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Curriculum Vitae

David Phalen

Our Umpire

After receiving a legal education at Thomas M. Cooley Law School in Michigan, I moved to Colorado and utilized my education and previous commercial/industrial construction experience to operate as the general manager at an exterior restoration company. I later directed mitigation projects while managing at a mitigation company.

I began field adjusting at a multinational independent insurance adjusting firm and quickly worked my way to the top of the claims industry, handling large loss claims at the general adjuster level. I've worked with claims that involved fire, smoke, water, floods, mold, hail, wind, lightning, landslides, earth movement, structural damages, loss of business income, additional living expenses, and medical facility damages.

While I was an independent adjuster, I appraised a large number of losses. I was fair and swift in my resolutions and this translated into owning my own insurance appraisal company for a number of years, conducting residential appraisals as well as multimillion-dollar commercial appraisals with successful and accurate resolutions. I began umpiring at this time as well and grew umpiring project work from initial residential projects into commercial losses which ranged from standard industrial box structures to skyscrapers and even 130 plus building neighborhoods. I continued my work in the umpiring field while also continuing to evolve my career focus.

Seeking to engage more fully in the claims process, I eventually transitioned into the public adjusting arena, working principally on multi-million dollar, commercial losses. With years of accumulated experience and data on both sides of the field, I soon found myself providing consulting services, principally on commercial structures and losses with the understanding that each conclusion presented would be scrutinized closely. My approach was, and always has been, to adhere to the data. I've never known a client, insured or insurer, who was upset to learn that they received an accurate result or assessment with their loss.

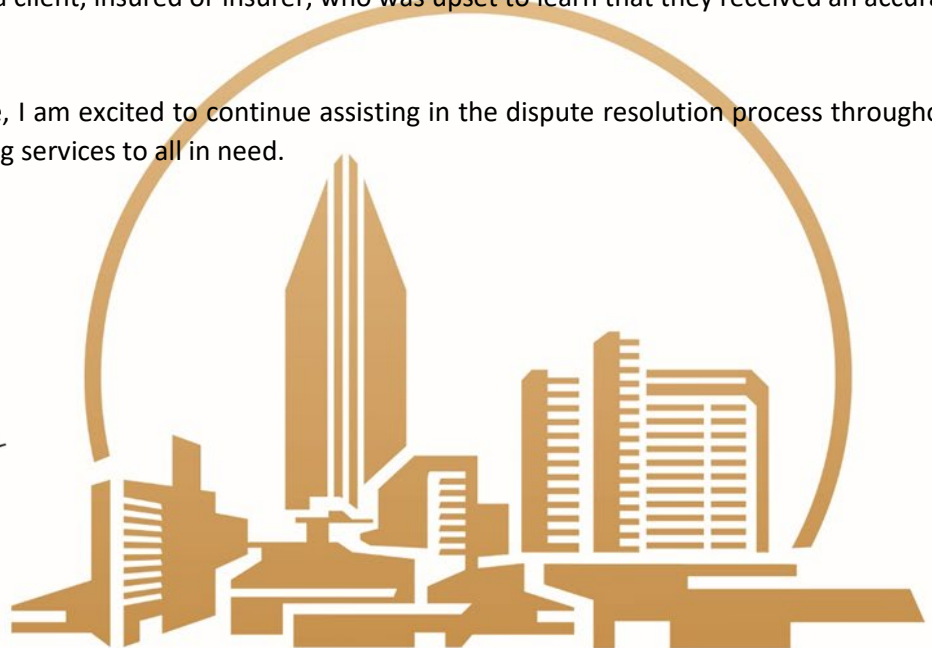
Having found my home at Our Umpire, I am excited to continue assisting in the dispute resolution process throughout the United States by providing umpiring services to all in need.

Sincerely,

DAVID PHALEN



Qualifications:



Education:

Continuing Education:

2024-2026: Ongoing

2022-2024: 24 hours

Adjusting: 21 hours

Adjusting Ethics: 3 hours

2020-2022: 51 hours

Adjusting: 40 hours

Adjusting Ethics: 11 hours

2018-2020: 30 hours

Adjusting: 25 hours

Adjusting Ethics: 4 hours

Homeowners: 1 hours

2016-2018: 28 hours

Adjusting: 21 hours

Adjusting Ethics: 5 hours

Homeowners: 2 hours

2019 International Roofing Expo (Nashville, TN):

3 Days of Courses on Roofing Products, their Material Construction, their Applications, and Events and Conditions which Damage the Systems or Diminish their Life.

