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FN-13650 MN-13650 LN-13650, Esq.

New York, New York



Current Employer-Title Practical Law-Thomson Reuters – Senior Legal Editor, Arbitration

Profession Lawyer - Commercial and International Litigation and Arbitration

Work History Senior Legal Editor/Arbitration, Practical Law - Thomson Reuters, 2014 – Present; Of Counsel, Ganfer & Shore LLP, 2013 – 2014; Partner, Davidoff Hutcher & Citron LLP, 2011 – 2013; Of Counsel, Squire Patton Boggs (US) LLP, 2007 – 2011; Partner/Associate, Pavia & Harcourt LLP, 1984 – 2007; Associate, Segal & Greenberg, 1983 – 1984.

Experience Forty years' experience practicing in the fields of domestic and international commercial arbitration and litigation, involving breach of commercial contracts and related claims.

For example: defended a retailer of high-fashion clothing and accessories in a dispute with a competitor under Section 43(a) of the Lanham Act and state law defamation; defended Italian franchisor of high-fashion clothing and accessories in a dispute with a multi-state franchisee seeking millions of dollars in damages and injunctive relief for breach of contract and alleged franchise law violations; prosecuted claims of Spanish oil drilling company against Venezuelan affiliate by attaching bank account found in New York; defended New York hotel owners in various lawsuits brought by French bank claiming to hold a valid mortgage loan in excess of \$200 million; defended convertible securities broker-dealer sued for its role as placement agent against claim brought by various hedge fund investors in private placement; defended hedge fund against claim by investor concerning SEC approval of Standby Equity Distribution Agreements; represented Polish national television network in dispute with its American distributor; represented Israeli surveillance systems manufacturer in dispute with former vendor of encoder over vendor's failure to meet contractual milestones; represented an Ecuador-based airline in contract dispute arising from lease of multiple aircraft from US-based aircraft sub-lessors; defended senior executive accused of breaching restrictive covenants; represented European government in dispute under Bilateral Investment Treaty concerning forestry services; represented purchaser in supply contract price re-opener dispute under UNCITRAL rules; defended purchaser of all shares of corporation engaged in chemical business in claim to recover damages for allegedly unanticipated tax liability; defended company in arbitration brought under stock re-purchase agreement where parties disputed the valuation of the company; defense of management against claim by executive seeking severance on ground that he resigned with "good reason"; defended finder's fee claim alleging assistance in selling weapon systems to Arabian Gulf states.

Law practice also involved counseling of employers concerning workplace issues and executive employment contracts as well as defending management in litigation and arbitration.

