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JAN 27 2009

CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

JOAN M. GILMER  
CIRCUIT CLERK, ST. LOUIS COUNTY

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: Underwood Brian Clinton  
(Last) (First) (Middle)

2. Address: 11220 West Florissant Avenue  
Suite 103  
Florissant MO 63033-6741  
(City) (State) (ZIP+4)

3. Telephone Number: (314) 520-3656

4. Facsimile Number: (314) 741-8938

5. State the standard hourly fee for your services as a neutral. \$250.00

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

Mediation Training for Civil Cases	University of Missouri School of Law	Columbia, Missouri	4-6 June 2008	21.7 Hours
Dispute Resolution Basic Arbitrator Training	FINRA	E Learning Course	November 2008	15 Hours
Dispute Resolution Expungement	FINRA	E Learning Course	November 2008	3 Hours
On - Site Basic Arbitrator Training	FINRA	Chicago, Illinois	3 December 2008	4 Hours

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

General Corporate Law; General Contract Law; Employment Law; Banking/Financial Services; Tort Cases; Product Liability;  
Securities Law

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.

United States District Court Eastern District of Missouri (Concurrent Application)  
Financial Industry Regulatory Authority (FINRA) FINRA Dispute Resolution Arbitrator  
Circuit Court of St. Louis City (Concurrent Application)

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.

- 20 years experience as a senior executive serving as a member of the Board of Directors of A.G. Edwards & Sons, Inc.; Litigation Counsel, and Chief Compliance Officer of A.G. Edwards & Sons, Inc.; as a Managing Director and Chief Compliance Officer of Wachovia Securities, LLC; In those capacities I have been trained, trained others and advised others on the whole spectrum of general corporate, contract, employment, banking and financial service, security law, investment advisory law, commodity and futures law issues.
- Extensive experience working with industry peers and regulatory agencies to reach a consensus on critical, complex issues, including: from 1998 to 2002 served as Chairman of the SIA Ad Hoc Committee on Uniform State Laws, responsible for representing the securities industry in the drafting the 2002 Uniform Securities Act, the model uniform state securities act adopted by the National Conference of Commissioners on Uniform State Laws (NCCUSL); served as a member of the Chicago Board Options Exchange (CBOE) Compliance Advisory Panel; the CBOE Business Conduct Committee; the New York Stock Exchange Compliance Advisory Committee; the FINRA Compliance Advisory Group, a FINRA ad hoc working group relating the SEC Books and Records Rule; the National Association of Securities Dealers, Inc. (NASD) Institute for Professional Development Curriculum Committee; and the Securities Industry & Financial Markets Association (SIFMA) Compliance & Legal Division Executive Committee for 11 years.
- 24 plus years as a Supply Corps Officer with the U.S. Navy with extensive background in defense contracting issues. I hold the rank of Captain, SC, USNR (Retired).
- Practicing attorney for more than 30 years: with trial and arbitration experience in with extensive experience all matters relating to securities and financial services, investment securities, commodities, general business and corporate matters, contract law legal practice and banking and finance.

[Redacted Signature]

(Signature)

1/24/09

(Date)

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



Financial Industry Regulatory Authority

Date: 12/3/2008

Arbitrator Number: A56808

# *BRIAN C. UNDERWOOD*

Is Hereby Approved as a FINRA Dispute Resolution Arbitrator

Having Qualified through the National Arbitration and Mediation Committee



Philip M. Aidtkoff  
Chair-National Arbitration and  
Mediation Committee

George H. Friedman  
Executive Vice President  
FINRA Dispute Resolution  
Director, Arbitration Program

# Certificate of Completion

November 19, 2008

## Dispute Resolution Expungement

e-learning course completed by

**Brian Underwood**



# Certificate of Completion

November 3, 2008

## Dispute Resolution Basic Arbitrator Training

e-learning course completed by

**Brian Underwood**





The Center for the Study of Dispute Resolution  
University of Missouri School of Law



## *Certificate of Attendance*

# MEDIATION TRAINING FOR CIVIL CASES

**June 4-6, 2008**

**MU Law School, Columbia MO**

**21.7 hours MO MCLE credit,  
including 1.2 hour of Ethics**

✓ _____ (370 minutes)	Day I - 9:00 a.m. - 4:30 p.m.
✓ _____ (375 minutes)	Day II - 9:00 a.m. - 4:30 p.m.
✓ _____ (340 minutes)	Day III - 9:00 a.m. - 3:30 p.m.
✓ _____ (1085 minutes)	Total (divided by 50 minutes = hours MO MCLE credit)

Please Note: The MCLE calculation above includes instruction time only; time for introductions, breaks and lunches is not included in the MCLE calculation.

This 3 day general civil mediation training meets the training requirement to apply to be listed as a mediator of civil cases on lists maintained by The Missouri Bar, the U.S. District Court for the Eastern District of Missouri and the U.S. District Court for the Western District of Missouri.

**This training does not enable you to be listed as a provider of domestic relations mediation.** You will need to complete the appropriate application forms required by The Missouri Bar and by the federal courts before you can be included on their lists of approved mediators.



**University of Missouri - Columbia - School of Law**  
*Center for the Study of Dispute Resolution*

*Hereby Certify That*

*Brian Underwood*

has fulfilled the mediation training requirement set out in  
Missouri Supreme Court Rule 17 by completing the 21.7 hour seminar

*Mediation Training for Civil Cases*

*June 4 - 6, 2008*

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Paul Ladehoff  
CSDR Training Coordinator

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James H. Levin  
Associate Director, Center for the  
Study of Dispute Resolution