



AAA Mediation.org™

**FN-2176666 MN-2176666 LN-2176666,  
Esq.**

**New York, New York**



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**Current Employer-Title** Independent Practice - Arbitrator and Mediator

**Panelist Video** <https://www.adr.org/videoresume?paramName=345004365>

**Professional Summary** After decades of experience in law firms providing advice and litigating a wide variety of issues, worked inhouse at a technology-driven financial adviser and now has an independent practice as an arbitrator and mediator.

Best known for work in intellectual property, has advised, negotiated licenses, and litigated cases involving copyrights, trademarks, false advertising, patents, and trade secrets. Also litigated commercial, contractual, employment, and trusts/estates disputes.

In the past 20 years, practice has expanded into serving as a mediator and arbitrator in domestic and international arbitration.

**Profession** Attorney, Arbitrator, Mediator

**Work History** Independent Arbitrator & Mediator, 2019 - Present; Senior Vice President (Legal Department), Two Sigma Investments LP, 2016 – 2019; Partner, Golenbock Eiseman Assor Bell & Peskoe LLP, 2011 – 2016; Partner, Patterson Belknap Webb & Tyler LLP, 1995 – 2011; Partner, Morrison & Foerster LLP, 1987-1995; Partner/Associate, Parker Auspitz Neesemann & Delehanty P.C., 1980-1987; Law Clerk, Judge Arlin M. Adams (U.S. Court of Appeals for the Third Circuit), 1979-1980.

**Experience** Trial lawyer with 40 years of experience in state and federal courts and numerous arbitration organizations in a wide variety of civil cases. Previously supervised litigation and intellectual property protection at a major hedge fund and technology company.

Intellectual Property/Technology Transfer/Licensing:

Litigated, arbitrated, and mediated numerous disputes involving the entire gamut of intellectual

property, including patents, trademarks, copyrights, licensing, and trade secrets. Clients have been both plaintiffs and defendants, principally in the consumer products, toy-and-game (including electronic games), television, entertainment, telecommunications, publishing, medical device, and technology industries. One patent case settled for over a billion dollars after a liability trial. Successfully concluded a litigation over customer lists and other trade secrets. Advised a technology-driven financial services company on protection of the technology, coding, data ingestion and analysis, privacy, and software licensing issues.

**Software as a Service:**

Litigated, mediated, and arbitrated disputes involving software services, licensing, and valuation. Worked in-house for a technology-driven financial services company advising on issues of data and inbound software licensing.

**Shareholder and Other Investor Disputes and Valuation:**

Litigated and arbitrated shareholder and other investor disputes, including securities fraud issues and the valuation of privately held companies.

**Entertainment:**

Represented major toy company for decades, as well as television and music publishing companies. Arbitrated and mediated cases in those areas.

**Financial Services:**

As in-house counsel to a technology-driven investment adviser, dealt with a wide variety of issues relating to technology, data, and the financial services industry.

**General Commercial:**

Litigated and arbitrated numerous complex commercial and investment disputes over contracts with millions of dollars at stake and over corporate control. Served as counsel for multinational companies in cross-border technology and consumer product licensing disputes.

**Employment/Wrongful Termination:**

Litigated, arbitrated, and mediated a variety of disputes over wrongful termination of executives and employees, along with employment discrimination.

<b>Mediator Experience</b>	Member of AAA. Appointed as a Member of the Panel of Neutrals of the International Trademark Association and to the panel of mediators for the Southern and Eastern Districts of New York. Mediated over 20 cases.
<b>Representative Issues Handled as a Mediator</b>	Mediations have involved issues as diverse as intellectual property (copyrights, patents, trademarks, and trade secrets), employment termination and discrimination, and general contract and commercial.
<b>Technology Proficiency</b>	Proficient in all professional software (e.g., Word, Google Docs, Excel, Powerpoint) and communications (e.g., Zoom, Microsoft Teams). Willing to learn anything else.
<b>Education</b>	Yale Law School (JD, Article & Book Review Editor of the Yale Law Journal-1979); Oxford University (MA, Politics and Economics-1976); Vassar College (AB, with Honors, Phi Beta Kappa-1974).
<b>Professional Licenses</b>	Admitted to the Bar: New York, 1981; U.S. District Court: Southern, Eastern, Northern, and Western Districts of New York; U.S. Court of Appeals: Second and six other Circuits; U.S. Supreme Court.
<b>Professional Associations</b>	Association of the Bar of the City of New York (member of its International Commercial Disputes and Arbitration Committees); New York State Bar Association (Dispute Resolution Section); International Arbitration Club of New York (charter member); Copyright Society; CPR Distinguished Neutral.
<b>Recent Publications &amp; Speaking Engagements</b>	Co-author, Procedures for Asserting and Evaluating Privilege Claims in International Arbitration, a report of the International Commercial Disputes Committee of the New York City Bar Association (October 2023); Principal Author of Publication of International Arbitration Awards and Decisions, Report by the

Committee on International Commercial Disputes, (February 2014);  
 Author, The Emergence of Emergency Procedures in Arbitration, Vol . 7 NYSBA New York Dispute Resolution Lawyer 15 (Fall 2014);  
 Microsoft Case is Great Example of Emergency Arbitration, Law 360 (December 13, 2013);  
 Author, Book Review, The Rise of Transparency in International Arbitration: The Case for the Anonymous Publication of Arbitral Awards, New York Dispute Resolution Lawyer; Speaker on copyright cases at the 22nd Annual Symposium of the Fordham Intellectual Property Law Journal;  
 Speaker, "Arbitrating and Mediating Technology Cases," New Jersey Bar, 2010;  
 Author, "Holding Arbitrators to Higher Standards of Impartiality," NEW YORK LAW JOURNAL, May 21, 2010; "Does Cariou v. Prince Represent the Apogee or Burn-Out of Transformativeness in Fair Use Jurisprudence? A Plea for a Neo-Traditional Approach,; 24 Fordham Intellectual Property, Media & Entertainment Law Journal 321 (2014);  
 Author, "The Second Circuit Finally Acknowledges the Impact of the Supreme Court's eBay Decision on Preliminary Injunction Standards in Intellectual Property Cases," INTELLECTUAL PROPERTY TODAY, May 5, 2010;  
 Author, "Cross-Examining a Technical or Scientific Expert," in TAKE THE WITNESS: CROSS-EXAMINATION IN INTERNATIONAL ARBITRATION, Lawrence W. Newman and Ben H. Sheppard, Jr., eds., 2010;  
 Author, "Standing and Joinder Considerations in Trademark Litigations and Licenses," in TRADEMARK LAW REPORTER, Vol. 99, No. 6, Nov-Dec 2009;  
 Author, "Arbitration Fee-Splitting Agreement Invalidated in Employment Dispute," NEW YORK LAW JOURNAL: OUTSIDE COUNSEL, July 31, 2009.

**Locations Where Parties Will Not be Charged for Travel Expenses** New York Metropolitan area.

**Mediation Rate** \$750 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.