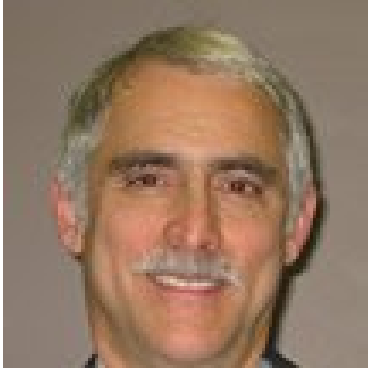




AAA Mediation.org™

FN-9985 MN-9985 LN-9985, Esq.

New York, New York



Profession

Commercial Litigator, Arbitrator, Mediator, Writer

Work History

Full-time arbitrator and mediator, 2023 - Present; Senior Counsel, Reiss Sheppe LLP, 2015 - 2023, Partner, Reiss Sheppe LLP (and predecessors), 1988 - 2015; Partner, Solin & Breindel, 1985 - 1988; Associate Attorney, Donovan Leisure Newton & Irvine, 1978 - 1984; Law Clerk to Judge Charles Metzner, Southern District of New York, 1976 - 1977.

Experience

Since 1976 focused on commercial litigation in a wide range of areas including contract, intellectual property, franchising, consumer, insurance, reinsurance, mergers and acquisitions, entertainment and employment. A significant part of the practice involved insurance and reinsurance disputes, some in excess of \$100M, as well as disputes involving securities, performance contracts, acquisitions, software and licensing, employment (largely contractual and discrimination claims on behalf of employers), franchise terminations, real estate, corporate breakups, shareholder agreements, and valuations. Over the past 25 years have served as an arbitrator and mediator in well over 200 matters involving Fortune 100 companies, medium-sized and small businesses, governmental entities both domestic and foreign, international banks, insurance companies, unions, entertainment companies, computer companies, healthcare companies and individuals.

For approximately 25 years, represented the Instituto De Resseguros Do Brasil (the "IRB") in many reinsurance arbitrations against other reinsurers in the United States and Europe. Participated in numerous negotiations, settlements and arbitration presentations involving facultative, treaty and retrocessional reinsurance matters. In that capacity, involved in analyzing coverage issues, claims and policy language. Have also served as an arbitrator on matters involving insurance coverage disputes.

Mediator Experience

Served as an arbitrator for over 30 years and as a mediator for over 25 years, mediating matters for both private and public companies, as well as for the United States District Court for the Southern District of New York, the New York State Supreme Court, New York County and the American Arbitration Association. Has participated in a mediation program for a large Fortune 100 company, two mediation panels dealing with Super-Storm Sandy involving disputes between insureds and insurers, one set up by Ken Feinberg and the other by the AAA. Also serves on the panel for the International Institute for Conflict Prevention & Resolution. Among the matters mediated include a dispute between the Federal Government and the City of New York regarding uniform officers and pensions, a dispute between one of the big four sports leagues with respect to their premier world

event, and numerous contract and IP disputes, disputes between employers and employees, between partners, and with respect to insurance matters.

As an advocate, has been involved in numerous mediations, some private, some through the court system and some through the AAA and other ADR providers. A number of these mediations have gone beyond a single day, involved multiple parties and involved six and seven figure settlements. Contract performance, intellectual property and insurance were the main subject areas.

Formal mediation training began in 1995 through the U.S. District Court for the Southern District of New York and has continued thereafter through formal programs offered by the Southern District and the AAA, among other organizations. Fellow of the College of Commercial Arbitrators, a member of the New York State Dispute Resolution Association and a member of the Chartered Institute of Arbitrators.

**Representative Issues
Handled as a Mediator**

The largest percentage of the matters mediated involve contractual disputes pertaining to insurance, partnership, intellectual property and performance issues. There have been a significant number of matters involving fulfillment contracts and employment issues. Two recent mediated matters involved a dispute between the Federal government and New York City with respect to pensions and one of the big national sports leagues with regard to a dispute arising during one its premier events. Other recent mediations have involved insureds and insurers dealing with the aftermath of Super-Storm Sandy.

**Mediator Style & Process
Preferences**

I view the mediator as the "agent of reality," whose goal is to encourage the parties to talk to each other, instead of at each other. I try not to be evaluative, certainly not early on. Early on I try to facilitate an open dialogue about the issues, as well as the risks and alternatives the parties face by continuing to litigate or arbitrate. The parties need to understand each other's position if they are to come up with an acceptable resolution which is why I encourage the parties to prepare for mediation by exchanging information in advance and providing me with an ex parte memo along with documents they feel are important to review. I believe that successful mediations often require small steps and should not be abandoned simple because a settlement cannot be reached after one meeting. I do not like to give up as long as I see the possibility of a resolution, something I can often sense during my private meetings with the parties. I believe that representatives of the parties with authority or access to the decision makers must always be present.

Technology Proficiency

Experienced with e-discovery, electronically stored information, information management, computers, and computer programming.

Education

Columbia University (JD, Law Review Board of Editors, Stone Scholar-1976); Dartmouth College (AB, summa cum laude-1973).

Professional Licenses

Admitted to the Bar: New York (1977); U.S. District Court: Southern and Eastern Districts of New York; U.S. Court of Appeals: Second, Third, Fifth, and Eleventh Circuits; U.S. Supreme Court.

Professional Associations

Association of the Bar of the City of New York (former member of Committee on Alternate Dispute Resolution); New York State Bar Association (Section on Alternate Dispute Resolution); College of Commercial Arbitrators (Fellow); Dartmouth Lawyers' Association; New York State Dispute Resolution Association; Chartered Institute of Arbitrators; Litigation Counsel of America (Fellow); Member of National Academy of Distinguished Neutrals/New York Academy of Mediators & Arbitrators; CPR International Institute for Conflict Prevention an Resolution, FINRA.

**Recent Publications &
Speaking Engagements**

"Personal Injury and Product Liability Litigation", Prentice Hall, 1987; served for many years as a Judge in the National Moot Court Competition, and for many years taught the "Practice of Law" course at Columbia Law School; also serves on Boards of two non-profits; co-founder of Sunday Supper, an organization that feeds the hungry. Has authored 12 novels.

**Locations Where Parties
Will Not be Charged for
Travel Expenses**

New York Metropolitan Area.

Mediation Rate

\$450 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.