



AAA Mediation.org™

**FN-2435753 MN-2435753 LN-2435753,
Esq.**

White Plains, New York



Current Employer-Title	DelBello Donnellan Weingarten Wise & Wiederkehr, LLP - Senior Counsel
Profession	Attorney
Work History	Partner, Rand Rosenzweig Radley & Gordon LLP, 1987-2017; Counsel, Shaw & Reed, 1985-1987; Associate, Graubard Moskowitz McGoldrick Dannett & Horowitz, 1977-1985.
Experience	Over 40 years experience in federal and state litigation and arbitration. Participated in numerous hearings and trials, both inside and outside New York, involving commercial, corporate, partnership, limited liability company, real estate, employment, private international, domain name and intellectual property disputes. Substantial experience in acquisition, importing, licensing, franchising, and financing transactions. Counseled clients in the finance, internet, technology services, consumer products, metallurgical, chemical, food supplement, apparel, real estate, retail, diamond and automotive supply industries.
Mediator Experience	Served as mediator since 1999 in the ADR program of the Commercial Division, Supreme Court, New York County. In that connection, has mediated disputes between family members and shareholders in corporations holding commercial properties, between software company and trading company regarding services performed and software delivered, between attorneys in a law firm, between developer and consultant in a real estate project, and several disputes among owners, general contractors, subcontractors and their sureties on large and medium sized construction projects. In ad hoc mediation, has mediated numerous construction disputes and a dispute between former partners in an import company. Finally, has mediated construction and professional fee disputes under the AAA Rules.
Representative Issues Handled as a Mediator	<p>Issues in construction disputes included failure to perform, change order approvals, delay damages, replacement work, accounting and time billing issues.</p> <p>Software disputes concerned issues of performance and delay.</p> <p>Shareholder disputes included issues regarding corporate governance, claims of oppression of minority interests and self dealing.</p>

Mediator Style & Process Preferences	I believe in facilitative mediation to allow the parties to achieve their own settlement, rather than my attempt to impose one on them. Consistent with this philosophy, I try to obtain party agreement to the settlement process and the overall framework. Along the line, I suggest alternatives and stress flexibility, pointing out that there are ways to settle cases that are unavailable through judicial decision. I am aware that parties try to control their own destinies, and the control is simply better in mediation than is realizable through a decision by a judge or jury.
Technology Proficiency	Have handled hundreds of virtual meetings using Zoom and MS Teams.
Education	New York University (JD-1977); Princeton University (AB, cum laude-1974).
Professional Licenses	Admitted to the Bar: New York, 1978; U.S. District Court: Southern, Eastern, Western and Northern Districts of New York, Eastern District of Michigan; U.S. Court of Appeals, Second Circuit
Professional Associations	American Bar Association (Sections of Litigation and Dispute Resolution); Westchester Bar Association (Chair, Ethics Committee 2020-present); New York State Bar Association 1978-2021, Commercial and Federal Litigation Section (International Litigation Committee, Past Chair, former member of Section's Exec. Comm.) and Dispute Resolution Section.
Recent Publications & Speaking Engagements	Arbitration Clauses in Attorney Engagement Letters - Are They Enforceable? Can They be Unethical? (WCBA-NY program, Speaker, 2022); Co-Author, "Do New York's New Rules of Professional Conduct Really Change an Attorney's Obligations with Regard to Client Confidences?" Westchester Bar Journal (Winter/Spring 2012); Lecturer, "Ethical Considerations in the Context of Civil Litigation," New York Law School, 2004; co-chair and speaker, "Selected Issues in International Arbitration," New York State Bar Association CLE program, 1998; Panelist on Litigation and Arbitration Issues for ILT Program on Strategic Directions for International Practice (multiple years); principal author of NYSBA committee reports on Foreign Sovereign Immunities Act and the need for U.S. treaties harmonizing the recognition and enforcement of foreign country judgments.
Locations Where Parties Will Not be Charged for Travel Expenses	New York City, Westchester, Putnam, Rockland and Nassau Counties, New York; Fairfield County, Connecticut; Bergen, Essex, Passaic, Hudson and Morris Counties, New Jersey; Palm Beach, Broward, Dade and Martin Counties, Florida
Mediation Rate	\$550 Per Hour
Languages	English, French
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.