



AAA Mediation.org™

FN-7786 MN-7786 LN-7786, Esq.

New York, New York



Current Employer-Title StrickADR - Principal

Professional Summary Internationally recognized arbitrator and mediator with expertise in US and International business operations and dispute resolution in the area of IP, Technology, Media and Entertainment, Investment, Corporate, Sports and High Stakes and Adversarial proceedings (including Corporate Divorces).

First appointed to the AAA's Commercial Panel in 1982 and has sat as Chair, associate or sole arbitrator in approximately 350 arbitral proceedings covering a number of industries.

Began his career as a Motion Picture and Television lawyer and business executive and brings to both a practical business and legal perspective in dealing with corporate and commercial disputes.

Profession Full time Independent Arbitrator and Mediator

Work History Principal, StrickADR, 2001 – Present; General Counsel/CEO Subsidiary Cerulean Digital, Dynacs Inc. (and predecessor companies), 1994 – 2001; Senior Vice President and General Counsel, Art & Commerce, 1989 – 1994; Key Senior Executive, DEG/Dino DeLaurentiis Corp., 1982 – 1989; Business Affairs, Home Box Office, Inc., 1980; Attorney, Loeb & Loeb (predecessor firm), 1977 – 1980; Attorney, United Artists Corporation, 1975 – 1977.

Experience Over 25 years extensive experience in commercial dispute resolution in both domestic, international and cross-border disputes; contract interpretation, complex discovery and e-discovery issues, case management and design; claims involving demands for monetary, declaratory, injunctive and/or other equitable relief; enforcement, complex damages awards and damages computations.

Served as arbitrator (sole arbitrator, chair or co-arbitrator) on numerous large complex cases frequently involving multiple parties, transnational and conflicts and choice of laws issues, complex discovery practice and arbitration procedural process design.

In-depth knowledge in the following practice areas:

Technology, Licensing, Patent and other Intellectual Property Disputes;
Manufacturing/Agency Agreements covering Chinese products;

Pharmaceuticals/Medical Equipment;
 Author/Collaboration Agreements;
 Patent Infringement;
 Internet, Telecommunications, Cable, and Satellite Delivered Programming;
 Private equity;
 Sales and secured transactions;
 Motion Picture and Television production, financing and distribution;
 Internet, new media and software;
 Music and Book Publishing;
 Aerospace and Defense Matters;
 Commercial and residential Construction;
 Design, Production, Manufacturing and Distribution of Goods and Media;
 Banking and Finance, Credit, Insurance, and Business Structures (Partnerships, Joint Ventures, Limited Liability Companies and Corporations);
 Franchise Agreements;
 Tax Issues;
 Corporate and General Business Issues;
 Advertising and Marketing Matters;
 Non-disclosure and Non-circumvent Agreements;
 Licensing Arrangements (foreign and domestic);
 Rights of Publicity and Privacy;
 Merger and Acquisitions;
 Due Diligence matters;
 Hospitality industry dispute;
 Private equity, sales and secured transactions, including the financing, production and distribution of theatrical motion pictures and pay television programming, internet, new media, streaming and software.

Silicon Valley Arbitration and Mediation Center -- Tech List Appointee.

Numerous private courses, lectures and self study in areas of Artificial Intelligence , Blockchain, applied technologies, arms control, aviation, cyber technology and related fields.

ACE20 - Cyber Security: A Shared Responsibility, 2020.

Extensive professional work--including work as C-Suite executive and then CEO-- in digital animation, and imaging processes and related patents, including work in patent litigation and defense.

Mediator Experience

Served as a mediator in the following types of cases: (1) Involving celebrity endorsement licensing agreement - valuation of license in view of unauthorized web use of licensed name and likeness. (2) Motion picture and television licenses breach of contract - valuation of damages. (3) Breach of contract and counterclaims involving large and complex issues and multi-million dollar claims. (4) Family mediation - spousal support, visitations, family issues.

