



AAA Mediation.org™

**FN-4159727 MN-4159727 LN-4159727,
Esq.**

New York, New York



Current Employer-Title LampertADR - Owner

Professional Summary For seven years was Deputy GC of a major financial services company with global responsibility for litigation, employment, IP and other areas. Responsibilities were broad based, both geographically and in areas of law. From 2008-15 spent about 1/3 of each year in London, and managed litigation, arbitration, mediation, employment and other matters in the U.K., France, Brazil, Hong Kong, Philippines, Singapore, Australia, Canada, Japan and several other countries. Managed in-house litigators, employment and patent lawyers. One of three senior global lawyers, had broad based engagement with contract, deal, tax, securities, compliance, general IP and other in-house lawyers. Led the lawyering for an acquisition.

Profession Arbitrator, Attorney, Educator, Executive, Mediator

Work History Owner, LampertADR, 2015 - Present; Deputy General Counsel, BGC Partners Inc (Cantor Fitzgerald affiliate), 2008 - 2015; Partner, Saul Ewing, 1997 - 2008; Partner, McManimon Scotland (and predecessors), 1987 - 1997.

Experience Experienced arbitrator and mediator in New York and London. Retired after nearly a decade as Deputy General Counsel of a global broker/dealer, managing matters in the hundreds of millions of dollars globally including both common and civil law jurisdictions. General commercial litigator for thirty years previously with experience in patents, employment, international trade and many other areas. Also managed international acquisition as senior lawyer.

Mediated more than 80 cases since 2015. All commercial disputes, many complex, including finance, contract, LLC, patent, copyright and other areas.

Negotiated and litigated matters in areas such as: contract (both b to b and employment), business torts, all forms of IP (patent, trademark, copyright) and IP licenses, financial services (both brokering and banking, as well as insurance coverage), mergers and acquisitions, business associations, corporate governance, accounting, tax, franchise and licensing, biotech (including pharmaceuticals and devices), technology (including co-location and both licensing and sales of software for both user and seller/licensor including FinTech and other kinds of software; have

authored some programs), as web curator of IACNY have worked with web design and AI, employment (including covenant and team move), sales of goods (including aircraft engines) and services, real property (ownership, lending and leasing), class actions and derivative matters, antitrust and competition, gaming (wagering), telecom, bankruptcy, administration, liquidation, creditors rights, and regulatory and statutory matters of many sorts. Represented two countries, one a contract dispute, other tort. Sued countries under FSIA; involved in English equivalent.

Former DGC of global Financial Services Firm. In-house responsibilities were broad-based, both geographically and in areas of law. From 2008-2012 spent about 1/3 of each year in London. Managed litigation, arbitration, mediation, employment and other matters in France, Brazil, Hong Kong, Philippines, Singapore, Australia, Canada, Japan and several other countries. The in-house litigators, employment lawyers, and patent lawyers reported were direct reports. One of three senior lawyers, had broad-based engagement with contract, deal, tax, securities, compliance, general IP and other in-house lawyers. Oversaw acquisition of South American affiliate.

Before becoming a neutral was an advocate in about 100 cases, many mediated. The largest claim resulted in the client receiving \$135 Million (required public court approval). Greatest number of matters involved employment; most substantial dollar amount involved business interruption. Involved in mediations regarding contracts, commercial issues, antitrust, franchise, employment, tax and all types of intellectual property including trademark, copyright (including software), trade secrets, and patent (including several Hatch-Waxman).

Rendered more than 50 awards as emergency, sole and wing arbitrator. Wing on Tribunal seated in London.

Mediator Experience

On the mediation panels of AAA, CPR, WIPO, CAoA, SDNY, and DNJ. Mediated more than 80 cases since 2015. All commercial disputes, many complex, including finance, contract, LLC, patent, copyright and other areas. Extensive experience as advocate in mediation before that.

Representative Issues Handled as a Mediator

Employment and national origin discrimination claims; complex bank loan arrangement; FLSA.

Mediator Style & Process Preferences

The parties should control the mediation. With 40 years of commercial legal experience and ten years as deputy General Counsel of a financial firm, have been exposed to many kinds of business-to-business and business-to-employee issues. With training and experience to be able to contribute both procedurally (Is it now the time for a bracketed offer?) and substantively to the parties' discussions as they think appropriate to finding a deal reflecting their interests. Start facilitative (including out of the box ideas for compromise) and if the parties want, evaluative.

Technology Proficiency

Learned to program in senior year in secondary school. Have programmed off and on since. As a lawyer have been involved in several tech cases. Have used Technology Assisted Review of documents. Currently serve as web curator for the International Arbitration Club of NY and have attended several programs on AI. Member, Silicon Valley Arbitration and Mediation Center.

