

# RESOLUTE

DISPUTE RESOLUTION NATIONWIDE



## Hon. Bernice B. Donald (Ret.)

Mediator, Arbitrator and Referee/Special Master

### Case Manager

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**Hon. Bernice B. Donald (Ret.)** is a nationally recognized retired Federal Judge providing mediation, arbitration, special master, moot court strategy and advisory services in high profile, complex matters in national and international litigation. She is listed as a Tennessee Supreme Court Rule 31 General Civil Mediator.

Judge Donald retired from the United States Court of Appeals for the Sixth Circuit in January, 2023. She was nominated to that position by President Barack Obama and was confirmed by a vote in the Senate on September 6, 2011. Prior to that, Judge Donald sat on the U.S. District Court for the Western District of Tennessee. She was appointed to the district court by President William Jefferson Clinton in December 1995. She was sworn into office in January 1996. She previously served as Judge of U.S. Bankruptcy Court for the Western District of Tennessee, becoming the first African American woman in the history of the United States to serve as a bankruptcy judge.

As a former judge of the US Court of Appeals, US District Court, and US Bankruptcy Court, Judge Donald tried, decided and authored opinions in all matters that came before the federal courts, particularly in the areas of: appellate, bankruptcy, class actions, ERISA, corporate contract, employment, insurance, banking & financial institutions, securities, antitrust, trade secrets, pharmaceutical development and licensing, patent and other intellectual property litigation and licensing, merger and acquisition transactions, partnership disputes as well as other cases under federal Statutes and Laws.

Her diversified and extraordinary law career acquired in over four decades of private practice and on while serving in the federal judiciary at three levels makes her exceptionally well-qualified to assist parties and their counsel in resolving cases through arbitration, mediation and other dispute resolution processes.

## Judicial Service

**Sept. 2011 – Jan. 2023:**

*Circuit Judge, United States Court of Appeals for the Sixth Circuit*

**Jan. 1996 – Sept. 2011:**

*District Judge, United States District Court for the Western District of Tennessee*

**Jun. 1988 – Jan. 1996:**

*Judge, United States Bankruptcy Court for the Western District of Tennessee*

**1982 – 1988:**

*Judge, Division IX, General Sessions Criminal Court for Shelby County, Memphis, Tennessee*

## Other Professional Experience

**2023 – Present:**

*Mediator and Arbitrator, National Commercial Panel, Resolute Systems, LLC*

**2023 – Present:**

*Arbitrator, American Arbitration Association*

**2023 – Present:**

*Member, Academy of Court Appointed Neutrals*

**1985 – 1988:**

*Adjunct Professor, University of Memphis, Cecil C. Humphreys School of Law*

**1980 – 1984:**

*Adjunct Professor, Shelby State Community College*

**1981-1982:**

*Assistant Shelby County Public Defender; Office of the Shelby County Public Defender*

**1980-1981:**

*Attorney, Memphis Area Legal Services*

**1979-1980:**

*Attorney, The Law Office of Bernice B. Donald; General Civil and Criminal Practice*

## Honors and Awards

- Sarah Hughes Civil Rights Award, Federal Bar Association (2023)
- Constance Baker Motley Champion of Justice Award, National Bar Assoc (2023)
- Hortense Ward Courageous Leader Award, Center for Women in Law (2023)
- Sandra Day O'Connor Award, The National Judicial College (2022)
- Honorary Chair of the National Bar Association, Judicial Council (2021)
- National Bar Association Lifetime Achievement Award (2021)
- Leadership Memphis Change Maker Award (2021)
- The Judge Bernice B. Donald Diversity, Equity, and Inclusion Award (2020)
- Martin Luther King Luminary Award, City of Memphis (2020)
- Martin Luther King, Jr. Be the Dream Legacy Award (2015)
- John H. Pickering Award, ABA Senior Lawyers Division (2014)

- William J. Brennan, Jr. Award, District of Columbia Bar (2014)
- William H. Hastie Award, National Bar Association (2013)
- Difference Makers Award, ABA Solo, Small Firm & General Practice Division (2013)
- Benjamin F. Hooks Award, Memphis Bar Association (2002)
- Civil Rights Trailblazer Award, University of Tennessee Civil Rights Symposium (2002)
- Hero in the Law Award, Memphis Bar Association (2001)
- Judge of the Year, Memphis Bar Association, Criminal Law Section
- The Judge Bernice B. Donald Scholarship, University of Memphis  
The Zeta Phi Beta Sorority established this scholarship and awards it to up to four students each year.
- Pioneer Award, Fellow Classmates East Side High (2013)
- Legends Award Honoree, Tennessee Bar Association (2012)
- Spirit of Excellence Award, American Bar Association, (2011)
- Authur S. Holmon Lifetime Achievement Award, University of Memphis Black Student Union (2011)
- Liberty Achievement Award, American Bar Association (2008)
- Presidential Award, National Bar Association (1996)
- Ten Outstanding Young Tennesseans, Memphis Jaycees (1990)
- Distinguished Alumni Award, Memphis State University (1990)
- America's Best & Brightest, *Dollars and Sense Magazine* (1988)
- Community Services Award: Youth, National Conference of Christians and Jews (1986)
- Citizen of the Year, Excelsior Chapter of Eastern Star
- Martin Luther King Community Service Award
- Woman of the Year, Pentecostal Temple Church of God in Christ
- Young Careerist Award State of Tennessee, Raleigh Bureau of Professional Women, Raleigh Chapter
- Who's Who Among Memphians, *Memphis Magazine*
- "She Knows Where She's Going," Girls Club of Memphis
- Herman Sweatt Award, National Bar Association

## Historical Achievements

- Appointed First African American Female Judge for the Sixth Circuit Court of Appeals
- Appointed First African American Female District Court Judge in the history of the state of Tennessee
- Appointed First African American Female Bankruptcy Judge in the United States
- Elected First African American Female Judge in the history of the State of Tennessee

## Education

- Duke University School of Law LLM
- Suffolk University, Honorary Doctors in Law
- University of Memphis, Cecil C. Humphreys School of Law, Juris Doctor
- University of Memphis, Bachelor of Arts

## ADR Experience and Qualifications

As a U.S. Court of Appeals and District Judge, she has tried and settled hundreds of cases involving the full array of matters subject to federal jurisdiction including class action Multi District Litigation, complex corporate, commercial, employment, intellectual property, mass tort, and securities cases. Prior to being appointed to the District Court, Judge Donald was appointed a U.S. Bankruptcy Judge in 1988, where she oversaw large corporate reorganization and bankruptcy cases. Completed 40-Hour Mediation training course - National Judicial College, May, 2021. Completed Arbitration Fundamentals and Best Practices training program and online Arbitration Award Writing course with the American Arbitration Association in 2023. TN Supreme Court Rule 31 General Civil Mediator, 2023.

## Representative Matters

- Antitrust
- Appellate
- Banking/Lender Liability
- Bankruptcy/Restructuring
- Civil Rights
- Class Action/Mass Torts
- Commercial Disputes
- Complex Litigation
- Construction
- Contracts
- Corporate Investigations/ White Collar
- Employment
- Energy, Oil, Gas & Water
- Environmental/ CERCLA
- Insurance/ Reinsurance
- Intellectual Property
- International Arbitration
- Maritime
- MDL
- Monitoring
- Patent/SEP
- Pharmaceuticals
- Product Liability
- Real Estate
- Securities/Financial Services
- Special Master
- Telecommunication
- Trade Secret
- Trademark/ Copyright

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