



AAA Mediation.org™

**FN-5435953 MN-5435953 LN-5435953,
Esq.**

New York, New York



Current Employer-Title Mandel Arbitration and Mediation, LLC - Owner

Professional Summary Former General Counsel to leading global public and private companies, now full time arbitrator and mediator with subject matter expertise in complex commercial transactions, securities and employment disputes, risk transfer, mergers and acquisitions, structured finance and asset management.

Profession Mediator, Arbitrator, Attorney

Work History Neutral Arbitrator and Mediator, Mandel Arbitration and Mediation, LLC, 2014 – Present; Senior Vice President/ General Counsel Global Derivatives and Governmental Affairs, XL Group, Ltd. (now AXA-XL), 2003 – 2014; Senior Vice President/General Counsel and Secretary, XL Financial Solutions LLC, 2003 – 2014; Vice President and Chief Legal Counsel, Partner Re New Solutions Inc., 2001 – 2003; Managing Director/General Counsel and Secretary, Gerling Global Financial Products Inc., 1999 – 2001; Director – Legal Advisory Group, Merrill Lynch Asset Management, 1998 – 1999; Second Vice President and Assistant General Counsel, General Re Corporation; Vice President and Associate General Counsel, 1992 – 1998; Vice President and Associate General Counsel, Prudential Securities Incorporated, 1989 – 1992.

Experience Commercial: Extensive experience negotiating global M&A, private equity, joint venture, employment and corporate finance transactions; advised board of directors and senior management on securities and corporate governance related requirements for global public company with assets valued in excess of \$45 Billion, counsel on NYSE listing standards and SEC rules and regulations; headed strategic projects on director indemnification and conflict of interest matters; co-headed project team for the proxy solicitation and scheme of arrangement for the redomestication of XL's holding company to Ireland; chief compliance officer to asset management/ investment advisory and broker-dealer firms.

Insurance: Recognized expertise in the field of capital markets and insurance, with 20+years of experience in structuring complex financial risk products on a world-wide basis for leading publicly traded insurance companies; General Counsel to specialty re/insurance group with portfolio aggregating \$5B+ in risk exposure; work encompassed contract drafting and negotiation on all

forms of property/casualty and annuity coverage including Directors and Officers liability (“D&O”), financial guaranty, commercial general liability (“CGL”), structured indemnity, political risk, employment practice liability (“EPL”), and reps and warranties insurance; led management team for formation and start-up of Bermuda-based investment manager focused on catastrophic risk and collateralized reinsurance products; led negotiation and sale of XL’s majority ownership stake in a public financial guaranty company; project manager and member of credit committee for multi-year risk transfer programs; and chief compliance officer for global derivatives broker-dealer subsidiary of public company.

Mediator Experience	A wide breadth of mediation matters including claims involving antitrust violation; breach of construction joint venture agreement; breach of securities placement agent agreement; P&C insurance coverage litigation; breach of employment agreement and statutes; and personal injury litigation. As General Counsel, represented both sides in numerous multi-party commercial and insurance mediations, and employment-related mediations.
Mediator Style & Process Preferences	Request confidential pre-mediation statements from each of the parties in which each party advises of the strengths and weaknesses of their respective positions. Schedule separate pre-mediation meetings with the respective counsel (and the client if requested) to gain further insight. Accordingly, well-prepared for the mediation session itself with an appreciation of the unique factors driving each dispute. A “facilitative” style at the beginning of the session is frequently used in order to build trust with parties in separate and confidential caucus sessions. At all times, there is an emphasis on the goals of the parties and communication that the mediator is not acting as a judge or advocate for any party’s position. As the session continues, an “evaluative” style may be necessary, using the party’s own evaluation of the merits of their positions, as well as previous experience as in-house counsel negotiating and structuring a myriad of commercial and employment agreements.
Technology Proficiency	Familiar and accustomed to conducting mediations in a virtual or hybrid setting, using platforms such as Zoom, LoopUp or GoToMeeting.
Education	New York University School of Law and George Washington University National Law Center (JD-1976); Tufts University (MA-1972); Cornell University (BA-1970).
Professional Licenses	Admitted to the Bar: New York (1977); New York Supreme Court; U.S. District Court: Eastern and Southern Districts of New York. Certified Commercial Mediator (2021).
Professional Associations	Insurance Law Committee, New York City Bar Association; Executive Committee, Dispute Resolution Section, NYS Bar Association; Secretary, Legal Advisory Committee, Sanctuary for Families; Member, Board of Directors, NYU Law School Alumni Association.
Recent Publications & Speaking Engagements	"Confessions of Two Former General Counsels: Has Arbitration Changed or Have We", New York Law Journal, May, 2024 Panel Leader, "Insurers' and Insureds" Perspectives on D&O Liability", New York City Bar Assoc., May, 2024 "The Time is Now", NY Law Journal, January, 2023 Panel Leader, "The Insurance M&A Boom", Current Issues in Insurance Regulation, New York City Bar Association, CLE Program, September, 2021; Panel Leader, "Corporate D&O Liability for Sexual Harassment and Related Claims", New York City Bar Association, CLE Program, November, 2020; Co-Chair, "ESG in Insurance: Now More than Ever", New York City Bar Association, CLE Program, September, 2020; Co-Chair, "M&A for Insurance Companies", New York City Bar Association, CLE Program, September, 2019; Panel Leader, "D&O Exposures Arising from M&A Activity", New York City Bar Association, CLE Program, May, 2019 "Catastrophe Bonds: The Convergence of Capital Markets and Insurance, Review of Banking and Financial Services, March, 2018
Mediation Rate	\$400 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.