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September 30, 2022

Terri Martinez (TerriMartinez@adr.org)

American Arbitration Association
Manager of ADR Services
45 E. River Park Place West, Suite 308
Fresno, CA 93720

RE: AAA Case No. 01-22-0000-9524; Nicholas Abaza and Jorge Borunda (Lawyers) v.
Richard Allison, Jr. (Client) and Caroline Allison

Dear Ms. Martinez:

Thank you so much for the invitation to serve as arbitrator in the above styled and numbered cause. I have read the AAA Invitation to Serve dated September 28, 2022, and all documents filed to date and make the following disclosures:

No. 1 – Do you or your law firm presently represent any person in a proceeding involving any party to the arbitration?

No

No. 2 – Have you represented any person against any party to the arbitration?

No

No. 3 – Have you had any professional or social relationship with counsel for any party in this proceeding or the firms for which they work?

I was Judge of the 134th District Court, Dallas, Texas from January 1, 1989 through March 31, 2009. I was Judge of County Court at Law Number 3 from January 1, 1987 through December 31, 1988. During the time I was sitting on the 134th, I heard 244 jury trials to verdict; many bench trials and injunctions; and many thousands of hearings. In County Court at Law, I heard 65 jury trials to verdict and many bench trials, injunctions, and motions. Other than the matters listed below, I do not specifically recall any cases I had with any of the attorneys or their firms but I assume it more likely than not that most attorneys in Dallas and surrounding counties may have appeared before me as a Judge.

In March, 2015, I was the Mediator in a matter where Ryan Geddie, Esq. of Martin Disiere Jefferson & Wisdom, LLP (Dallas) represented a party.

As a judge for over 20 years I know many lawyers throughout the state of Texas. It is very likely I know lawyers at most of the firms, particularly those with Dallas offices. This does not impact my ability to be impartial and fairly hear this dispute.

No. 4 – Have you had any professional or social relationship with any parties or witnesses identified to date in this proceeding or the entities for which they work?

No

No. 5 – Have you had any professional or social relationship of which you are aware with any relative of any of the parties to this proceeding, or any relative of counsel to this proceeding, or any of the witnesses identified to date in the proceeding?

No

No. 6 – Have you, any member of your family, or any close social or business associate ever served as a neutral in a proceeding in which any of the identified witnesses or named individual parties gave testimony?

No

No. 7 – Have you, any member of your family, or any close social or business associate been involved in the last five years in a dispute involving the subject matter contained in the case which you are assigned?

No

No. 8 – Have you ever served as an expert witness or consultant to any party, attorney, witness or other arbitrator identified in this case?

No

No. 9 – Have any of the party representatives, law firms or parties appeared before you in past arbitration cases?

I was appointed as the Arbitrator in a multi party matter where David E. Kassab, Esq. of The Kassab Law Firm and Dale Jefferson, Esq. of Martin Disiere Jefferson & Wisdom, LLP (Houston) each represented a party. This matter did not go beyond the appointment stage. It settled in June, 2015, prior to any involvement on my part.

I served as the Arbitrator in a matter where Jason Spivey, Esq. and Aileen Glaeser, Esq. of Martin Disiere Jefferson & Wisdom, LLP (Dallas) represented a party. That matter settled in June, 2021 prior to the final hearing.

No. 10 – Are you a member of any organization that is not listed on your resume that may be relevant to this arbitration?

In February of 2014, I joined Shields Legal Group as “Of Counsel.” My main focus with the firm is to represent entrepreneurs from the growth to exit stage. I conducted a computerized conflicts search within Shields Legal Group “SLG” and have discovered no conflicts.

I am a member of an informal breakfast study group compiled of arbitrators around the DFW metroplex who meet from time to time to discuss topics of ADR interest.

I am a member of LinkedIn and handle some of my marketing through LinkedIn.

I also serve on arbitration panels with Judicial Workplace Arbitrations, Inc. (“JWA”), DII Industries, LLC Asbestos PI Trust, Dispute Solutions, Inc. (“DSI”) and FORUM.

No. 11 – Have you ever sued or been sued by either party or its representative?

No

No. 12 – Do you or your spouse own stock in any of the companies involved in this arbitration?

No

No. 13 – If there is more than one arbitrator appointed to this case, have you had any professional or social relationships with any of the other arbitrators?

No

No. 14 – Are there any connections, direct or indirect, with any of the case participants that have not been covered by the above questions?

The 134th District Court and County Court at Law Number 3 were elected positions. I have raised money at every election cycle during the course of my political career. I have run for re-election and appeared on the ballot 6 times. I do not know if any of the attorneys, parties, or entities made any contributions to any of my campaigns, but it would not make a difference in this arbitration if contributions were made. I made it a habit not to look back after campaign reports were filed. I hired an independent accountant to file all of my campaign reports. For a list of my contributors, please go to the Texas Ethics Commission. Here is my number—000020796.


No. 15 – Are you aware of any other information that may lead to a justifiable doubt as to your impartiality or independence or create an appearance of partiality?

If anyone knows of any other case that we might have been involved in that I missed that you believe is relevant, please disclose for all of us. If anyone has any other issue that I did not disclose that you believe is important, I would appreciate it very much if you would bring it up now. If anything comes up along the course of our arbitration that anyone believes anyone should know about, please know we have a continuing duty or responsibility to update our disclosures.

STATEMENT OF NEUTRALITY:

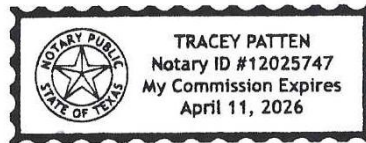
After reviewing all the material on file to date about this arbitration and considering the disclosures, I can be fair and impartial, consider the evidence from both sides and rule for the party’s position that is supported by the evidence in accordance with whatever standards of decision are applicable. By this I mean that I could rule for or against either side; and fulfill my oath of appointment that I “will faithfully and fairly hear and decide the matters in controversy between the parties in accordance with their arbitration agreement, the Code of Ethics, and the rules of the American Arbitration Association and will make an Award according to the best of the Arbitrator’s understanding.”

Signed this 30th day of September, 2022.


Anne Ashby

SWORN TO AND SUBSCRIBED BEFORE ME, by Anne Ashby, on this 30th day of September, 2022.


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



I look forward to working with you and assisting in the resolution of your dispute.

Sincerely yours,

THE LAW OFFICE OF ANNE ASHBY
A Professional Limited Liability Company


Anne Ashby