes: Using a Code of Conduct to Grow an Ethical Culture*](#) (Legal Access Press, 2010)

[*Win Before Trial: What Lawyers and Clients Must Know to Get the Best Outcomes Possible*](#) (Legal Access Press, 2009)

Peace is an Everyday Thing [unpublished]

Life After Debt: A Handbook of Options for Overcoming Money Problems (Legal Access Press, 1995)

Settling Cases: On Negotiating the Resolution of Legal Disputes (Legal Access Press, 1994)

Making Vermont's Corporate Law Work for You (Legal Access Press, 1994)

Das Problem der Technik in der gegenwärtigen wissenschaftlichen Diskussion (The Problem of Technology in the Current Scientific Discussion) (Berlin: Universitätsdruckerei der Freien Universität, 1976)

Ethics Articles

["Entrepreneurship as a Spiritual Undertaking"](#) (published as part of course on Ethics for Entrepreneurs, University of Vermont Sustainable Entrepreneurship MBA, 2014)

["How to Analyze a Complex Moral Decision"](#) (published as part of course on Ethics for Entrepreneurs, University of Vermont Sustainable Entrepreneurship MBA, 2014)

["The Financial Costs of Harassment, Bullying, and Abuse in Organizations,"](#) An ETHICS BY DESIGN Working Paper (2012)

["The FAR Raises the Bar for Ethics and Compliance Programs,"](#) 8(3) *Compliance & Ethics Professional* 46-51 (June, 2011)

["Someone to Talk To: Some Reasons to Create an Organizational Ombuds Office,"](#) (with Kay Elliott), *Alternative Resolutions* (summer 2012, Vol. 21, No. 4)

["The Purposes of a Corporate Ethics Program"](#) (published in course on Managing Corporate Integrity, 2010)

["Promoting and Protecting Personal Integrity in Organizations"](#) (published in course on Managing Corporate Integrity, 2010)

["You Can't Be True to Yourself if there is no Self to be True To"](#) (published in course on Managing Corporate Integrity, 2010)

["An Introduction to Corporate Ethics"](#) (published in course on Managing Corporate Integrity, 2010)

["The Components of an Effective Ethics Program"](#) (published in course on Managing Corporate Integrity, 2010)

["The Corporate Manager's Fiduciary Duty to the Corporation"](#) (published in course on Managing Corporate Integrity, 2010)

["The Well-built and Well-run Business"](#) (published in course on Managing Corporate Integrity, 2010)

["The Corporate Integrity Checklist"](#) (published in course on Managing Corporate Integrity, 2010)

["From Bankruptcy to Industry Leader: The 4-Way Test Rescues Club Aluminum and its Creditors"](#) (published in course on Managing Corporate Integrity, 2010)

["Building Trust Through a Code of Conduct"](#) (Macedonian Business Lawyers Association Magazine, spring 2006)

["A Code of Conduct for Bankruptcy Trustees,"](#) (prepared for Macedonian Bankruptcy Trustees Association, 2005)

["Commentary on A Code of Conduct for Bankruptcy Trustees,"](#) (prepared for Macedonian Bankruptcy Trustees Association, 2005)

["Civic Education and Peace"](#) (Vermont Bar Journal, November 2005)

["Civic Education through Civic Engagement"](#) (Vermont Bar Journal, November 2005)

Co-author with Helmut Gollwitzer and Helmut Schliski, "Der Jude Paulus und die deutsche neutestamentliche Wissenschaft" (The Jew Paul and German New Testament Scholarship), in: 34 Evangelische Theologie 276 (1974)

Litigation and Dispute Resolution Articles

["Using the Case Value Analyzer to Estimate the Financial Value of a Lawsuit,"](#) New York Dispute Resolution Lawyer, Vol. 6, No. 1 (2013)

["The Next Big Thing in Continuing Legal Education,"](#) *Vermont Bar Journal* (2013, Vol. 39, No. 1)

["Litigation Risk Management: Strategic Thinking for Mission Success,"](#) A WIN BEFORE TRIAL Working Paper (2012)

["The Neuropsychology of the Reckless Litigator"](#) (April 2010)

["Which is Better: The Deal of the Ordeal? An Examination of Some Challenges of Case Valuation"](#) *Vermont Bar Journal* (Fall 2010)

["Don't Let Your Brain Undermine Your Client's Interests: Overcoming Barriers to Agreement"](#) (ABA Advanced Mediation Institute, November 2006).

