

# Commercial Division

NEW YORK STATE SUPREME COURT

## *New York County*

NAME/ADDRESS/PHONE	ADMISSIONS	EDUCATION	BACKGROUND	ADR EXPERIENCE
<p>TESSER, LEWIS, Esq. Tesser Ryan &amp; Rochman, LLP 509 Madison Avenue New York, NY 10022 Phone: 212-754-9000</p> <p>E-Mail: <a href="mailto:ltesser@tesserryan.com">ltesser@tesserryan.com</a></p>	<p>N.Y.: 1971 S.D.N.Y.: 1975 E.D.N.Y.: 1975 2d Cir.: 1975 U.S.Sup. Ct.: 2006</p>	<p>Queens College, B.A., 1967  George Washington U., J.D., 1970  U. Penn., Wharton Graduate School, M.G.A., 1974</p>	<p>Tesser Ryan &amp; Rochman, LLP (1974-present), Senior Partner in firm specializing in business law, dispute resolution, and white collar criminal defense; United States Attorneys Office, Eastern District of New York, Civil Division (1974-1976); Judge Advocate General's Corps (1971-1974), Counsel representing the Commanding General, U.S. Army War College, and Army personnel in civil and criminal matters.</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program.</p> <ul style="list-style-type: none"> <li>•Mediator for U.S. District Court, Southern District of New York (18 years), and American Arbitration Association, successfully resolving dozens of assigned mediations.</li> <li>•Private Mediator-Successful experience in mediating complex disputes involving multiple parties, nationally and internationally, including publically traded companies as well as shareholder and partnership disputes.</li> <li>•President, New York County Lawyers' Association.</li> <li>•Immediate Former Chair, General Practice Section, New York State Bar Association.</li> </ul>

<p><b>UNIMAN, LYNNE M. FISCHMAN,</b> Esq. Allegaert Berger &amp; Vogel</p> <p>111 Broadway, 20<sup>th</sup> Floor New York, NY 10006</p> <p>Direct #: 212-616-7086 Main #: 212-571-0550 Fax #: 212-571-0555</p> <p>E-Mail: <a href="mailto:luniman@abv.com">luniman@abv.com</a></p>	<p>E.D.N.Y.: 1980 U.S. Tax Court: 1980 S.D.N.Y.: 1983 N.Y.: 1989 N.D.I.L: 2004 E.D.MI, 2011</p>	<p>N.Y.U., B.A., 1976 Brooklyn Law School, J.D., 1979 N.Y.U. Law School, LLM (Taxation), 1984</p>	<p>Currently a partner at Allegaert Berger &amp; Vogel as of 2018.</p> <p>Partner at Andrews Kurth, LLP (1990-2017) and Managing Partner from 2000-2017. Broad based practice that includes partnership disputes, insurance disputes and professional liability (accounting and legal malpractice) involving securities, breach of contract, employment, class actions, contested corporate acquisitions and divestitures, fraud, trademark, professional malpractice, sports and entertainment, trusts and estates, tax, bankruptcy, real estate and banking. Shea &amp; Gould (1984-1990) associate – litigated a broad range of cases in both trial and appellate courts. Mudge Rose Guthrie Alexander &amp; Ferdon (1980-1984) associate – tax work involving municipal bonds, litigated criminal defense and civil RICO cases.</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program.</p> <p>Mediator on SDNY and Bankruptcy Court (SDNY and EDNY) panels for 19 years.</p> <p>Mediates for the Second Circuit, serves on the Mediator Advisory Committee for the SDNY and is an AAA arbitrator.</p>
<p><b>VAZQUEZ, GABRIELLE Y., Esq.</b></p> <p>McGrail &amp; Bensinger LLP 888-C 8<sup>th</sup> Avenue, #107 New York, NY 10019</p> <p>Phone: 917-509-7818</p> <p>E-mail: <a href="mailto:GVazquez@McGrailBensinger.com">GVazquez@McGrailBensinger.com</a></p> <p>Joined ADR Program 05/23/18</p> <p><b>WABNIK, DEBRA LYNNE, Esq .</b></p>	<p>N..Y.: 2008 District of Columbia: 2011 SDNY: 2010 EDNY: 2011 District of Columbia, District: 2011 Second Circuit Court of Appeals: 2011</p>	<p>Fordham Law School, J.D., 2007 Princeton University, A.B., 2004</p>	<p>Commercial litigator for 10-plus years specializing in the representation of real estate investors, construction management companies, and international financial institutions (including banks, hedge funds, and international financial institutions at the following firms:</p> <p>Hughes Hubbard &amp; Reed LLP (2007-2008 and 2010-2012)</p> <p>Thompson Hine LLP (2012-2017)</p> <p>McGrail &amp; Bensinger LLP (2017-present)</p> <p>Additional related experiences:</p> <p>Law Clerk to Hon. Stephen Robinson (SDNY) (2009-2010)</p> <p>American Arbitration Association A. Leon Higginbotham Fellow (2018-2019)</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program.</p> <p>Mediates a wide variety of cases, including commercial cases, as part of the SDNY Mediation Panel and the Westchester County Commercial Division Roster of Neutrals.</p> <p>Serves as a mediation coach for basic and advanced commercial training in the New York City Bar Association and New York State Bar Association programs.</p>

