



AAA Mediation.org™

**FN-1371276 MN-1371276 LN-1371276,
Esq.**

New York, New York



Current Employer-Title Foley Hoag LLP- Partner

Profession Attorney

Work History Partner, Foley Hoag LLP, 2021 - Present; Partner/Associate, Patterson Belknap Webb & Tyler LLP, 1985 – 2021; Law Clerk to Hon. Hugh R. Jones Associate Judge, New York Court of Appeals, 1982 – 1984.

Experience Over 30 years of experience as a commercial litigator handling numerous cases both in judicial and arbitration settings. Has handled a wide range of commercial disputes including joint ventures, stock purchase agreements, limited partnership, acquisitions, commercial loans, derivative transactions, real estate, franchise agreements, and stock options. As a seasoned trial lawyer, has tried many cases in federal and state court and before arbitration panels. Also frequently argues appeals, particularly in the appellate courts of New York. Has also served in the following positions: Past President, New York State Bar Association; Past Chair, NYSBA Commercial and Federal Litigation Section, Securities Litigation Committee, ADR Committee, and Task Force on Nonlawyer Ownership of Law Firms; Past Chair, ABA International Mediation Committee; Past Chair ABA Task Force on International Trade in Legal Services; Former Counsel, New York State Commission on Judicial Nomination; Board Member, CPR Institute of Dispute Resolution; founding Board Member, New York International Arbitration Center; Member, Chief Judge's Commercial Division Advisory Council; Special Assistant Corporation Counsel in Trial Division of New York City Department of Law; and Special Counsel, investigation of Bess Meyerson.

Mediator Experience Served as a mediator in over 40 commercial disputes including: numerous contract disputes, various securities disputes, various business break-up cases; several real estate litigations; and several adversary proceedings in Bankruptcy Court.

Representative Issues Handled as a Mediator Mediated a dispute over liabilities assumed in a corporate takeover. Mediated a series of disputes over bond defaults by a Latin American country. Issues involved have also included: alleged breach of joint venture, partnership and distributor agreements; representations and warranties in acquisition agreements; insurance coverage issues; rights under defaulted bonds; use of customer lists; and recoverability of lost profits.

Mediator Style & Process Preferences	Philosophy is to serve as a facilitator to a business resolution of disputes, allowing parties to control their own destinies through settlement, as opposed to the uncertainties of the litigation process. The mediator serves as an agent of reality to help the parties better understand their risks and tries to generate options in an effort to break impasse.
Education	Albany Law School (JD, magna cum laude-1982); Harvard University (BA, cum laude-1977)
Professional Licenses	Admitted to the Bar: New York (1983); U.S. District Court: Southern (1986), Eastern (1986), and Northern (2014) Districts of New York; U.S. Court of Appeals, Second Circuit (1986); U.S. Tax Court (1989); U.S. Supreme Court (2010)
Professional Associations	New York State Bar Association (Past President; Nominating Committee, Chair; Court Operations Committee, Chair; Commercial and Federal Litigation Section, Past Chair; Long-Range Planning Task Force, Past Chair; Committee on ADR, Past Chair; Securities Litigation Committee, Past Chair; House of Delegates; Executive Committee); Mid-Atlantic Bar Conference, Past Chair; ABA House of Delegates; ABA International Trade in Legal Services Committee, Past Chair; ABA International Mediation Committee, Past Chair; Association of the Bar of the City of New York (Committee on Arbitration, Past Member; Task Force on Civil Courts, Past Secretary); Historical Society of the New York State Courts, Vice Chair and Trustee; Governor's Judicial Screening Committee, First Department; Chief Judge's Commercial Division Advisory Council; Task Force on Commercial Litigation in the 21st Century; Chief Judge's Advisory Committee on New York State Pro Bono Bar Admission Requirements; United States District Court, Southern District of New York, Eastern District of New York, Mediator; Advisory Board, Financial Markets Regulatory Institute; Board of Directors, CPR Institute for Dispute Resolution (Past Chair, Executive Advisory Committee); Board of Directors, Fund for Modern Courts; New York International Arbitration Center, Founding Board Member; Advisory Council, Brooklyn Legal Services; Congress of Fellows, Center for International Legal Studies; New York Bar Foundation (Fellow); The American Bar Foundation (Fellow); Albany Law School, Trustee Emeritus; National Alumni Council, Albany Law School, Past President.
Recent Publications & Speaking Engagements	"More Reasons to Arbitrate in the Big Apple" NEW YORK LAW JOURNAL, November 25, 2013; "Recent Developments in Securities Arbitration" SECURITIES REGULATORY UPDATE, November 16, 1998; "A Mediator Without Expertise May Yield Destructive Results" NATIONAL LAW JOURNAL, April 11, 1994; "Structuring ADR Proceedings" NEW YORK LAW JOURNAL, September 20, 1993; Note, "Judicial Review of Public Contract Awards in New York" 45 ALBANY LAW REVIEW 1177, 1981, 13 PUBLIC CONTRACT LAW JOURNAL 169, 1982; Editor-in-Chief, ALBANY LAW REVIEW, 1981-82.
Mediation Rate	\$990 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.