Representative Issues Handled as a Mediator

Issues have involved the value of celebrity endorsement agreement relative to unauthorized internet and new media use of name and likeness for competing products. Has also mediated cases involving whether a motion picture distributor had fulfilled its contractual distribution obligations and damage issues relating to dispute. Also experienced with issues involving spousal support, custody and family related issues.

Mediator Style & Process Preferences

I view mediation as a process in which the mediator acts to facilitate a negotiated settlement of the disputes between parties. I have a background in law and clinical psychology and note the importance of affording the parties a full and fair opportunity to express their perspectives. Sometimes the presented issue, is only one part of the dispute and underlying considerations present themselves. I view as critical the mediator's ability to patiently hear the issues both presented by the parties and those that exist below the line.

Technology Proficiency

Microsoft Word, Excel, Powerpoint

ChatGPT

Various software applications

Software that allowed the digital enhancement of digital images as CEO of a company that created the technology to digitally place polygons around two dimensional images on high tech computing devices to apply color, texture, or another visual quality (ie the appearance of "snow" applied in digital form on a spring branch to create the image of winter).

Education

Pacifica Graduate Institute (M.A., Counseling Psychology-2000); University of California College of the Law SF. (J.D., with emphasis in International Law, Conflicts of Law and Contract Law-1974); Stanford University (B.A., Political Science, Political Science - Arms Control/Disarmament; minor emphasis in Italian, Renaissance Art and Literature-1971).

Professional Licenses

Admitted to the Bar: New York (1975).

Professional Associations

Fellow, College of Commercial Arbitrators. (Currently serves as Vice President, Executive Committee and Board Member). International Committee
CCA former Chair Membership Committee, Chair Task Force, former Co-Chair CCA Outreach Diversity Committee, and CCA Branding and Image/International Committee; CCA Special Subcommittee on Diversity;
Fellow, Chartered Institute of Arbitrators, New York Branch, former Member Executive Committee, Co-Chair Programming Committee;
Fellow, Singapore Institute of Arbitrators;
Hong Kong International Arbitration Centre Panel of Arbitrators; and HKIAC Panel of Arbitrators for Intellectual Property Disputes;
Singapore International Arbitration Center;
International Council for Commercial Arbitration;
Juris Publication Roster of Arbitrators;
Cairo Regional Centre for International Commercial Arbitration;
Academy of Motion Picture Arts and Sciences (Voting Member-Executive Branch);
The Bar Association of the City of New York; American Bar Association (ADR Section);
Independent Film & Television Alliance International Panel of Neutral Arbitrators;
The International Arbitration Club of New York;
Founding Member - New York International Arbitration Center.

Recent Publications & Speaking Engagements

California International Arbitration Week -- Panel on International Arbitration Benefits in Entertainment Disputes 2024.PDRCI (Manila) Concluding Lecture on International Arbitration 2023. College of Commercial Arbitrators Forum. Restatement of the Law, the U.S. Law of International Commercial and Investor-State Arbitration, George A. Bermann Prof. of Law Columbia University and Chief Restatement Reporter interview by Jennifer Kirby.
College of Commercial Arbitrators Forum, Arbitration: Past, Present and Future CCA 2020 Annual Meeting, Talk by Gary Born.
Judge/Arbitrator Vis Moot Competition Vienna, 2018 and 2019.
Faculty Member University of Southern California Gould School of Law, Advanced Arbitration Academy,
Judge Judith O. Hollinger Program in Alternative Dispute Resolution, 2016.
Guest Speaker - Practicing Law Institute, 2016.
Guest Lecturer Stanford Law School, 2015.
Judge/Arbitrator - Vis Moot Competition Hong Kong, 2016
Judge/Arbitrator Annual ICDR Practice Vis Moot Competition Programs.
College of Commercial Arbitrators -- Media and Entertainment Panel Moderator, College of Commercial Arbitrators 2014 Annual Meeting.
College of Commercial Arbitrators -- Moderator Diversity Panel Discussion Moderator - College of Commercial Arbitrators 2013 Annual Meeting.

Locations Where Parties Will Not be Charged for Travel Expenses

Los Angeles, Singapore.

Mediation Rate

\$6,000 Per Day

Languages

English, French, Italian

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.