"ADR Missionaries" *ABA Dispute Resolution Magazine* (Spring 2006)

["A Tale of Two Colleges"](#) Conflict Management in Higher Education Report (Vol. 5, No. 1, Sept. 2004)

["To Cybersettle or Not To Cybersettle"](#) *Vermont Bar Journal* (January 2001)

["Problem-Solving Negotiation: What's In it for You . . . and Your Clients?"](#) *Vermont Bar Journal* (September 2000)

["The Magic of Mediation,"](#) *Vermont Bar Journal* (July 1996) (translated into Russian and Macedonian)

"The Attorney Registration and Disciplinary Commission: Its Structure, Operation, and Limitations," 18 *Loyola L.J.* 601 (1987)

"The Sixth Amendment Right to Counsel in a Federal Investigation of the Events Underlying a State Indictment," 67 *Geo. L.J.* 1236 (1979)

Case Simulations

To Launch or Not to Launch: Joint Decision Making Within and Across Corporations

This is a multi-player, multi-session decision-making simulation based on the facts of the Challenger Launch Decision of January 27, 1986. Players experience the conflicting interests and values that different people bring to this problem from both personal and organizational perspectives.

Cool T's for a Hot Planet

In part 1 of this two-part simulation, a three-person entrepreneurial team is confronted with disappointing and unsustainable financial results and must generate and decide among different options some of which conflict with its stated values, thereby presenting them with a complex moral decision.

In part 2, the three players learn that a cofounder (not one of the players) has been offered and is inclined to accept a position at Big Box Retailer that would likely kill their fledgling company's chances of success. What is the cofounder's fiduciary duty to the company? What options can the team develop to resolve the problem.

The simulation materials include a guide to analyzing complex moral decisions.

Building a Code of Conduct for Jane's Corner Grocery Store

In this 5-player simulation, the HR Director, an employee representative, a supplier representative, a stockholder representative, and a customer representative work together to

write a code of conduct for a grocery store with 63 employees. In the process, they learn about the different concerns that need to be addressed in a code of conduct as well as the value of bringing diverse perspectives to the process. The simulation extends over several weeks and involves individual preparation as well as group discussion and decision making.

Chris's Dilemma

In this 30-minute simulation, participants must provide advice to Chris Sanderson on how he should respond to Marsha Waters' demand that he fire Sarah McClendon because her maternal responsibilities prevent her from working 70-80 hours a week like other members of the marketing team in a startup venture.

Buying Supertankers

In this 2-person simulation, the team is confronted with whether to purchase used, single-hulled supertankers that can easily rupture and spill oil if they collide with submerged rocks or to pay more for double-hulled tankers with better navigation equipment less likely to cause environmental damage. Players must consider various values and assess the significance of limited liability for corporations in devising their solutions.

Holly's Organic Salsa

Individual players in this simulation confront two different moral problems. In the first, the player must decide whether to substitute non-organic peppers in a batch of salsa in order to fulfill a large order. In the second, the player must decide whether to hire a superstar salesperson who can undoubtedly boost sales but who has said that, if hired, he/she will provide Holly's Organic Salsa with confidential information from Holly's major competitor for whom the salesperson currently works.

To Close a Plant . . . or Not

A simulated board of directors of a mini-steel corporation with facilities in several towns across the country must decide how to respond to a decline in sales as a result of a downturn in the economy. The CEO has recommended closing at least one of the corporation's manufacturing plants, which would have a major impact on the small community in which it is located. Board members must consider the ethical implications of this option, analyze the responsibilities of the corporation to its various stakeholders, and generate options for continuing without closing the plant.

