



AAA Mediation.org™

**FN-5190000 MN-5190000 LN-5190000,
Esq.**

New York, New York



Current Employer-Title Richter Law & ADR - Independent Mediator

Professional Summary Retired New York State Trial and Appellate Judge, with decades of experience settling cases and extensive ADR experience since leaving the bench in 2020. Knowledgeable about New York law; significant expertise in helping counsel and the parties evaluate complex commercial cases. Also have substantial experience in resolving disputes for families and estates where significant assets are at issue.

Profession Mediator, Attorney; Law Professor; Retired Judge

Work History Independent Mediator, Richter Law & ADR, 2024-Present; Adjunct Professor, Columbia Law School, 2020-Present; Senior Counsel, Arnold & Porter LLP, 2020-2023; Justice, New York State Appellate Division - First Department, 2009-2020; Trial Court Justice - Criminal & Civil, New York State, 1990-2009; Administrative Law Judge, New York City Office of Administrative Trials & Hearings, 1987-1990; Appellate Supervising Attorney, Brooklyn District Attorney's Office, 1983-1987; Executive Director/Special Projects Attorney, Lambda Legal Defense & Education Fund, 1980-1983.

Experience Extensive experience in resolving disputes both as a judge and as a mediator involving complex issues of state and federal law. Also served as special referee handling discovery disputes in commercial matters and as an arbitrator deciding commercial, employment and family law cases. Very familiar with appellate issues, especially those that arise in NYS courts. During 11 year tenure on the First Department, decided thousands of cases including many matters arising out of the Commercial Division. In addition to current teaching at Columbia Law School, previously taught at NY Law School and Brooklyn Law School. Having recently spent three years at a large law firm, Familiar with issues related to discovery, and served on the firm's internal privilege committee.

Issued thousands of decisions, many of which were published in the New York official reports. Cases included complex financial transactions, real estate matters, and high-profile economic disputes arising in divorce cases. Decided many motions involving confirmation of arbitration awards. As an Appellate Judge, decided a wide range of matters including fraud claims, contract and insurance disputes, employment and discrimination cases, will and trust contests, discovery,

evidentiary and privilege issues, constitutional law claims arising under both state and federal law, and cases involving jurisdiction disputes. Also decided cases that involved determining whether FAA or state law would apply to an arbitration proceeding.

Mediator Experience

In addition to settling thousands of cases as a New York State trial court judge, have served as a mediator for the past three years on cases involving state and federal law. These matters include contract issues, employment and civil rights issues, insurance disputes, family law and personal injury.

Mediated disputes generally involving six and seven figure claims and several have involved multiple parties. Have had cases in which insurance company representatives have been an integral part of the mediation, and also resolved cases in which government entities were involved.

Representative Issues Handled as a Mediator

Significant experience in insurance and contract disputes; Title VII, ADA and employment discrimination matters; disputes involving child custody and distribution of assets during divorce; and product liability cases.

Mediator Style & Process Preferences

My role as a mediator is to help counsel and the parties resolve the matter, if at all possible, and I do not have a one size fits all approach. My experience as a judge is often helpful and I try and help both sides see the strength and weaknesses of their position, as well as helping them evaluate the risks and costs of litigation. I also know that sometimes it is important for the parties to be able to voice their concerns and to have someone listen to them before they can focus on resolution. I often work in caucus, especially when emotionally charged issues are involved.

I am prepared for mediation and encourage both sides to send me information in advance so that we can use our time together efficiently. If the case involves an issue that I have not previously seen before, I will ask counsel to send me relevant expert reports or other documents that will help bring me up to speed on any technical issues. Given my thirty plus years as a judge, I am very familiar with substantive NY law issues and have kept up with legal developments since I left the bench. I also am willing to conduct mediations over multiple sessions if that will get the case resolved, and sometimes find that is helpful if there are emotionally difficult issues in the case such as in the family law arena.

I fully understand the importance of confidentiality and make sure that everyone participating in the mediation understands the ground rules before we start.

Technology Proficiency

Proficient on Zoom and Teams and regularly conduct mediations remotely. Do not need (or generally want) paper copies of pleadings, memos or cases. Believe in efficiency and am cognizant of the cost involved in sending paper copies of voluminous submissions.

Education

Brooklyn Law School (JD-1979); Barnard College (BA-1976).

Professional Licenses

Admitted to the Bar: New York (1980); admitted to various federal courts; U.S. Supreme Court.

Professional Associations

New York City Bar Association; New York State Bar Association.

Recent Publications & Speaking Engagements

Private judging, Commercial & Federal Litigation Section of NYS Bar Association- panel participant, spring meeting 2021.

Mediation Rate

\$800 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.