



AAA Mediation.org™

**FN-2110742 MN-2110742 LN-2110742,
Esq.**

New York, New York

Current Employer-Title Bailey Duquette P.C. – Partner

Profession Attorney, Arbitrator, and Mediator

Work History Partner, Bailey Duquette P.C., 2016-Present; Partner, Liddle & Robinson L.L.P., 2005-2016; Associate, Liddle & Robinson L.L.P., 2000-2005.

Experience Experienced litigator and counselor whose practice focuses on employment, business tort, contractual, commercial and regulatory matters. Represented hundreds of individuals and entities from a wide variety of industries, including the following: financial services, hedge fund, private equity, consulting, management, marketing, health care, pharmaceutical, technology, advertising/marketing, public relations, fashion, beauty, food/beverage, hospitality, insurance, media, and defense/national security.

Regularly litigate in the federal and state courts, in a variety of arbitration settings and in regulatory forums. Served as the lead appellate attorney in more than a dozen matters, including matters directly related to the Federal Arbitration Act. Appellate experience specifically includes numerous oral arguments in the United States Court of Appeals for the Second Circuit and the Appellate Division, First Judicial Department, and oral argument before the NYSE Regulations, Inc. Board of Directors, as well as briefing in the Supreme Court of the United States and the Securities and Exchange Commission.

Experience includes class action work on behalf of both plaintiff and defendant.

Commercial law experience specifically includes the following types of matters: disputes involving breach of contract and quasi-contractual claims; defamation, tortious interference, breach of loyalty and fiduciary duty, fraud, fraudulent inducement and other tort claims; investor fraud and mismanagement claims; disputes involving the alleged misappropriation of corporate assets and/or trade secrets, unfair competition and conversion; deceptive trade practices and false advertising claims; shareholder and partnership disputes; stock, stock option, and stock valuation disputes; consulting and independent contractor disputes; copyright infringement claims; and claims of negligence and malpractice.

Employment law experience specifically includes the following types of matters: executive and employee compensation and benefit disputes, including those related to severance, bonus, commission, stock valuation, deferred/restricted compensation, clawback, promissory note, ERISA and change of control claims; claims concerning for cause determinations and wrongful termination allegations; defamation, tortious interference, breach of loyalty and fiduciary duty, fraud, fraudulent inducement and other tort claims; breach of contract claims; restrictive covenants and postemployment restrictions (non-compete, non-solicit and confidentiality covenants); disputes involving the alleged misappropriation of corporate assets and/or trade secrets; discrimination, harassment and retaliation claims under Title VII, ADEA, ADA, FMLA and other federal legislation, as well as state and local laws; whistleblower claims; indemnification claims;

misclassification claims; and wage and hour matters brought under the FLSA and state labor laws.

Outside of litigation, regularly assist clients with various commercial contracts, employment agreements, separation agreements, confidentiality agreements and restrictive covenant agreements. Also counsel clients on regulatory issues in the financial services industry.

Education Georgetown University Law Center (J.D.-1999); Cornell University (B.S.-1996).

Professional Licenses Admitted to the Bar: New York (2000), District of Columbia (2000-inactive); U.S. District Court: Southern (2000) and Eastern (2000) Districts of New York; U.S. Court of Appeals: Second Circuit (2005); U.S. Supreme Court (2012).

Professional Associations The Federal Bar Council

Recent Publications & Speaking Engagements "Does The Federal Arbitration Act Preempt State Laws Banning The Mandatory Arbitration Of Sexual Harassment Claims?", Nov 2018, Dispute Resolution Journal (Vol: 73, No: 3).
AAA-ICDR Webinar: "Does The Federal Arbitration Act Preempt State Laws Banning the Mandatory Arbitration of Sexual Harassment Claims?" (2019).
"How Hedge Fund Managers Can Protect Trade Secrets by Providing DTSA-Compliant Notice", Oct 6, 2016, The Hedge Fund Law Report.
Note: "An Overview of the Ethical Implications of the Classified Information Procedures Act", 12 Geo. J. Legal Ethics 151 (1998).
Panelist, New York State Bar Association Program "Securities Arbitration And Mediation 2014."
Guest Lecturer, New York Practice Course, Benjamin N. Cardozo School of Law (April 2012).
Panelist, New York State Bar Association Program "Securities Arbitration And Mediation 2009 – The New World."
Panelist, National Employment Lawyers Association Program "Conference on Representing Employees – Fall 2009."

Mediation Rate \$500 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.