Some Courses Taken Included:

-Metal Deck Replacement

-Understanding Metal Roofing Systems

-Thermoplastic Roofing Systems

-Low Slope Roof Coatings and Applications

-Low Slope Insulation and Substrate Applications

-Metal Roofing Production and Material Functions

-Algae, Fungi, and Other Conditions that Deteriorate Roofing Systems

Crawford and Company Independent Adjusting Training:

5 Solid Weeks Property and Casualty Training at International Headquarters

2 Solid Weeks Business Interruption Training

Completed Various Continuing Education and Training Courses, Including:

-Property Technical Certification Full Curricula

-Business Interruption Curricula

-Miscellaneous Property and Casualty Related Policy and Field Courses

-Symbility and Xactimate Training/Certification

-HAAG Hail Damage Certification

-EPIC Mitigation Training

Service Master of Boulder County Company Training:

Studying of the IICRC Standards with associated training courses/quizzes—Related to water & mold.

Received ancillary training related to hazardous materials/remediation.

New York Life Insurance Training:

Received In-House Training Related Principally to Life Insurances and Their Varieties

Received Preliminary Training on annuities and

Northern Illinois University-DeKalb, IL

Received Graduate-Level Teacher Certification in Secondary English Education as well as Endorsements in Psychology and History. 2009-2011

Thomas M. Cooley Law School-Lansing, Michigan

Attended for two years. Accumulated 45 credit hours. 2007-2009

University of Illinois Urbana Champaign, IL

Obtained a Bachelor's Degree in Liberal Arts and Sciences with a Major in Rhetoric. 2005-2007

Illinois Valley Community College Oglesby, IL

Associates in Arts. 2003-2005

Experience

Our Umpire LLC/Consistent Claim Services

Phone: 815-878-2602 2019-Present

-Our Umpire

-Operating as an umpire for parties in need throughout the United States.

-DBA "Consistent Claim Services" 2020-Present

-Conducting insurance appraisals, adjusting, consulting, and umpiring in Colorado and available throughout the U.S. based on claim/work circumstances and notice.

Solutia Adjusters/Solutia Consultants

Phone number: 720-636-7444 2017-2019

-Executive General Adjuster/Executive Loss Consultant

-Under Solutia Adjusters for the first year and a half, I operated as a public adjuster handling commercial losses exclusively, often in the million-dollar-plus range. Reached agreement on most losses with the insurer agreeing in entirety with our estimate (on multi-hundred thousand and multimillion-dollar losses alike)

-Under Solutia Consultants, the company transitioned from public adjusting to property damage-related consulting.

-Under both directions of the company, I also operated as an umpire, being jointly proposed and selected by both insurer and insured appraisers on residential and commercial losses.

Consistent Claim Services

Phone: 815-878-2602 2016-2017

-Appraiser/Umpire

-Appraised residential to commercial losses and ranging in value from below a hundred thousand dollars into the multi-millions.

-Began umpiring on losses, residential and commercial, proposed and selected by both insurer and insured appraisers.

Crawford & Company Centennial, CO

Phone: 720-533-4476 2014-2016

-Senior Property Adjuster

-Handling large and complex residential and commercial losses, estimating costs, timelines for

repair, reinspections to confirm repairs made properly, analyzing commercial and residential leases for potential coverage considerations, evaluating contractor estimates for pricing/scope discrepancies, reaching agreed scope and pricing, conducting market research on unique construction designs such as curved solariums, antique signs, etc. Conducted appraisals for my last year at the company

- Handling losses involving vehicular impact to buildings, hail, fire smoke, flooding, water-related losses, mold remediation, HOA's, medical facilities/hospitals, rare and valuable artwork restoration, asbestos removal, earth movement, vandalism, lightning, theft, and so on.

- Professional Training in both Xactimate and Symbility.

- Was offered General Adjuster position but turned it down to start Consistent Claim Services.

New York Life Arvada, Co

Phone: 303-403-5600 2013-2014

-Agent

- Life insurance & Annuities Sales

 - Series 6 Prep

 - have worked with and sold life insurance designed to fit a variety of client needs

 - learned a large array of financial concepts to add to my investment knowledge

ServiceMaster of Boulder County Louisville, Co

Phone: 303-443-6020 2012- 2013

-Project Manager

- Managing all aspects of mitigation/remediation jobs that enter our office

 - Fielding incoming calls with emergencies (anything from floods to shootings)

 - Getting tech teams on-site to handle the initial situation

 - Scope site and convert it to the Xactimate or Symbility sketch

 - Monitor mitigation/remediation of site

 - Work with client, adjuster, and insurance agent to create an equitable outcome for all parties involved

 - This was a job that the company president thought would take 2-3 months for me to handle claims independently. In actuality, I was handling my own claims by 2 weeks, had finished all training by that time, and had stayed so far ahead that I was finishing all work by 12:00 pm.