Technology Proficiency	Familiar with systems currently in use in arbitration proceedings. Accepts only soft copy submissions.
Education	Benjamin N. Cardozo School of Law (JD-1983); Brandeis University (BA, Economics-1980).
Professional Licenses	Admitted to the Bar: New York (1984); U.S. District Court: Southern (1984) and Eastern (1984) Districts of New York; U.S. Court of Appeals, Second Circuit (1989).
Professional Associations	Fellow, Chartered Institute of Arbitrators (FCIArb); Member, New York City Bar Association, Arbitration Committee (Chair, 2018-21) and Member, International Commercial Disputes Committee; New York State Bar Association (Member, Dispute Resolution Section, Co-chair, Arbitration Committee, 2016-18); Member, ICDR Publications Committee; Member, International Arbitration Club of New York; Fellow, College of Commercial Arbitrators (CCA); Member, National Academy of Distinguished Neutrals; Member, New York International Arbitration Center (NYIAC); Member, Silicon Valley Arbitration and Mediation Center (SVAMC); Board of Editors, Dispute Resolution Lawyer (A publication of the Dispute Resolution Section of the New York State Bar Association).
Recent Publications & Speaking Engagements	<p>Selected Publications:</p> <p>Co-author, Application of Mandatory Law in U.S. Arbitration, Dispute Resolution Journal, Vol 78, No 3 (2024)</p> <p>Author, Introductory Note to GE Energy Power Conversion France SAS, Corp. v. Outokumpu Stainless USA, LLC (U.S. Sup. Ct.), 59 I.L.M. 911 (2020)</p> <p>Author, Arbitrating During a Pandemic, Practical Law The Journal - Litigation (Fall 2020)</p> <p>Author, Considering Video Conference Arbitration Hearings in the US: Ensuring Due Process, Dispute Resolution Lawyer (Summer 2020)</p> <p>Author, Separability of Arbitration Agreements in US Arbitration, Practical Law The Journal - Litigation (2019)</p> <p>Co-author, chapter on Arbitration Ethics in "Arbitrating Commercial Disputes in the United States" (PLI , 1st and 2d Eds.).</p> <p>Co-author, Do Arbitrators Know the Law (and Should They Find it Themselves)?, Dispute Resolution Journal, Vol 73 No 1 (2018)</p> <p>New York City Bar Association Reports and Amicus Briefs:</p> <ul style="list-style-type: none">• Report on Awards of Costs in International Arbitration in New York: Current Approaches and Best Practices (June 2024)• Report on Three Private International Law Treaties: (1) Hague Convention on Choice of Court Agreements; (2) Hague Convention on The Recognition and Enforcement of Foreign Judgments in Civil Or Commercial Matters; and (3) United Nations Convention on International Settlement Agreements Resulting from Mediation (March 2024)• Functus Officio Problem in Arbitration and a Proposed Solution (April 2021)• Legislative Recommendations on Business-to-Business Arbitration Proceedings (May 2019)• Arbitrator Appointment Procedures of Arbitral Institutions in Commercial Arbitrations (April 2018)

- Appellate Division, 1st Dep't Amicus Brief in Daesang Corp. v. Nutrasweet Co. (Oct 2017)
- Second Circuit Amicus Brief in Support of Motion for Rehearing in CBF Indústria de Gusa S/A et al. v. AMCI Holdings, Inc. (Feb 2017)

Selected Speaking Engagements:

Panelist, Cutting Edge Issues in Arbitration, AAA/NYLS, Arbitral and Institutional Immunity, April 2024

Panelist, Interim Measures in Institutional and Ad Hoc Arbitration, Stanford University Law School's International Arbitration Association, March 2024

Co-moderator, What's New? 2023 CCA Annual Arbitration Update, College of Commercial Arbitrators Annual Meeting, October 2023

Panelist, Cutting Edge Issues in Arbitration, AAA/NYLS, April 2023

Panelist, Arbitration Law Developments, ABA Arbitration Training Institute, March 2023

Panelist, Cutting Edge Ethical Issues in Dispute Resolution, NYSBA DR Section Ethics Committee, March 2023

Panelist, Tough Calls and Recurrent Issues in Arbitration: Solutions from Experts, NYSBA, Dec 2022

Panelist, Cutting Edge Issues in Arbitration: Award Writing, AAA/NYLS, April 2022

Panelist, Best Practices: Roundtable On Different Approaches To Arbitration, NYSBA, Sept 2021

Panelist at the 2019-22 NYSBA Annual Commercial Arbitrator Training Seminars, addressing Arbitration Law

Panelist, Cutting Edge Issues in Arbitration: Civility Among Members of a Tribunal, AAA/NYLS, April 2021

Panelist Hot Topics in Dispute Resolution from the NYSBA Resolution Roundtable Blog, Feb 2021

Panelist, Successfully Deploying Arbitration after Litigation, NYSBA, Sept 2020

Panelist, Recent Developments in International Arbitration, International Arbitration 2020, PLI, June 2020

Panelist, Cutting Edge Issues in Arbitration: The New Restatement of Commercial and Investor-State Arbitration, AAA/NYLS, May 2020.

Moderator, Transparency in Commercial Arbitration, CPR Annual Meeting, Feb 2020

Co-presenter, Ethics in Arbitration, PLI Webinar, Feb 2020

Locations Where Parties Will Not be Charged for Travel Expenses New York City and Denver metro areas. Willing to travel to other locations with expenses reimbursed at cost.

Mediation Rate \$800 Per Hour

Languages English

Citizenship United States of America

Locale

New York, 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.