Book reviews

"[No More Dollars for Dictators](#)," review of Morton Halperin, Joseph Siegle, and Michael Weinstein, *The Democracy Advantage: How Democracies Promote Prosperity and Peace* (New York: Routledge, 2005), in: *The Whitehead Journal of Diplomacy and International Relations*, Summer/Fall 2006

Review of David Berg, [The Trial Lawyer: What It Takes to Win](#) (Vermont Bar Journal, 2010)

"[Built to Last Past Us](#)," review of John Abrams, *The Company We Keep*

Review of Winnifred Fallers Sullivan, [*The Impossibility of Religious Freedom*](#) (Princeton: Princeton University Press, 2005)

Consulting Work

Professional Judgment Project

Retained by KPMG as expert consultant on professional judgment. Wrote draft book on Improving Auditor Judgment that served as basis for KPMG's *Elevating Professional Judgment in Auditing and Accounting: The KPMG Professional Judgment Framework*.

Online course development

Retained by Global Classroom, LLC, to develop online courses on promoting and protecting personal integrity in organizations and workplace harassment prevention

Negotiation Training

Work with partners and senior professionals of CMI Concord Group to provide negotiation consulting and training to senior-level executives in Arthur Andersen, Johnson & Johnson, CIGNA, KPMG, and other organizations

Economic Development in Emerging Market Countries

Legal Consultant, USAID Mongolia Business Plus Initiative, 2011. Assisted Ministry of Finance and the Ministry of Justice with the design, development and the delivery of a draft bankruptcy legislation and its ancillaries.

Legal Consultant, USAID Rule of Law Initiative, Rostov, Russia, 2010.

Legal Consultant, USAID TIRSP (Trade and Investment Reform Support Program in Azerbaijan), Baku, Azerbaijan, 2008

Legal Consultant, USAID FILE (Fostering an Investor- and Lender-Friendly Environment) Project, Sarajevo, Bosnia-Herzegovina, 2006.

Legal Consultant, Macedonia Corporate Governance and Company Law Project, Skopje, Macedonia (USAID) 2005.

Legal Specialist, Judicial Upgrading Strategy, Ministry of Justice, Hashemite Kingdom of Jordan. (Under auspices of American Bar Association/Central European and Eurasian Law Initiative) 2004.

Participant, Rule of Law Project, Karelia, Russia (Under auspices of Vermont/Karelia Rule of Law Program) 2000

Board Experience, Professional Associations, and Recognition

Boards

Addison Youth Empowerment Advisory Board (former member)
Union District Number 3 School Board (former member)
Chair, Legislative Sub-Committee on Truancy, fall 1999
Vermont School Boards Association Board of Directors (former member)
Sheldon Museum, Middlebury, Vermont (former member)
Governor's Export Advisory Council, State of Vermont (former member)
Addison County Counseling Service (former member)

Professional Associations

Society of Corporate Compliance and Ethics
Association of Certified Fraud Examiners
Society of Human Resource Management (former member)
Vermont Bar Association, 1987-present. Chair, Public Education Section. Former Chair, Alternative Dispute Resolution Committee; Bankruptcy Section, chair, sub-committee on education.
American Bar Association, 1980 - 2006; 2018 - present. Dispute Resolution Section; member, Ethics Committee and Collaborative Law Committee; Intellectual Property Section.
Association of Conflict Resolution (founding member), 2001 - 2006. Active in Education Section.
Lawyers' Committee for Civil Rights Under Law (Participating Attorney, 1980-87); Lawyers Alliance for Nuclear Arms Control (founding member); Amnesty International.

Recognition

Elected Fellow, American Bar Foundation.
Honorable Mention, 1982 American Lawyer "Ammy" for *pro bono* work on *Spivey v. Zant* (Georgia death penalty case).
Listed in Who's Who in America®; Who's Who in American Law®
Chicago Bar Association, Certificate of Appreciation for *pro bono* work.
Marshall Fellow, German Government Marshall Plan, 1967-68
Listed in Who's Who in Colleges and Universities, 1966-67

Personal

Married to Gisela Schultz. Two daughters: Eva Rebecca Yarger and Esther Marie Palmer

Avocations: Music (piano and percussion instruments); literature; movies; golf