



CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

NEUTRAL QUALIFICATION FORM
Pursuant to Local Rule 38

I am applying for inclusion on the list of neutrals to be maintained by the Circuit Clerk pursuant to Local Rule 38 of the Circuit Court of St. Louis County. The following information is supplied in support of this application.

1. Name: Merrill Charles E.
(Last) (First) (Middle)

2. Address: 190 Carondelet Plaza, Suite 600
Clayton MO 63105-3441
(City) (State) (ZIP+4)

3. Telephone Number: 314-480-1952

4. Facsimile Number: 314-480-1505

5. State the standard hourly fee for your services as a neutral. \$325 (fixed fee available)

6. List your appropriate training or equivalent experience in conducting alternative dispute resolution as required for certification under Supreme Court Rule 17.04.

Civil Mediation Training

Sponsor - Alternative Dispute Program - Washington University School of Law

Dates: 10/18-20, 2006

Hours: 20 (Approved for Missouri Bar CLE credit)

7. Please list all areas of substantive law or experience which are or have been a significant part of your professional background or practice.

Environmental and regulatory law; "Toxic Tort" and product liability; Lawyer professional responsibility and the "law of lawyering"; General commercial and corporate litigation

8. [If the answer to any of the following questions is yes, please explain the circumstances on a separate sheet and attach.]

- a. Have you ever been disciplined for violation of any code of professional ethics or responsibility? No
- b. Have you ever pled guilty to or been found guilty of a felony? No
- c. Have you ever been found liable for fraud or any other intentional tort? No
- d. Have you ever had a professional license revoked or suspended for reasons other than non-payment of dues? No
- e. Have any professional malpractice judgments been entered against you? No

9. List the courts and professional organizations in which you currently hold certifications as a neutral, mediator, arbitrator, or other ADR service provider.

Application pending in U.S. District Court for the Eastern District of Missouri

10. In the space below, briefly describe your experience, qualifications, special areas of expertise, and any other reasons why you should be selected as a neutral.

Substantive Expertise.

Environmental and regulatory law.

I have practiced in the area of environmental and regulatory law for approximately eighteen (18) years. My practice as an environmental attorney has covered the full range of environmental, health and safety practice: Superfund/remediation practice, including litigation and negotiation with U.S. EPA, U.S. DOJ, and state regulatory agencies, cost recovery and contribution litigation, and natural resource damages litigation; regulatory practice (with particular emphasis on CERCLA/SARA, RCRA, the Clean Water Act, and OSHA), including enforcement defense, permitting, variances, and rulemaking; and transactional practice, including due diligence and indemnities. From time to time since approximately 1986, I have also been involved in the defense of "toxic tort" personal injury and/or property damage cases, arising out of alleged environmental or workplace exposures to chemicals.

The business of law and lawyer professional responsibilities.

From 1999 through 2006, I served as the Managing Partner of my law firm, which grew from approximately 175 lawyers to 300 lawyers during that period. For several years in the 1990's, I served as Chairman of the firm's Risk Management Committee. Through both formal CLE in the areas of professional responsibility and law firm management, and considerable "on the job training" and practical experience in these positions, I developed expertise in the legal issues involved in the business of law, arising under the Rules of Professional Conduct and statutory and common law governing professional services organizations and fiduciary duty. Over the years, I worked through a wide range of issues involved in law firm governance and management, attorney compensation, lawyer mobility, and conflicts of interest - including lateral hires, Of Counsel arrangements, law firm mergers and acquisitions, and partner withdrawals.

Mediation expertise.

I have represented clients as an advocate in numerous environmental mediations, and have participated in mediations as a party in my role as a law firm manager. These experiences have given me a good familiarity with the mediation processes, and with many of the factors which lead to the success or failure of mediations. As Managing Partner of our firm, I was regularly involved in the resolution of disputes and controversies among our attorneys and/or our non-attorney staff, and between our attorneys and clients. Though this work involved formal mediation in only a few instances, I became very experienced with many of the techniques and skills required in the mediation process

(Signature)

(Date)

THIS FORM WILL BE MADE AVAILABLE TO THE PARTIES TO ASSIST THEM IN CHOOSING A NEUTRAL.

172B

**Husch &
Eppenberger, LLC**
Attorneys and Counselors at Law

190 Carondelet Plaza, Suite 600
St. Louis, Missouri 63105-3441
314.480.1500
Fax 314.480.1505
www.husch.com

314/480/1952 Direct dial
charles.merrill@husch.com

March 14, 2007

Joan M. Gilmer, Circuit Clerk
Circuit Court of St. Louis County
7900 Carondelet Avenue
Clayton, Missouri 63105

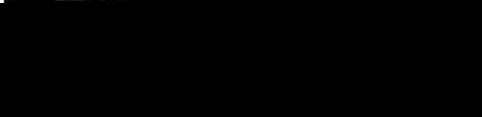
*Re: Charles E. Merrill
Neutral Qualification Form*

Dear Madam:

Please find enclosed the Neutral Qualification Form applying for my inclusion on the list of neutrals to be maintained by the Circuit Clerk.

Please contact me should you have any questions. Thank you for your attention to this matter.

Very truly yours,



Charles E. Merrill

/ma
Enc.