Experienced in using online platforms including Zoom. Willing to conduct arbitration and mediation via videoconference or teleconference, or in person when government & AAA clears it.

Education

Harvard Law School (JD-1976); University at Albany, SUNY (BA, mcl-1973).

Professional Licenses

Admitted to the Bar: New Jersey (1987), New York (1977), District of Columbia (1977-inactive); admitted in various federal courts.

Professional Associations

Fellow, Chartered Institute of Arbitrators, Secretary NY Branch. CEDR Certified Mediator. Member and Panelist, International Institute for Conflict Prevention and Resolution (CPR) (and its arbitration committee and council). Panel Member, World Intellectual Property Organization, mediator and arbitrator panels. Panel Member, Court of Arbitration for Art. Member, User's Counsel, London Court of International Arbitration. New York City Bar Association (and its Arbitration committee, formerly member of ADR (mediation) committee). Silicon Valley Arbitration and Mediation Center. International Arbitration Club of NY (web curator). IACNY.

Recent Publications &

Recent Speaking Engagements:

Speaking Engagements

Hybrid Mediations and Arbitrations, NY State Bar Association, 2023 Annual Meeting, Dispute Resolution Section, January 18, 2023
Tough Calls and Recovery Issues in Arbitration, ADR Committee of the Commercial & Federal Litigation Section of the New York State Bar Association (panelist) 6 December 2022 12:30 PM
Chartered Institute of Arbitrators (CIArb) Mediation Symposium 2022. Panelist at its (virtual) Miami Hub (registration required), 6 October 2022.
Mock Hearing-International Senior Executive Restrictive Covenant and Confidential Information Litigation, a panel of the Risk, Reward and Reputation Management Issues for Senior Executives & Founders program sponsored by the International Forum of Senior Executive Advisors in London on June 14, 2022
Co-moderator, Members Forum – Thorny and Topical Issues of Arbitration Law or Practice, CIArbNY, May 26, 2022
Tutor, CIArb Accelerated Route to Fellowship, August 19-20, 2021
SVAMC Corporate Counsel ADR Clinic Webinar No. 3 | Internal and External Disagreements: Is Resolving Them Really Different?
March 24, 2021 (video link at lampertadr.com)
Best Practices for Negotiating, Mediating and Settling Employment Related Litigations – Fordham Law School Bridge the Gap
January 15, 2021
Arbitrators in 3-D: Death, Disability and Disqualification
October 25, 2019 – Harvard Law School
Jurisdiction and Applicable Law in Employment, (ELA) London, 9 October 2018 (link to program paper at [Lampertadr.com](https://lampertadr.com))
International Restrictive Covenants, London, 27 September 2018

Recent Publications:

The Singapore Convention on Mediated Settlements and New York's CPLR: What Do—or Should—They Have in Common?, NYSBA New York Dispute Resolution Lawyer, March, 2022, Vol. 15, No. 1, p. 37
Is It Time to Modernize Witness Statements in Arbitration?, Alternatives to the High Cost of Litigation (CPR), July/August, 2021
Remedying a Slip in an Award, Practical Law Arbitration Blog, 18 May, 2021
What Mediators Want, ACC Docket, May, 2021
The Functus Officio Problem in Modern Arbitration and a Proposed Solution, NYC Bar Report (drafting subcommittee member), April 2021
What Arbitrators Want, ACC Docket, March, 2021
The Role of Personality in Choosing Outside Counsel, ACC Docket, March 2020
Arbitrators in 3-D: Death, Disability and Disqualification, NY Dispute Resolution Lawyer Fall, 2019; with Peter Pettibone, The Death, Disability or Disqualification of an Arbitrator, Commercial Arbitration (????????????) July-December 2020
Disclosure of third party funding: a continuing duty? Practical Law Arbitration Blog, June 28, 2019
When Arbitrators Underestimate: The Unintended Consequences of Presuming that Counsel's Intentional Omissions Were Unintentional, Alternatives to the High Cost of Litigation (CPR), October, 2018 ; AAA Dispute Resolution Journal Vol. 73, No. 4
Making Arbitration More Appealing, ACC-Docket, May 2017; NY Dispute Resolution Lawyer Fall, 2017
When the Deal Goes South – Dispute Negotiation [in IP] ALI-ABA 2005

For a complete list see <https://www.lampertadr.com/publications-selection/>

Locations Where Parties Will Not be Charged for Travel Expenses

Washington to Boston; San Francisco

Mediation Rate

\$600 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.