



AAA Mediation.org™

**FN-2414935 MN-2414935 LN-2414935,
Esq.**

New York, New York



[View Video](#)

Current Employer-Title Pettibone International ADR - Principal

Panelist Video <https://www.adr.org/videoresume?paramName=769536082>

Profession Independent Arbitrator & Mediator

Work History Independent Arbitrator & Mediator, Pettibone International ADR, 2010-Present; Of Counsel, Hogan Lovells US LLP, 2010-2013; Partner, Hogan & Hartson LLP, 2000-2010; Partner, Patterson Belknap Webb & Tyler LLP, 1994-1999; Partner, Lord Day & Lord, 1974-1994; Associate, Cravath Swaine & Moore, 1967-1974.

Experience Managing partner of the Moscow law offices of three international law firms, including Hogan & Hartson LLP from 2000 to 2010. Resided in Moscow for 20 years. Proficient in Russian.

Corporate lawyer. Mergers and acquisitions, sale purchase agreements, sales contracts, shareholder agreements, franchise and distribution agreements, real estate issues, employment contracts, construction contracts, other corporate contracts and advice, including advice on corporate governance issues.

Represented U.S. and other Western companies establishing operations in Russia. Supervised the work of teams of Russian lawyers involved in corporate, real estate, tax, tax planning, intellectual property and dispute resolution matters in Russia.

Specific matters have included:

Forming Russian legal entities, joint ventures and off-shore holding companies,.

Drafting and negotiating shareholder agreements with complex voting, buy-sell and dispute resolution provisions.

Drafting and negotiating share purchase and asset purchase agreements.

Preparing and negotiating leases and sales agreements for the acquisition and disposition of real estate and interests in real estate.

Negotiated complex construction contracts.

Extensive involvement with employment issues on behalf of the employer, including resolving termination of employment issues.

Mediator Experience

Conducted 20 mediations as a neutral at the Commercial Division of the New York State Supreme Court and as a special master at the Appellate Division, First Department of the New York State Supreme Court. Mediated one case referred by the Center for Effective Dispute Resolution (CEDR).

Representative Issues Handled as a Mediator

Termination of employment issues, including the rights of the terminated employee to use documents and knowledge he gained during his employment; disputes involving commercial leases, including shopping center leases, retail store leases and issues arising out of leases cancelled during the pandemic; enforcement of foreign judgments; insurance claims, including overage issues; disputes involving ownership interests in limited liability companies and partnerships; bankruptcy issues; contractor and subcontractor claims for payment under construction contracts and subcontracts.

Mediator Style & Process Preferences

Because almost all civil cases settle before the trial or hearing, I feel it is beneficial to achieve settlement at a relatively early stage in the litigation or arbitration, or even before a suit or claim is filed. Early settlement not only results in a saving (sometimes a considerable saving) in time and costs, but also it may preserve business and personal relationships. As a mediator I may introduce avenues to resolve the dispute that would not be possible in a litigation or arbitration. Generally, I start a mediation as a facilitator, but after issues have been aired, and the parties seem to be moving toward a settlement, I may become an evaluator to bring the parties to settlement.

Education

New York University School of Law (LLM-1971); Harvard Law School (JD-1964); Princeton University (AB, summa cum laude-1961).

Professional Licenses

Admitted to the Bar: District of Columbia (1965/inactive), Pennsylvania (1965/inactive), New York (1968).

CEDR, Accredited Mediator, 2017; Certified as a Special Master of the Appellate Division, First Judicial Department, New York State Supreme Court, 2018.

Professional Associations

US-Russia Business Council (Founding Director, now Honorary Director); Member of the Council on Foreign Relations; Member of the International Council on Commercial Arbitration (ICCA); Member of the arbitration committees of the American Bar Association, the New York State Bar Association and the New York City Bar Association; Chair of the Subcommittee on Arb-Med-Arb of the New York City Bar Association ADR Committee; Member of the steering committees for the annual conferences on dispute resolution sponsored by the ABA and the Russian Arbitration Association and held in Moscow in 2009 - 2021; Fellow, Chartered Institute of Arbitrators; Fellow, College of Commercial Arbitrators; CEDR-Accredited Mediator.

Recent Publications & Speaking Engagements

Co-Author with John Siffert and Angela Zhu, "An Examination of Institutional Arb-Med-Arb Protocols and Practices", American Arbitration Association Dispute Resolution Journal, Vol. 76, No. 1 (2022)

Author, "The Prague Rules on the Efficient Conduct of Proceedings in International Arbitration: are they an Alternative to the IBA Rules on the Taking of Evidence in International Arbitration?", Asian Dispute Review, January, 2019

Author, "Russia's Comprehensive Arbitration Reforms", NYSBA New York Dispute Resolution Lawyer, Vol. 10, No. 1 (Spring 2017)

Author, "The Scope of the Public Policy Exception to the Recognition and Enforcement of Foreign Arbitral Awards in Russia", The American Review of International Arbitration, Vol. 25, No. 1

(2014)

Author, "The Non-Arbitrability of Corporate Disputes in Russia", Arbitration International, Vol. 29, No. 2 (2013)

Speaker at numerous seminars and conferences in Moscow, St. Petersburg, Houston and New York on arbitration and legal issues in Russia.

Locations Where Parties Will Not be Charged for Travel Expenses Greater New York Area

Mediation Rate \$675 Per Hour

Languages English, Russian

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.