 - Managed project totals equivalent to all three other project managers' workloads combined.

SJ Roofing Arvada, Co 80003

Phone: 303-353-1703 2011-2012

-General Manager

- Managed every aspect of a startup roofing company

 - Hired and trained all personnel

 - Aided with all sales and made over 75% of the year's sales

 - Generated all company referral sources, training materials, and most marketing materials.

 - Found, hired, and paid all subs

 - Managed every aspect of all production in the company, which included generating Xactimate reports, corrections, and supplements to insurance, quoting roofing (laminare, TL, decra), guttering, screening, painting, windows, and ventilation jobs,

ordering all materials, acquiring licensing and permits for all jobs, mid and post-job inspections and city/county inspection scheduling.

Newman Hall Student Center, Champaign, IL 61820

Phone 217-344-2166 2006

-Head Student Carpenter

-Carpentry, Maintenance, and management of student workgroups.

Phalen Steel Construction Company, Mendota, IL

Phone 815-539-9391 (Summer Work) 2000-2007

-Yardsman

-Forklift operator, shipping & receiving, inventory control, vehicle maintenance, blueprint reading, and a variety of site work ranging from assisting on site layouts to punch list completion items, etc.

Projects of Note: *These in no way encapsulate the entirety of the large, complex, or general projects I've operated on. They are just some examples of my comfort with a variety of loss types.*

Umpiring:

+130 Building HOA—Hail Damages to Community: Multi-Million-dollar hail loss to exteriors of every building in the community. Mutually selected by appraisers. 4.4 million dollar resolution signed by all three parties (myself and both appraisers). Panel was required to follow court-ordered process for appraisal, our review, and our award.

Grow Facility and Lab—Fire/Smoke Damages to Most of the Facility: Multi-Million-Dollar fire claim mutually selected as umpire to review and operate as Umpire. Involved addressing damage to electrical systems, hydroponics, per room HVAC systems, CO2 systems, bombproof labs, and remediation/mitigation.

22 Story Residential Skyscraper—Hail Damages to Exterior and Water Damages to Roughly 65% of Residential Units from Top Floor to Ground Floor: Multi-Million-Dollar hail/water claim. Mutually selected by appraisers. Each interior residential unit throughout was unique in its construction/materials/damages and the skyscraper itself was located in a high density, heavy traffic area with difficult access.

Troves of Claims Involving Tile, Wood Shake, Shingle, Thermoplastic, EPDM, Bitumen Roofing Type Losses; Involving Wood Siding, Stucco/EIFS, Vinyl Siding, Metal siding; Involving Metal Clad Wood Windows, Wood Windows, Vinyl Windows, Aluminum Windows; Involving Code-Related Considerations; And Involving Hail, Wind, and Water-Related Damages.

Appraisal:

Commercial Lowslope Structure—Hail/Water Damages: Multi-Million-Dollar loss that involved rent abatement, a primary insured tenant with several noninsured renters with water damages throughout 70% of the structure that involved everything from artificial astroturf to commercial carpets, electrical lines/systems to cabling/servers, and discerning category, class, and degree of water damages to contents and structures as well as hail damage degrees to the low slope roof and building envelope.

HOA Numerous Large Multi-Level Residential Structures—Hail Damages: Multi-Million-dollar hail loss involving siding, roofing, and windows principally

Retirement Community—Hail Damages: Million-dollar plus window specific appraisal per agreement by insurer and insured parties

Century-Old Custom Residential Estate—Hail/Water Damages w/ Hazardous Materials: Involved a +22 million dollar loss to a 17,000 square foot home with a detached pool cabana and a detached

garage/apartment in addition. The scope involved 100-150 year Spanish roof tiles, EPDM low slope roofing, lightening rods, tube and knob electrical systems, gold-leafed ceilings, plaster walls and ceilings, wall paintings/decals/murals, groin-vaulted and custom molded plaster features, interior fountains, full ductwork replacement, bringing the entire primary dwelling up to code on electrical/HVAC/plumbing/insulation and so on, protecting floors, remediating lead paint and asbestos found in nearly all primarily structural coverings throughout the estate, stained glass, Additional Living Expenses, Content pack-out and storage involving over 2 million dollars in Swarovski crystals, a Tiffany lamp, very high end furniture and paintings, a baby grand piano, high end wine, +7 foot chandeliers, custom wood trims and works originally milled by shipwrights, specialty paints/glosses/coatings, custom & historical doors and windows throughout the facility, custom constructed triangular skylights (among other greenhouse skylights, custom bent, fluted, copper downspouts and half-round copper gutters), among other features.

Slate Roofing on Multi-Million-Dollar Home—Hail Damages: highest-end slate roofing damages involving a half-million-dollar plus slate roofing replacement. Slate is a particularly complex and rarer roofing type to work with.

