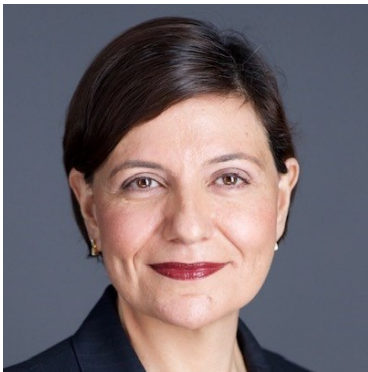




AAA Mediation.org™

**FN-4085636 MN-4085636 LN-4085636,
Esq.**

New York, New York



Professional Summary

Seasoned business and legal advisor, arbitrator, mediator and dispute prevention professional. Over 25 years' experience executing and advising on domestic and international corporate and transactional matters with a particular focus on financial institutions and technology. Extensive legal and financial experience in matters involving complex commercial issues in diverse industries including finance, insurance/reinsurance, real estate, technology, construction, infrastructure, media and telecommunications, film and entertainment, healthcare and life sciences, food and beverage, consumer products, transportation, manufacturing and professional services.

Profession

Commercial Arbitrator, Mediator and Dispute Prevention Professional

Work History

Founder/Managing Director, MB Corporate Advisory Partners, 2009-Present; Managing Director/Senior Vice President-Corporate Development, CIT Group Inc., 2005-2008; Associate-Corporate Finance M&A and Financial Institutions, Sullivan & Cromwell LLP, 1998-2005; M&A Counsel (Visiting) Allianz AG, 2000; Associate-Corporate, Hughes Hubbard & Reed LLP, 1997-1998.

Experience

Diversified corporate and regulatory practice structuring and executing domestic and cross-border commercial, transactional and securities matters. Worked on legal, financial and structuring aspects of deals with a broad range of clients, including Fortune 50 companies, private equity companies, private investor groups and start-ups. In 2009, founded boutique strategic/corporate advisory firm providing strategic growth advisory services for acquisitions, partnerships and investments to companies and financial institutions in the US, Europe, Australia, and the Middle East. Started career practicing corporate law, advising on M&A, securities/corporate finance and regulatory matters.

CORPORATE AND TRANSACTIONAL:

Significant legal and business experience in the formation and operation of business entities and structuring of complex commercial and corporate transactions. Served as advisor to corporate clients and investor groups offering financial and strategic analysis as well as legal counsel on fundraising and securities matters, JVs, mergers, acquisitions, sales and other forms of business combinations.

BANKING, INSURANCE AND OTHER FINANCIAL INSTITUTIONS MATTERS:

Led and advised on domestic and cross-border mergers, combinations, divestitures, acquisitions and strategic alliances of financial institutions, including banks, asset managers, insurance and reinsurance companies, managing general agents, private equity groups and brokers. Oversaw all steps of strategic transactions: strategy formulation, deal sourcing, deal negotiation and execution, legal documentation drafting and review (including reps and warranties), financial analysis, pre-transaction corporate planning and post-deal integration. Advised on general corporate matters, regulatory matters and complex commercial matters.

SECURITIES MATTERS:

Advised on US public and private offerings in a number of industry sectors, including financial services, media/telecommunications, transportation and manufacturing. Financial instruments include stock, tracking stock, bonds, junk bonds, convertibles, tracking stocks and preferred shares.

TECHNOLOGY:

Advised founders, investors and start-up companies on general corporate and finance matters, strategic growth and private offerings/fundraising. Sectors include financial institutions/fintech, insuretech, telehealth, cybersecurity and crypto/blockchain platforms.

INTERNATIONAL/CROSS BORDER MATTERS:

Represented domestic and foreign clients in cross-border M&A matters and US public and private securities matters; legal lead on complex business combinations involving global operations; partnered with local counsel on all foreign legal matters. Transactions and clients spanned all five continents. As business lead, advised US, European, and Middle Eastern corporations on market growth and penetration strategies and execution of such by acquisitions and strategic joint ventures and alliances. Clients included global European-based insurer, US and European private equity groups, offshore Managing General Agent on growth capital and Australian consumer health startup investors and founders.

Mediator Experience

Served as a mediator in over 40 cases involving a broad range of matters including post-M&A disputes, business and asset valuations, real estate investment and development, construction, business divorces and sales, family businesses, transportation, fundraising, private equity transactions, securities, financing and banking transactions and structures, life sciences and professional services.

**Representative Issues
Handled as a Mediator**

Contract disputes, loss of income/profit, rep and warranty breach, valuation disputes, tort claims, disputes over insurance coverage, alleged fraud, family business buyouts, unfair business practices and general business law.

**Mediator Style & Process
Preferences**

I view my role as both a facilitator of a constructive dialogue and an active participant in the attempt to craft a solution with which all parties are comfortable. My level of activism is dictated by the nature of the dispute, the parties' wishes and the evolution of the mediation session.

I leverage my legal, business, and transactional experience to brainstorm with the parties and craft solutions that may include straightforward outcomes as well as more complex, possibly unconventional options, that meet the needs and objectives of the participants.

