

CURRICULUM VITAE

**JAMES J. BRINK**

*Attorney and Mediator*

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**PROFESSIONAL BACKGROUND**

**James Brink Mediation, Pittsburgh, PA**

(2014 - Present) Offers early neutral case evaluations and mediation services in all manner of disputes, whether the dispute is developing or has entered active litigation. Significant experience in handling and resolving contract disputes, complex business disputes, employment law issues, and oil and gas leasing, development and post-development disputes. Approved Neutral for the U.S. District Court, Western District of Pennsylvania. Approved Volunteer Mediator for the Pennsylvania Human Relations Commission.

**ShaleAdvice, LLC, Co-Owner, Pittsburgh, PA**

(2010 - Present) ShaleAdvice, LLC provides legal representation to landowners exclusively in all matters pertaining to the leasing of their mineral interests to oil and gas developers. Specific areas of representation include the negotiation of oil and gas leases, seismic testing agreements, and rights of way agreements. Post-development services offered include royalty auditing and surface and sub-surface damage claims. Litigation in state and federal courts is initiated when necessary. Conducted dozens of educational meetings for landowners in Mercer, Lawrence, Beaver, and Butler Counties in Western Pennsylvania.

**James Brink Law (Brink Law Offices, P.C.), Pittsburgh, PA**

(8/00 - Present) Engaged in the general practice of law with emphasis on civil and criminal litigation. Practice includes providing general legal representation to business entities on a wide variety of issues. Experienced in representing major corporations before numerous state and federal agencies, including the Pennsylvania Human Relations Commission, U.S. Equal Employment Opportunity Commission, and the National Labor Relations Board. Expert in the application and interpretation of the Federal Sentencing Guidelines promulgated by the United States Sentencing Commission which are considered in all federal criminal prosecutions. Represented hundreds of accused citizens in every phase of a federal prosecution, including plea negotiations, pretrial proceedings, jury trials, sentencing and appeals.

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### **Senior Corporate Attorney, Litigation Manager, Fisher Scientific Company LLC, Pittsburgh, PA**

(7/96 - 8/00) Primarily responsible for managing over 300 active litigation cases and other claims brought against the company on a national basis, including significant products liability, toxic tort, and general liability actions. Managing the active litigation files required the engagement and supervising of outside counsel the goal of which was to achieve the best possible result in the most cost efficient manner. Responsible for advising senior human resources management on all aspects of employment and labor law matters, including internal employment issues and claims filed with government agencies. Assigned as lead counsel to Fisher Safety, a \$120 million division of Fisher Scientific located in Pittsburgh. Duties included contract drafting and review and other general corporate matters affecting the company.

### **Private Practice, Pittsburgh, PA**

(1/96 - 7/96) Engaged in the general practice of law emphasizing employment law, civil litigation and general corporate law. Primary client was Roadway Package System, Inc., for which litigation management support was provided pertaining to all collections and freight claims on a national basis. Also supported the human resources professionals.

### **Corporate Attorney, Roadway Package System, Inc., (now FedEx Ground), Pittsburgh, PA**

(9/90 - 1/96) Duties included the handling of internal and external employment matters both on a corporate and administrative agency level. The majority of the internal support of the human resources function was related to reviewing potential employee terminations and providing a risk assessment based on the facts of the particular matter. Representation of the company before the EEOC and various state fair employment practices agencies was handled on a first chair basis. Conducted corporate compliance and sexual harassment seminars throughout the United States. Managed all outside litigation on a national basis. Contract drafting and review were included as general corporate responsibilities. Worked with local counsel to obtain intrastate operating certificates from the public service commissions in fifteen states.

### **Corporate Attorney, CNG Development Company (subsidiary of Consolidated Natural Gas Company), Pittsburgh, PA**

(3/88 - 9/90) Duties focused primarily on general corporate legal matters, but also included litigation management, environmental compliance and concerns, and administrative proceedings. Drafted and reviewed proposed legislation relative to the oil and gas industry in West Virginia and Pennsylvania. Successfully managed the largest Oriskany pooling case of first impression in West Virginia.

### **Acting Federal Public Defender/Assistant Federal Public Defender, Charleston, WV**

(12/85 - 3/88) Responsible for representing hundreds of persons accused of federal crimes before four United States District Court Judges and three United States Magistrates in the Southern District of West Virginia. Practice included all aspects of federal criminal litigation, including plea negotiations, pretrial hearings, jury trials, sentencing and appeals.

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### **Associate Attorney, Bucci & Ranson, Charleston, WV**

(6/85 - 12/85) Practice consisted of civil and criminal litigation in state and federal courts. Duties included the drafting of pleadings and motions in all stages of litigation, legal research and trial preparation.

### **Corporate Attorney, Bow Valley Petroleum Inc., Charleston, WV**

(6/84 - 6/85) Responsible for the drafting and review of documents relevant to the oil and gas industry, including oil and gas leases, title opinions, joint operating agreements, assignments and gas purchase contracts. Primary responsibility was to assist management in the disposal of active and inactive oil and gas properties, including real estate and oil and gas wells, located throughout West Virginia.

### **Legal Intern, Students' Legal Services, West Virginia University, Morgantown, WV**

(8/83 - 5/84) Provided legal advice to students. Emphasis was placed on interpreting lease agreements and representing students in conflicts with their landlords.

### **Law Clerk, West Virginia Education Association, Charleston, WV**

(Summer 1983) Engaged primarily in legal research and writing, including appellate briefs.

### **Legal Intern, Students' Legal Services, West Virginia University, Morgantown, WV**

(5/82 - 5/83) Provided legal advice to students. Emphasis was placed on interpreting lease agreements and representing students in conflicts with their landlords.

## **EDUCATION**

### **West Virginia University College of Law, Morgantown, WV**

Juris Doctor (1984).

### **Youngstown State University, Youngstown, OH**

Bachelor of Arts in Philosophy, minor in History (1981).

## **ADVANCED EDUCATION AND TRAINING**

Mediation Training, U. S. District Court, Western District of Pennsylvania (40 hours)

## **FEDERAL AND STATE ADMISSIONS**

Pennsylvania State Bar

West Virginia State Bar

United States District Court, Southern District, West Virginia

United States District Court, Western District, Pennsylvania

United States Court of Appeals, Fourth Circuit

United States Court of Appeals, Third Circuit

United States Supreme Court

**PROFESSIONAL ASSOCIATIONS**

Allegheny County Bar Association (Member of the Environment and Energy Law Section and ADR Committee)

Independent Oil and Gas Association of West Virginia (1988-1990)

West Virginia Oil and Natural Gas Association (1988-1990)

Michigan Oil and Gas Association (1989-1990)

Eastern Mineral Law Foundation (1988-1990)

Pennsylvania Independent Oil and Gas Association (2012-2014)

National Association of Royalty Owners

Mediation Council of Western Pennsylvania

Pennsylvania Association of Notaries (Notary Public in Pennsylvania)

**SOCIAL ORGANIZATIONS**

Millvale Sportsmen's Club, Wexford, PA

Montour Trail Council

Rivers Club, Pittsburgh, PA

Steel City Road Runners Club, Pittsburgh, PA

YMCA of Greater Pittsburgh (1989-2010)(former member of Board of Directors)