Internal and External Damages to a Hotel—Hail/Water Damages: Million-dollar plus hail damage to all four elevations affecting EIFS and windows; Hail damages to HVAC rooftop units, built-up roofing (with code compliance aspects); And water damages to roughly 50% of top floor rooms.

Window and Associated damage loss to Retirement Home: 1.7 million dollar window loss involving court direction on appraisal and a court-appointed umpire.

Adjusting:

Three Wing Hospital Water Loss Related to Partial Sprinkler Discharge: Involved navigating category 3 water loss in the mechanical room and part of a hall in the heart of a massive hospital. Involved evacuation planning, working around potential loss of business income, patient and staff safety, noise and operational concerns, off-standard hours of operation, and so on.

Full Surgical Facility Shutdown Due to Full Facility Sprinkler Malfunction and Discharge: Involved loss of business income, extra expenses, scoping of category 3 water throughout the facility, repair/replacement of medical equipment, and repairs to the structure.

A Tourist Resort Structure W/ Damages to the HOA, Hotel, and Three Shops W/in the Same Structure—Water/Business Interruption Damages W/ Subrogation Considerations: Worked directly with the VP of an insurance company to address all of these damages & considerations.

An Xray Equipment Distributor with Warehouse Smoke Damages: Addressed mitigation and content considerations

A 13,000 Sq. Foot Home—Smoke Damages Throughout: Addressed cleaning on rare artworks and sketches (one from Picasso, a Monet Painting as well if I recall correctly), Cleaning gold wall inlays, mitigating smoke throughout the home generally, repair of the damaged HVAC system (one of 3 in the home).

A 40 Million Dollar Estate with Water Damages and Subrogation Considerations: Basement level wood flooring had an improperly installed in-floor hydrothermal heating system that failed and damaged most of the basement level wood flooring.

A 10 Million Dollar Plus Estate with a Failure in Hydrothermal Lines Running Below Flagstone and Concrete Patio that Spanned an Area of Several Thousands of Square Feet.

A 1 Million Dollar Plus Low Slope Roofing Loss at a Strip Mall.

A Multi-Million Dollar Loss at an Aircraft Repair Facility with Security Considerations—Hail and Water Damages: Roofing types included Built-up Roofing, EPDM, Modified Bitumen, Sandwich panels, and Ribbed Metal Roofing.

A Litany of Multi-Hundred Thousand to Multi-Million-Dollar HOA Hail Losses Involving Damages to a Multitude of Siding, Window, Porch, and Roofing Types.

A Million Dollar Plus Loss at an Entertainment Facility—Hail Damages to Metal Roofing, Modified Bitumen, Low Slope Roofing, Wood Siding, and Wood Decking.

Commercial Structures Ranging From Strip Malls to Churches to Multi-Structure Industrial Complexes to Medical Facilities to Trailers to Warehouses to Custom Built Homes—With Damages Ranging from Lightning to Fire to Smoke to Water to Waste Water to Irrigation Ditch Overflows to Hail to Wind to Hazardous Materials (Asbestos/Lead/Chemicals) to Mold to Structural Impact to Snowloads to Vandalism to Loss of Business Income and the List Goes On.

Disclosures:

Depositions:

September 2020

**Civil Action No. 1:16-cv-02009-CMA-KLM
GREAT NORTHERN INSURANCE COMPANY,
v.**

100 PARK AVENUE HOMEOWNERS ASSOCIATION

-Operated as Umpire—Was subpoenaed and deposed by both parties.

February 2021

**Civil Action No. 1:20-cv-00990-RM-MEH
POR BOY STORES, INC., d/b/a PORTICE CARPET ONE
v.**

TRAVELERS CASUALTY INSURANCE COMPANY

-Operated as Insured Party Appraiser-Was subpoenaed and deposed by both parties.

Past Work:

I've worked as an appraiser for Allstate numerous times and a variety of insured parties on individual occasions.

I've worked as an adjuster with too many insurers to possibly remember them all, but here are the larger and more frequent ones that I can recall working with regularly:

-Loyds of London

-Zurich

-Allstate

-USAA

- CHUBB
- Foremost
- Liberty-Mutual
- ASI
- EMC
- Great Western
- The Hartford
- Progressive
- Amica
- CNA

-I'm sure I've worked with another 30 to 40 smaller insurance companies but they are lesser known and it was so few and far between that I can't remember all their names.

I've worked as an adjuster for too many insureds to remember all their names but these adjustments were almost always singular occurrences.

I have worked in a consultative or expert role to a multitude of clients over the years, but these interactions were typically singular or very limited occurrences.