



AAA Mediation.org™

**FN-4297436 MN-4297436 LN-4297436,
Esq.**

Brooklyn, New York



Current Employer-Title Gleason Alvarez ADR

Profession Independent Arbitrator

Work History Independent Arbitrator & Mediator, 2017 - Present; Adjunct Professor of Law and Director of the Mediation Practicum, Elisabeth Haub School of Law at Pace University, 2022 - Present; Global Head of ADR Programs, American International Group, 2014 – 2017; Director, Legal Strategies, American International Group, 2012 - 2014; Adjunct Professor of Law, Straus Institute for Dispute Resolution, Pepperdine University School of Law, 2013-2014; Director, Litigation Management, American International Group, 2008 - 2012; Assistant Director, Litigation Management, American International Group, 2007 - 2008; LLM Student, Straus Institute for Dispute Resolution, Pepperdine University School of Law, 2005-2006; Attorney, White & Case, 2004–2005; Attorney, Leeds, Morelli & Brown, 2001 - 2003; Attorney, Hall & Sloan, 2000 - 2001.

Experience Full time independent arbitrator and mediator with over 20 years of experience in the arbitration and ADR fields. Serves as tribunal chair, sole arbitrator, emergency arbitrator, special master, and mediator in insurance, corporate, employment, and commercial disputes. Substantive areas of the law addressed in work as a neutral are summarized below.

Business and Commercial:

Various breach of contract matters, including claims relating to franchise agreements; purchase agreements; financial instruments; master services agreements and related statements of work; commercial lease agreements; consumer contracts; business broker agreements.

Contract performance, interpretation, errors / omissions, fraud, confidentiality / non-disclosure obligations, termination, warranties, indemnification, limitations on liability, assignment, force majeure.

Corporate breach of fiduciary duty action by shareholders.

Corporate dissolution matters.

Business partner and joint venture disputes relating to obligations, funding, payments, and employment issues.

Investor / investee (founder) disputes.

Trademark infringement action among former business partners.

Insurance:
First and third-party.
Primary and excess.
Commercial general liability.
Commercial property.
Residential property damage.
Construction defect (commercial and residential property).
Payor/provider disputes between hospitals and health insurance companies.
Professional liability.
Employment practices liability.

Employment:
Breach of employment agreement claims.
Wrongful termination claims.
Discrimination and retaliation claims.

Emergency Proceedings:
Contract performance, business interruption.
Shareholder meetings.
Conversion, destruction of commercial property.

AAA Higginbotham Fellow (2016).

Mediator Experience

After 15 years of serving as in-house counsel and as a litigator, began work as an independent mediator and arbitrator in 2017. Mediates cases across a wide spectrum of commercial disputes.

Appointed to serve as a Special Master for the Appellate Division of the New York State Supreme Court, First Department. Adjunct Professor of Law and Director of the Mediation Practicum at the Elisabeth Haub School of Law at Pace University.

Practice Overview:
Business and commercial: Various breach of contract matters, including issues relating to performance, payments, warranties, indemnity, limitations on liability, conflicts, modifications, waiver.

Insurance: First party and third-party primary and excess matters, commercial general liability, professional liability, employment practices liability, commercial property.

Entertainment: Production agreements, personal services agreement, licensing.

Construction: Issues relating to defects, malpractice, breach, New York Labor Law 240.

Employment: Wrongful termination, breach of employment contracts.

Real estate: Commercial leases.

Representative Issues Handled as a Mediator

Nine-figure breach of contract dispute between two large international corporations involving performance, warranty, and indemnity issues.

Business dissolution claims, including distribution, accusations of fraud, breach of fiduciary duty, corporate waste, breach of contract.

Several claims relating to stock purchase and asset purchase agreements, including claims of fraud, breach of representations and warranties, indemnification, limitations on liability.

Breach of entertainment-related disputes, including pre-production agreement and related employment contracts, option agreements.

Several claims relating to New York Labor Law 240.

Several claims relating to New York Labor Law 193.

Several commercial lease disputes, related to payment issues.

Business separation between two medical doctors.

Intellectual property dispute among filmmakers as to ownership of joint project.

Personal property dispute between coop board and shareholders over construction projects.

Mediator Style & Process Preferences Mediation is the parties' process. A mediator supports you in exploring ways to resolve your dispute and ultimately put the problem behind you, or your client. My philosophy as a mediator is to encourage parties to think outside of the box created by their dispute. Once you arrive at mediation, it's less about who is right and more about how to move on in a way that is fair and sustainable. To do this, I help parties look at all sides of the dispute, listen to their concerns, and build a negotiation process that everyone can trust. From there, we can explore viable settlement options.

Education Straus Institute for Dispute Resolution, Pepperdine University School of Law (LLM, International Arbitration-2006); City University of New York School of Law (JD-2000); The State University of New York at Albany (BA-1996).

Professional Licenses Admitted to the Bar: New York (2001); US District Court: Southern and Eastern Districts of New York (2002).

