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FN-20029 MN-20029 LN-20029, Esq.

Orlando, Florida



Current Employer-Title Garganese, Weiss, D'Agresta & Salzman, P.A. - Shareholder & Attorney

Profession Arbitrator, Mediator, Private Judge & Attorney

Work History Shareholder/Attorney, Garganese Weiss D'Agresta & Salzman P.A., 2018 - Present; GrayRobinson P.A., 2004-2018; Shareholder/Attorney, Brown Salzman Weiss & Garganese P.A., 1998 - 2004; Shareholder/Attorney, Marlowe Appleton Weatherford & Salzman P.A., 1996 - 1998; Shareholder/Attorney, Law Offices of Gary S. Salzman P.A., 1992 - 1995; Attorney/Associate, Dempsey & Associates P.A., 1991 - 1992; Attorney/Associate, Mishan Sloto Hoffman & Greenberg P.A., 1989 - 1991; Attorney/Associate/Law Clerk, Robinson & Greenberg P.A., 1987 - 1989.

Experience Board certified by The Florida Bar in Business Litigation since 1997. Also served for six years on the Business Litigation Certification Committee for The Florida Bar.

Since 1988, as an advocate, experience in mediations and arbitrations has been primarily focused on commercial and business disputes, breach of contract actions, commercial construction disputes, secured transactions, banking-lender liability matters, real estate disputes, and employment disputes. Provides mediation and arbitration services for legal disputes within areas of expertise including the following areas: domestic and international disputes involving complex commercial, business and corporate matters, breach of contract claims, energy and power plant issues, tortious interference actions, real estate, construction liens, international sale of goods and services, shareholder disputes, director and officer liability, professional negligence, legal malpractice, fiduciary and trust disputes, stockbroker and ERISA fiduciary claims, non-compete enforcement, unfair competition claims, deceptive and unfair trade practices, professional licensure issues, professional negligence and malpractice claims, healthcare contract disputes, FLSA and other statutory employment issues, accounting actions, hospital and physician contract and employment matters, indemnification claims, physician and professional practice disputes, legal malpractice claims, mergers and acquisitions, partnership agreements, international trade, unfair and deceptive trade practices, fraud in the inducement, purchase and sale of assets, purchase and sale of real estate, real property and foreclosure cases, construction defect and design disputes, professional liability of appraisers, architects, engineers, accountants, lawyers and other professionals, title insurance claims, commercial landlord and tenant disputes, technology cases, defective equipment matters, land use and development disputes, international and domestic sale of goods and services, claims under the U.N. Convention on Contracts for International Sale of Goods (the "CISG"), Florida UCC and

defective goods cases, manufacturer and distributor disputes, gas turbine power plant disputes, franchise matters, commercial collection actions, fraudulent conveyance matters, civil rights and constitutional issues, employment related claims, and bankruptcy adversary proceedings.

Mediator Experience

Since the early 1990s, neutral and advocate in numerous mediations relating to areas of practice, including disputes involving commercial, business, corporate, employment, real estate, landlord-tenant, construction defects and liens, international sale of goods and services, technology, intellectual property, energy, non-personal injury healthcare and related areas of law. Supreme Court of Florida Certified Circuit Civil and Appellate Mediator.

Mediated many two-party and multi-party mediations since becoming certified by The Florida Supreme Court's Dispute Resolution Center, as a circuit-civil and appellate mediator.

Substantial experience in a variety of commercial, business, real estate, employment and construction disputes, including the following:

Business, Contract and Corporate Disputes
Lender Liability and Banking Matters
Commercial Legal Issues
UCC and CISG International Sale of Goods Disputes
Gas Turbine Power Plant Disputes
Securities and Investment Issues
ERISA and Stockbroker Related Issues
Construction Claims, including Construction Defects and Lien Issues
Commercial Real Property and Landlord-Tenant Disputes
Professional Negligence (Non-PI) Claims
Title Insurance Claims
Commercial Collection and Fraudulent Conveyance Claims
Bankruptcy Adversary Proceedings
Healthcare provider & hospital contract disputes
Civil Rights and Constitutional Issues
Employment Discrimination Claims
Non-Compete & Trade Secret Employment Issues
Federal discrimination, harassment and civil rights, such as Sections 1981 & 1983, and Title VII of the Civil Rights Act
Fair Labor Standards Act (FLSA), such as misclassification, tip-pool and overtime;
Americans with Disabilities Act (ADA);
The Age Discrimination in Employment Act, as amended by the Older Workers Benefit Protection Act of 1990 (ADEA)
The Equal Pay Act, as amended;
The Family and Medical Leave Act, as amended;
The Employee Retirement Income Security Act (ERISA);
The Health Insurance Portability and Accountability Act (HIPAA);
The Sarbanes-Oxley Act;
Florida discrimination, harassment and civil rights, including the Florida Civil Rights Act;
Florida unpaid wages and whistleblower retaliation under Chapter 448, Fla. Stats.;
Florida Wage Discrimination Law (Fla. Stat. §448.07);
Florida Equal Pay Law (Fla. Stat. §725.07 and Fla. Stat. §448.07);
Florida's Minimum Wage Act (Fla. Stat. §448.110);
Independent contractor contracts and related issues;
Non-competition contracts (Fla. Stat. § 543.335); and
Breach of employment contracts.

