WALTER K. McDONOUGH
ELK Consulting Services, LLC
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Professional Experience:

2007-Present	ELK Consulting Services, LLC/Boston, MA President/Manager
1996- 2007	Suffolk Construction Company, Inc./Boston, MA Executive Vice President/General Counsel
1993 - 1996	Perini Corporation/Framingham, MA Assistant General Counsel
1990 - 1993/ 2007- 2009	Hinckley, Allen & Snyder/Boston, MA Litigation Department / Trial Attorney Of Counsel (2007-09)
1987 - 1990	Fine & Ambrogne/Boston, MA Litigation Department / Trial Attorney

Responsibilities:

In 2007, Mr. McDonough formed ELK Consulting Services, LLC to provide dispute resolution (mediation, arbitration, dispute review boards), consulting and training services to a variety of industries and organizations, with a focus in the construction, insurance and real estate industries.

Over ten plus years with Suffolk Construction, Mr. McDonough was directly involved in the growth of the company to over $1 Billion in annual revenue and over 750 employees, with offices in Massachusetts, Florida and California. Mr. McDonough was responsible for contract negotiations with owners, subcontractors and suppliers, as well as negotiation and resolution of contract and other disputes, employing a proactive approach to avoid litigation wherever possible. Mr. McDonough also was directly responsible for the Company's Safety, Risk Management and Labor/Employment

programs.

Professional Affiliations:

American Bar Association—Member Since 1987
- Forum on the Construction Industry
- Civil Litigation Section
- Alternative Dispute Resolution Section

Massachusetts Bar Association—Member Since 1988

Boston Bar Association—Member Since 2002
- Construction Law Committee—(Committee Co-Chair 2004-06)

American Arbitration Association
- Northeast Region Construction Advisory Council (2003-2006)

Associated General Contractors of America/Mass.Chapter-Member (2003-Present)

Council on Litigation Management—Member (2009-Present)
- Construction Litigation Committee Member (2010)

Princeton University Hockey Association
- First Vice President—1991 to Present

Education:

Boston College Law School
Juris Doctor *Cum Laude* 1987

Princeton University
Bachelor of Arts *Cum Laude* 1984, Politics
Certificate of Completion: Program in Political Economy
Senior Thesis: *School Desegregation in Boston: A Failed Experiment*

Varsity Ice Hockey Goaltender (1980-84)
Academic All-America Team, Honorable Mention (1984)
Wm. Blackwell Trophy (Team Co-MVP) (1984)

Certifications/Training

American Arbitration Association
Chairing an Arbitration Panel (December, 2010)
Dealing with Delay Tactics in Arbitration (March, 2010)
Advanced Mediation Training (November, 2009)
Arbitration Awards: Safeguarding, Deciding and Writing the Award (October, 2009)
AAA Arbitration Roadmap (June, 2008)
Commercial Arbitrator I Certification (September, 2006)
Member--Commercial Panel of Neutrals, Construction Panel of Neutrals

Mediation Works, Inc.
Executive Mediation Training (40 hour) Course (October, 2006)

Dispute Review Board Foundation—Certified Panelist Training (October, 2008)

American Dispute Resolution Center, Inc.
Member, Panel of Arbitrators (Appointed October, 2007)

Presentations/Publications:

"Current Trends in Construction Claims and Disputes", panelist at Mass. Bar Association Litigation Section Meeting (December, 2010)

"Holy S>*t--Crisis on the Project", presented to Massachusetts RIMS and Associated Subcontractors of Mass. monthly meetings (November, 2010 and December, 2009)

"Dispute Mediation Options Every Executive Should Know", RSM McGladrey Webinar panelist (February, 2009)

"Mediating the Construction Case", Boston Bar Association, Construction Law Section Panelist (February, 2009)

"Preparing for Success: How to Get the Most Out of Mediation", presented as part of Build Boston (November, 2008)

"Ten Rules for Successful Mediations", presented as part of "Navigating the Credit Crunch"—Dispute Resolution Panel, McGladrey & Pullen (November, 2008)

"Communicating for Profit: Subcontractor/General Contractor Relations, presented as part of Contractor Series for Feeley & Driscoll (November, 2008)

"Common Sense for Construction Conflicts: ADR Options and Success Stories", panelist—DRBF Northeast Regional Conference (October, 2008)

"AIA and Consensus Docs Overview—Indemnity, Insurance and other selected topics"—presented as part of Boston Bar Association, Advanced Topics in Construction Law (June, 2008)

"Managing Financial Risks in Construction"—Guest Lecture presented to CM Senior Project Class, Construction Management Program, Wentworth Institute of Technology (May, 2008)

"Overview of the AIA and Consensus Docs—2007 Revisions", presented with Hinckley, Allen & Snyder (March/April, 2008)

"Key Risk Provisions in Construction Contracts", presented to the Surety Association of Massachusetts (March, 2008)

"Record-Keeping for Construction", presented as part of AGC of New Hampshire, 2007 Construction Law Seminar (November, 2007)

"Construction Insurance and Risk Management", presented with Upchurch, White, Watson & Max (October, 2007)

"Managing and Mitigating Risks in Public Construction", presented as part of AGC of Mass. Construction Law Series (May, 2007) and at Build Boston (November, 2007)

"What General Counsel Look for in a Law Firm", Mass. Lawyers Weekly General Partners' Roundtable (January, 2007)

"Completing the Project—The Obligee's Perspective", Surety Claims Institute Annual Meeting and Seminar (June, 2006)

"Claims Under Massachusetts Construction Contracts, Certification and False Claim Issues", CMAA, New England Chapter Seminar (April, 2006)

"Design Responsibilities from the General Contractor's Perspective", presented as part of 3rd Annual Construction Law Update, Boston Bar Association (June, 2003)

"That Doesn't Say That—Confusing General Contract and Subcontract Clauses", presented as part of 2nd Annual Construction Law Update, Boston Bar Association (June, 2002)

Mr. McDonough also developed and taught a series of different in-house classes for employees of Suffolk Construction. Courses include:

Crisis Management (1 hour course)
Risk Management and Insurance (2-hour course)
Owner Contracts (4-hour course)
The Subcontract (4-hour course)

Mr. McDonough delivered these classes to over 500 employees of the company on a continuing basis over several years.

References available on request.