Professional Associations Member, Executive Advisory Committee, CPR Institute (2014 – Present)
Member, Arbitration Committee, CPR Institute (2007 – Present)
Member, Insurance Law Committee, New York City Bar Association (2020 - Present)
Member, Arbitration Committee, New York City Bar Association (2007 – 2010; 2017 – Present)
Co-Chair, Model Clause Task Force, CPR Institute (2019 - 2020)
Co-Chair, President's Committee on Enhancing Efficiency in Dispute Resolution, New York City Bar Association (2017 – 2020)
Co-Chair, Mediation Committee, CPR Institute (2014 – 2018); Member (2007 – Present)
Member, In-house Counsel Committee, New York City Bar Association (2016 – 2018)
Member, International Commercial Disputes Committee, New York City Bar Association (2016 – 2017)
Faculty, Commercial Arbitration Training, New York State Bar Association (2015 – Present)
New York Supreme Court Commercial Division ADR Roster

Recent Publications & Speaking Engagements Selected Publications:

What is Bad faith in Mediation? New York Law Journal (2022)

Arbitration 911: Emergency Arbitration Emerges as an Option, New York Law Journal (2022)

Efficiency in Arbitration: Considerations for the Arbitrator Selection Process, Corporate Disputes Magazine (2022)

Dispute Resolution and Avoidance in 2020: The Impact of Covid-19 on Arbitration and Mediation, Corporate Disputes Magazine (2020)

The Southern District of New York Denies Request to Vacate AAA Insurance Coverage Award, American Bar Association Section of Litigation Magazine (2020)

Online Arbitration: Avoiding the “Outer Limits” of Enforceability, American Bar Association Section of Litigation Magazine (2019)

Negotiation in the Context of Arbitration, Kluwer Arbitration Blog (2019)

Final Offer Arbitration: The History, Practice and Future, Edna Sussman Co-author, CPR Institute (2019)

Putting Final Offer Arbitration to Use, Co-author with Edna Sussman, CPR Institute (2019)

Lean Arbitration: Planning for Efficiency and Preventing Arbitral Waste, Corporate Disputes Magazine (2019)

Hacking Arbitration, New York State Bar Association Corporate Counsel (January 2016)

Promoting Alternative Dispute Resolution: What's the ROI on ADR?, 30 Alt. HighCost Litig. 201 (2012)

Arbitrating Online, American Bar Association, Dispute Resolution Magazine (2012)

Diversifying the ADR Field, 2 N.Y. Dispute Resolution Lawyer 13 (2009)

International Arbitral Appeals: What Are We So Afraid Of?, 7 Pepp. Disp. Resol. L.J. 269 (2007)

Selected Speaking Engagements:

"Practical Considerations in Navigating Emergency Arbitration," New York State Bar Association, Commercial and Federal Litigation Section (June 2022)

"Arbitration Advocacy in the Virtual and Hybrid World: When to Consider Mediation," CPR Institute (May 2022)

"Arbitration Project Management," Lawline (April 2022)

"Internal and External Disagreements: Is Resolving Them Really Different?" Silicon Valley Arbitration & Mediation Center (March 2021)

"Best Practices for Efficiency in Arbitration," Clear Law Institute CLE Webinar (October 2020)

"COVID-19, Insurance Coverage, and Dispute Resolution: Identifying Strategies," Clear Law Institute CLE Webinar (June 2020)

"ADR for In-house Counsel," Lawline (June 2020)

"In-house Counsel Resources for Proactive Dispute Resolution," Clear Law Institute CLE Webinar (April 2020)

"Dispute Resolution Workshop," International Association of Commercial Contract Managers, Americas Conference, Phoenix, AZ (November 2019)

"Ensuring the Fruitful Mediation of Disputed Claims," RIMS Annual Meeting, Boston, MA (May 2019)

"The Singapore Convention: Expert Perspectives on its Significance for the Future of Dispute Resolution," United Nations, New York, NY (April 2019)

Program Chair, "ADR Bootcamp for In-house Counsel," New York City Bar Association, New York, NY (February 2019)

"Dispute Resolution in the Wake of Disaster: Fire, Flood and Famine," CPR Institute Annual Meeting, Atlanta, GA (March 2018)

Co-Chair, New York State Bar Association Dispute Resolution Section Annual Meeting, New York, NY (January 2018)

Keynote Speaker, ICC Young Arbitrators Forum Annual Meeting, New York, NY (June 2017)

"What is Measured is Managed: Understanding the Qualitative and Quantitative Benefits of Dispute Resolution," ICC International Mediation Conference, Paris, France (October 2016)

"Could Your Arbitration be Hacked?" New York State Bar Association Dispute Resolution Section

Fall Meeting, New York, NY (October 2016)

“Intelligent Dispute Resolution in Insurance Claims Disputes,” CEDR, London, England (November 2015).

Mediation Rate	\$675 Per Hour
Languages	English
Citizenship	United States of America
Locale	Brooklyn, 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.