



AAA Mediation.org™

**FN-1062047 MN-1062047 LN-1062047,  
Esq.**

Melville, New York



**Current Employer-Title** Kosakoff & Cataldo LLP – Partner

**Profession** Attorney, Arbitrator, Mediator

**Work History** Managing Partner, Kosakoff & Cataldo LLP, 2020 – Present; Sinnreich Kosakoff & Messina LLP (and predecessor firm), 2004 – 2020; Partner/Associate, L'Abbate Balkan Colavita & Contini L.L.P., 1990 – 2004; Associate, Martin Clearwater & Bell, 1987 – 1990.

**Experience** Has over 30 years of experience as a civil litigator and trial lawyer specializing in complex construction disputes. Majority of law practice devoted to the representation of architects, engineers, land surveyors, contractors and owners involving public and private projects. Disputes range in value up to \$30 million and include matters related to design and construction defects, delay and disruption, collapses and failures, differing site conditions, personal injury, copyright infringement, and changes in scope of work. Projects include commercial and industrial, residential, high-rise condominium buildings, highways, airports, zoos, aquariums, banking institutions, hotels, landfills, religious institutions, retail stores, schools, courthouses, shopping centers, slurry walls, sewage treatment plants, and soil/geotechnical.

Comprehensive understanding of construction contracts by virtue of experience drafting and negotiating agreements and has lectured extensively on contract drafting to design professionals, contractors and attorneys.

**Mediator Experience** Mediated more than 50 cases, many involving claims for construction defects between contractors and owners seeking damages in excess of \$1 Million, as well as multi-party disputes between project participants. Appointed to serve on the Commercial Panel of Mediators for the Nassau County Supreme Court and the Commercial Division ADR Panel for the New York County Supreme Court.

**Representative Issues Handled as a Mediator** Served as a mediator of claims involving responsibility of a design professionals and owners addressing and interpreting complicated issues of liability. Mediated several disputes involving claims between owners and contractors dealing with payment issues and claims of defective work. Involved in mediations associated with personal injuries in negligence claims involving multiple parties. In addition, mediated claims for extras, delay damages, lien issues, owner interference and

conflicts regarding contract interpretation.

<b>Mediator Style &amp; Process Preferences</b>	Successful meditations require the involvement of the client and/or decision maker in the process as much as possible. The combination of collaborative and facilitative processes is invoked where appropriate to bring the parties closer to a resolution. Tireless effort with the parties is often required to encourage a dialogue and bridge the gap between the litigants. The parties are expected to make a genuine commitment to the process and provide meaningful feedback in order to take full responsibility for their positions. Without a full commitment by the parties, the mediation process is less likely to achieve the desired results. If the parties are willing to devote the time and energy to addressing their differences, their participation will invariably maximize the chances of reaching a settlement.
<b>Education</b>	Hofstra University School of Law (JD-1987); Hofstra University (BBA-1984).
<b>Professional Licenses</b>	Admitted to the Bar: New York (1987), New Jersey (1987); U.S. District Court: Southern (1987) and Eastern (1987) Districts of New York, District of New Jersey (1987); U.S. Court of Appeals, Third Circuit (2000). Green Building Certification Institute, LEED Accredited Professional (2009).
<b>Professional Associations</b>	New York State Bar Association; Nassau County Bar Association; Suffolk County Bar Association; Westchester/Hudson Valley Chapter of the American Institute of Architects - General Counsel.
<b>Mediation Rate</b>	\$3,500 Per Day
<b>Languages</b>	English
<b>Citizenship</b>	United States of America
<b>Locale</b>	Melville, NY

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.