I emphasize the importance of being as fully informed and prepared as possible prior to the mediation session to optimize the time the parties are together. To this end, I read pre-mediation statements closely, ramp up to the extent needed on technical and substantive matters prior to the joint session, and solicit information from the parties in advance of the mediation. I encourage counsel, and the parties themselves, to be equally prepared.

Technology Proficiency

Familiar with, and accustomed to, online communications programs. Willing to utilize an online platform for mediation sessions.

Education

McGill University (LLB, B. Civil Law-1997; B. Commerce, Dean's Honor List-1993).

Professional Licenses

Admitted to the Bar: New York (1998).

Professional Associations

Fellow, Chartered Institute of Arbitrators.
Chair, ICC/USCIB Mediation Subcommittee

Member, ICC/USCIB Arbitration Committee
 Member, NY International Arbitration Center, Program Committee
 Member, Silicon Valley Arbitration & Mediation Center.
 Member, The International Arbitration Club of New York.
 Member, New York State Bar Association- Dispute Resolution Section (Co-Chair: Dispute Prevention Committee); Insurance Disputes Committee, Securities Disputes Committee and Cannabis Law Section.
 Member, NY City Bar (Arbitration Committee, Chair: Mediation Privilege Subcommittee).
 Member, American Bar Association- Dispute Resolution Group- Arbitration Committee.

Recent Publications & Speaking Engagements

Publications:

"Arbitration: The Solution to the Cannabis Industry Regulatory Morass," NY Law Journal (March 2024).
 "Dispute Resolution Through the Lens of the Tech and Finance Sectors," NY Law Journal (October 2023).
 "Arbitrating Crypto, NFTs and Other New Technologies: Demystifying the Landscape," NY Law Journal (April 2023).
 "Navigating Commercial Disputes in Mediations In An Unprecedented Global Economic and Political Landscape," New York Law Journal, September 16, 2022.
 "Navigating Commercial Disputes In Mediations: Family Businesses," New York Law Journal, August 11, 2022.
 "An ADR Primer for Non-ADR Professionals," New York Law Journal, May 17, 2022.
 "The Pitfalls of Conflicting Judicial Outcomes In International Arbitration," New York Law Journal, April 4, 2022.
 "Drafting an Arbitration Agreement In 2022: The Arbitrator's Perspective," New York Law Journal, January 28, 2022.
 "Drafting an Arbitration Agreement In 2022: The Litigator's Perspective," New York Law Journal, January 21, 2022.
 "Drafting an Arbitration Agreement In 2022: The Drafter's Perspective," New York Law Journal, January 14, 2022.
 "Drafting an Arbitration Agreement In 2022: 2021 Considerations," New York Law Journal, December 13, 2021.
 "Testing the Scope of Article V(1)d of the New York Convention on Enforcement of Arbitration Awards Following the Dubai Arbitration Venue Combination," New York Law Journal, October 28, 2021.
 "Dispute Prevention and Resolution Options That Can Save Start-Ups From Failure," New York Law Journal, June 2, 2021.
 "The Covid-19 Case for ADR Provisions in M&A Agreements," New York Law Journal, April 16, 2021.

Speaking Engagements:

Chair, "Three-Part Series: Drafting and Arbitration Agreement in 2023: Beyond Basics, Reflecting Current Trends and Events," Practising Law Institute (August 2023).
 Faculty, "ABA International Arbitration Masterclass, Panel Chair," American Bar Association (June 2023).
 Faculty, "Optimizing the Success of Commercial Mediations: The Corporate Lawyer's Role," Practising Law Institute (March 2023).
 Panelist, "The Interplay Between Mediation and Arbitration," 2022 CPR Global Conference (December 2022).
 Co-Chair, "From the Ground Up- Taking A Pre-Emptive View of International Arbitration Clauses in Order to Avoid the Pitfalls of International Arbitration," New York State Bar Association- International Section, 2022 London Global Conference (November 2022).
 Panel Chair, "'It' Made Me Re-Evaluate My Practice As A Mediator," Chartered Institute of Arbitrators Mediation Symposium 2022 (October 2022).
 Panelist, "Grounds for Vacatur of an Arbitration Award- Leggett v. Wells Fargo and Other Recent Decisions," NY State Bar Association- Arbitration Committee (May 2022).
 Chair, "Exploring ADR Processes As Tools To Avoid Start-Up And Young Company Failures," 2022 Annual ABA Dispute Resolution Conference (April 2022);
 Panelist, "Cross Boarder Investments", Global Corporate Growth Summit, 2019; Judge- Annual M&A Advisor Awards, M&A Advisor, 2017-2022. Lecturer, "Mergers, Acquisitions & Strategic Alliances," Joint Notre-Dame University (Lebanon)/Bordeaux Management School (France)- Executive MBA Program (2011, 2012); Session Chair and Speaker, "MENA Insurance Industry:

M&A Trends, Outlook and Strategies for Success,” Central Bank of Bahrain Middle East Insurance Forum (2011, 2012).

More information regarding publications and speaking engagements at BarakatADR.com

Locations Where Parties Will Not be Charged for Travel Expenses New York; Chicago.

Mediation Rate \$750 Per Hour

Languages English, Arabic, French

Citizenship Lebanon, 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.