Representative Issues Handled as a Mediator

Neutral and advocate in numerous mediations relating to contract and business law, banking law, international disputes, uniform commercial code claims, real estate law, corporate law, and employment and civil rights law. Specific cases include, but are not limited to: whether a party has breached a contract for the sale of commercial real property or whether the contract was abandoned; whether party committed fraud and tortious interference; whether non-compete agreement should be enforced against an employee; whether a party's sale of goods conformed to the specifications of the parties' contract; whether an employer subjected its employee to unlawful discrimination or whether the employee's employment was terminated for good cause; whether a party to a contract met its requirements or performance was excused; whether the equity interest of a shareholder in a corporation was required to be repurchased and many other commercial or employment issues.

Many other commercial and employment cases.

Mediator Style & Process Preferences	In conducting mediations, I typically delve into the substantive issues and facts so that the parties have the opportunity to fully evaluate their positions, including their strengths and weaknesses. I do this in caucus using my knowledge of the substantive area of the dispute to ask questions designed to create a "reality check" for the parties. I continue to work towards reaching a settlement, unless and until it becomes clear an impasse cannot be broken. I expect the parties to do the same.
Education	University of Miami (JD, Cum Laude and Dean's List, Mock Trial Competition Champion, Moot Court Board Hall of Fame for Oral Advocacy-1988; Bachelor of Business Administration, Major Economics -1985).
Professional Licenses	Admitted to the Bar: Florida (1988), Colorado (1991); U.S. District Court: Southern (1989) and Middle (1992) Districts of Florida; U.S. Court of Appeals: Eleventh Circuit (1992); U.S. Supreme Court (1992). Board Certified in Business Litigation, Florida Bar (1997); Certified Circuit-Civil and Appellate Mediator, Supreme Court of Florida.
Professional Associations	The Supreme Court of Florida, Committee on ADR Rules & Policies (Member); The Florida Bar, Board of Legal Specialization and Education (Past Member); Business Litigation Certification Committee (Past Member and Chair); Business Law Section (Member), Business Litigation Committee (Former Member); Orange County Bar Association (Former Executive Council Member); The Maccabee Bar Association of Florida, Inc., (Founding Member, President and Director); Business Executives Network (Founder and Director); Zeta Beta Tau Fraternity (Brother); Manufacturers Association of Central Florida (Former Ex Officio Director); FAMU Law Dean's Advisory Council (Former Member); International Council of Shopping Centers (Former Affiliate Member); Congregation of Reformed Judaism; Lake Nona Regional Chamber of Commerce (Former Board Member); George C. Young American Inn of Court (Past President, Current Director & Master); UCF Lake Nona Hospital (Member of Board of Trustees).
Recent Publications & Speaking Engagements	Speaker: "Revised Florida Arbitration Act," The Florida Bar, Labor & Employment Section, March 14, 2014; Speaker: "Alternative Dispute Resolution in Florida for Commercial Disputes," GrayRobinson Law Firm, May 1, 2012; "Commercial Landlord-Tenant Law in Florida," Lorman Education Services, September 2000, September 2001 & October 2004; "Business Litigation in Florida," Lorman Education Services, July 2004; "Shareholder Restriction Agreements and Disputes," Business Executives Network, June 2004; "Remedies for Real Property Disputes in Florida," Sterling Education Services, March 2004; "Business Litigation in Florida: From Pre-filing Concerns Through Closing Arguments and Trial," Sterling Education Services, January 2002; "Purchasing in the 21st Century - The Law of Buying and Administration of Contracts for Purchase in Florida," Lorman Education Services, May 2001.
Mediation Rate	\$630 Per Hour
Languages	English
Citizenship	United States of America
Locale	Orlando, FL

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.