



AAA Mediation.org™

**FN-2764132 MN-2764132 LN-2764132,
Esq.**

Rochester, New York

Current Employer-Title Harter Secrest & Emery LLP - Partner

Work History Partner, Harter Secrest & Emery LLP, 1999-Present; Active Duty Officer/Attorney United States Army Judge Advocate General's Corps, 1993-1999.

Experience Nearly 30 years of experience as a trial attorney. Extensive experience representing companies and individuals in the enforcement and/or defense of their intellectual property rights, representing clients on both sides of the docket regarding disputes over patents, trade secrets, copyrights, and trade secrets. Patent litigation experience includes a wide range of technologies, including medical devices, computer systems and programs, data transmission, telecommunications, printing, datacenter cooling, fiber optics, material science, packaging, industrial equipment, and nutritional supplements. Involved in handling complex disputes and litigation concerning tax, employee benefits (ERISA) and executive compensation issues. Strong experience in commercial litigation over a broad range of topics, including matters involving disputes over contracts, real estate, leasing, professional malpractice, non-competition/non-solicitation agreements, design, and construction issues. Experience in handling labor and employment disputes.

Mediator Experience Member of the Federal District Court for the Western District of New York Mediation Panel since 2012.

Representative Issues Handled as a Mediator Experience mediating disputes in a broad variety of areas, including: intellectual property (patent, trademark, copyright, trade secrets), tax, employee benefits (ERISA), life insurance benefits, disability benefits, labor and employment, ADA compliance, commercial contracts, municipal law, real estate/leasing, insurance, and construction.

Mediator Style & Process Preferences The mediation process provides an avenue for the parties to clarify their interests, communicate their positions, and explore the opportunity for resolution. In my role as a mediator, I work to probe the strength and weaknesses of each party's position, identify areas of agreement between the parties, and generate and explore with the parties options for a mutually acceptable agreement. After reviewing the parties' pre-mediation submissions, I typically prepare questions in advance of the mediation session to use with each party before or at the mediation to facilitate frank discussions about the litigation positions and vulnerabilities of each party, to narrow where appropriate and feasible the issues on which any resolution might be focused, and to help each party gain a greater appreciation for the time and monetary costs and attendant risks associated with the decision to continue litigation through trial. Even in those rare cases in which a settlement is not reached at mediation or shortly thereafter, the parties with whom I work leave the mediation with a better understanding of the case and a clearer path forward.

Education The Judge Advocate General's School (1994); The Dickinson School of Law of the Pennsylvania State University (JD-1993); Bucknell University (BA-1990).

Professional Licenses Admitted to the Bar: New York (1998); US District Court: Northern, Southern, and Western Districts of New York; US Court of Appeals: 2nd Circuit.

US Tax Court; United States Courts Martial.

Professional Associations Senior Fellow, Litigation Counsel of America, Trial Lawyer Honorary Society; Member, Litigation Counsel of America Intellectual Property Institute; Member, Western District of New York Local Rules Committee and Local Patent Rules Subcommittee.

Languages English

Citizenship United States of America

Locale Rochester, 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.