

Alternative Dispute Resolution & Mediation

Our alternative dispute resolution team is comprised of highly experienced legal practitioners who not only represent clients in arbitration and mediation but they also act as neutrals, mediators and arbitrators.

Our team, consisting of experienced trial lawyers, a former Chief Judge of the District of New Jersey, a former New Jersey Supreme Court Justice, and former federal prosecutors, combines trial experience, deep knowledge of ADR procedures and experience across a broad range of industries and substantive areas of law.

Our team has extensive experience across multiple industries, with particular focus on financial services, life sciences, real estate, insured coverage and manufacturing. Our lawyers have resolved a wide variety of disputes and have appeared in major arbitration forums including the AAA and CPR, and they have significant experience in resolving a wide variety of claims in the U.S. through arbitration and other forms of ADR. When representing clients in ADR, our approach involves working with our clients and analyzing their needs to determine the best dispute resolution process to meet their needs. ADR offers privacy, flexibility and speed when compared to traditional litigation.

When acting as neutrals, our lawyers understand that each dispute is unique and the way to resolve that dispute should be customized for the individual circumstances. We assist the disputing parties in finding common ground and resolving their disputes as quickly and cost effectively as possible.

We work with our clients to develop creative alternative dispute resolution strategies. Our areas of work include:

- Arbitration
- Drafting dispute resolution and arbitration clauses
- Mediation
- Mock Trials
- Negotiation
- Settlement conferencing
- Special Master

Representative Matters

Major chemicals firm—Supply agreement arbitration

Confidential Arbitration: US and Finnish chemicals firms arbitrating supply agreement claims following closure and divestment of a manufacturing plant, resulting in a defense award for our client supplier and a denial of the customer's 8-figure breach claims.

Inter-dealer broker—FINRA arbitration

Represented CEO and brokers of a leading inter-dealer broker in a FINRA arbitration and related state court proceedings against a rival company concerning brokers of credit derivatives and the impact of the credit crisis on the market.

Major chemicals firm—Supply agreement arbitration

Represented a chemical company in a confidential arbitration in which French, American, and UK chemicals firms disputed breach of contract claims related to the sale of a chemical plant and subsequent supply agreements. Key issues included performance duties required by "best efforts" clauses under Delaware and English law, validity of a series of force majeure declarations, whether the

duty of good faith and fair dealing required expenditure to reach industry performance benchmarks, and requirements to retain key employees during a control transfer. Resulted in 8-figure award for our client, including attorneys' fees and costs.

Various clients—Alternative dispute resolution

Representing clients in various alternative dispute resolution forums, including the American Arbitration Association and the International Institute for Conflict Prevention and Resolution.

Articles

Avoiding Disputes over Who Decides Arbitrability in New Jersey, *New Jersey Law Journal*, 5.18.2021

Mediating with and without the Robe: Tips to Maximize Clients' ADR Experience, *New Jersey Law Journal*, 3.10.2021

In NJ, Following Court Guidance in Drafting Arbitration Clauses, *Law360*, 12.23.2020

Ten Pillars to a Productive Mediation: An Attorney's Guide, *Alternatives to the High Cost of Litigation*, 3.1.2015

Webinars

Mediating With & Without the Robe: Tips to Maximize Your ADR Experience, ACCNJ 19th Annual All Month CLE Conference, 9.9.2021

Mediating With and Without the Robe: Tips to Maximize Clients' ADR Experience, Celesq and West LegalEdcenter, 5.24.2021

Quoted

NJ Attorneys Fear Arbitration Clause Issue Will Muddle Retainers, *Law360*, 4.1.2021