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FN-16127 MN-16127 LN-16127, Esq.

White Plains, New York

Current Employer-Title Martin S. Tackel, Esq., Attorney at Law

Profession Arbitrator, Mediator, Attorney

Work History Martin S. Tackel, Esq., Attorney at Law, 2016-Present; Partner, Tackel & Varachi, LLP, 1995-2016; Partner, Sharff & Tackel, 1990-1995; Attorney, Robinson Silverman Pearce et al, 1988-1990; Attorney, Feit & Ahrens, 1986-1988; Attorney, Baer Marks & Upham, 1985-1986.

Experience Over 30 years experience in general business and commercial law, and civil litigation, including 30 years experience as an arbitrator in commercial and tort disputes. 50% of practice has involved representation of small, medium-size and large businesses, as well as individuals, in matters including shareholder, partnership and LLC agreements and disputes; commercial transaction representation, including business sales and acquisitions, and corporate mergers and other combinations in dollar amounts ranging from under \$100,000 to in excess of \$25 million; distribution, licensing, service, leasing, loan and financing agreements; transportation and handling of goods; key executive and other employee arrangements and disputes, representing both management and employees; employment discrimination matters representing both management and employees, business split-ups, and dissolutions. 50% of practice has involved civil disputes and litigation, including business and commercial disputes and litigation representing both plaintiffs and defendants regarding, e.g., alleged breaches of business sale/purchase agreements, employment, noncompetition and confidentiality agreements, insurance agreements, partnership and shareholder agreements, loan agreements, and issues regarding, e.g., zoning, equine ownership; violations of fiduciary duties and securities laws; and tort claims representing plaintiffs, as well as defendant property owners, retailers and manufacturers, in personal injury, product liability, insurance coverage, property damage, environmental, fraud, civil rights, discrimination and other matters, including claims valued from under \$25,000 to in excess of \$1 million. Since 1991, appointed to conduct over 100 arbitration proceedings involving domestic and international commercial (including employment) and tort disputes. Adjunct Assistant Professor of Business Law, Hunter College of the City University of New York, Department of Economics (2008-2015).

Mediator Experience Served as a mediator in connection with (i) personal injury claims; (ii) attorney-client dispute resolution; and (iii) commercial breach of contract.

Representative Issues Handled as a Mediator Primary issues addressed as a mediator have included: (1) negligence liability and comparative negligence; (2) causation and value of personal injuries from the relatively minor to the serious; (3) attorney-client relations and billing; and (4) commercial breach of contract.

Mediator Style & Process Preferences The mediation process is designed largely to assist the parties in effective dispute resolution. The process is neither litigation nor arbitration, but rather a group dynamic in which the mediator plays several roles, including guide and facilitator. A mediator must ensure that the process is conducted diligently, efficiently, safely, respectfully and fairly, and should also expect and ensure that the parties and their representatives pursue and meet such standards as well. Absent the parties' indication to the contrary, the role of a mediator in economically grounded mediation is generally facilitative, i.e., the facilitative mediator may - and should - seek from the parties their analysis and discussion of the issues and positions at hand, and seek viable options for resolution of the dispute.

The mediator is both a listener and a pro-active participant in this regard. Where the parties expressly desire an evaluative - rather than a facilitative - mediation process, a mediator taking on that role may, with informed consent and the parties' understanding of possible drawbacks in that process, provide both the foregoing and also a higher level of reality-checking analysis and perspective. The parties (and their representatives) should be expected to make their wishes clear in this regard, and should also bring to the mediation, whether facilitative or evaluative, the integrity, willingness to listen and to address the issues at hand, and clarity of purpose that are most conducive to mediative dispute resolution.

Education	Fordham University (JD-1985); City University of New York (PhD-1982); State University of New York at Buffalo (BA-1973).
Professional Licenses	Admitted to the Bar: New Jersey (1986), New York (1986); U.S. District Court: District of New Jersey (1986); U.S. Court of Appeals: Second Circuit (1998); U.S. Supreme Court (1991).
Professional Associations	College of Commercial Arbitrators (Fellow); New York State Bar Association.
Locations Where Parties Will Not be Charged for Travel Expenses	Within New York Metropolitan Area.
Mediation Rate	\$500 Per Hour
Languages	English
Citizenship	United States of America
Locale	White Plains, 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.