<p>Stagg Terenzi Confusione &amp; Wabnik, LLP 401 Franklin Avenue, Ste. 300 Garden City, NY 11530 Direct: 516-812-4581 Phone: 516-812-4500 Fax: 516-812-4681 E-Mail: <a href="mailto:dwabnik@stcwlaw.com">dwabnik@stcwlaw.com</a></p>	<p>N.J.: 1993 N.Y.: 1994 S.D.N.Y.: 1994 E.D.N.Y.: 1994 N.J.D.C.: 2003 CT.D.C.: 2003 2nd Cir.: 2005 3rd Cir.: 2010 U.S.S.C.: 2009</p>	<p>S.U.N.Y. at Binghamton, B.S., 1990 Hofstra U. School of Law, J.D., 1993</p>	<p>Partner at Stagg, Terenzi, Confusione &amp; Wabnik. Primary practice concentration in Commercial Litigation, employment discrimination, Uniform Commercial Code, banking law, and credit card litigation.</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program. Mediator, S.D.N.Y. Has represented parties in numerous mediations as both plaintiff and defendant, including court-annexed, private and administrative mediation</p>
<p>WALSH, MICHAEL T., Esq. Resolute Systems, LLC Michael Walsh ADR 72 North State Road Briarcliff Manor, NY 10510 Phone: 914-980-3228 E-Mail: <a href="mailto:mtwadr@gmail.com">mtwadr@gmail.com</a> Website: <a href="http://www.michaelwalshadr.com">www.michaelwalshadr.com</a></p>	<p>N.Y. S.D.N.Y. E.D.N.Y.</p>	<p>University of Notre Dame, B.A. 1973 St. John's U. School of Law, J.D., 1979</p>	<p>Over 35 years experience in litigation, arbitration, and mediation as either an advocate or "neutral" in multiple commercial areas. Partner in three NYC law firms. Member of American Arbitration Commercial Panel of Mediators; Certified Mediator for ARIAS, US. Please see website "<a href="http://www.michaelwalshadr.com">www.michaelwalshadr.com</a>" for further information.</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program. Has served as mediator in over 75 Mediations involving: commercial litigation, professional liability (malpractice) matters involving attorneys, accountants and insurance brokers, sports arena leasing, payment for architecture plans on large scale commercial development and issues regarding search firm representation and merger of the parties involved in the initial search, Healthcare Billing Disputes between hospital networks and medical insurance providers. Accounting malpractice claims include business valuation, public offering issues and audits. Also served as mediator in legal malpractice matters based upon contract drafting and representation on pension and retirement rights, Partnership Dissolutions and Personal Injury Claims as well as disputes over artwork ownership.</p>

<p>WEIL, RICHARD S., Esq. 1065 Park Avenue New York, N.Y. 10128 Phone: 917- 684-8967</p> <p>E-Mail: <a href="mailto:rickweil@weilmediation.com">rickweil@weilmediation.com</a></p> <p>Website: <a href="http://www.weilmediation.com">www.weilmediation.com</a></p>	<p>CA.: 1967 D.C.: 1969 N.Y.: 2003 N.D., California: 1967 U.S. Sup Ct: 1971 S.D.N.Y.: 2007 E.D.N.Y.: 2007</p>	<p>U. California, Berkeley, B.A.: 1964</p> <p>Boalt Hall, U. California, Berkeley, J.D.: 1967</p>	<p>Mediator, New York, 2007-present: focusing on commercial and employment litigation.</p> <p>Private practice, San Francisco, 1974-2006, represented companies and individuals in litigation and transactional matters involving business, employment, real estate and family law.</p> <p>U.S. Department, Civil Rights Division, 1968-1972, (Title VII Litigation), led team of lawyers, paralegals and FBI agents that investigated, litigated and negotiated settlements in high impact employment discrimination cases.</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program.</p> <p>Mediation experience: Private practice (1991-present); Federal Ct. N. Dist. Cal.: (1991-2006); S.D.N.Y. (2007-present); N.Y. Sup. Ct., Commercial Div. (2009-present); N.Y. Sup. Ct., First Appellate Dept. (2010-present); San Francisco Sup. Ct. (1991-2006); New Jersey State Courts (2008-present).</p> <p>Mediation Training: over 100 hours. Also helped train mediators for the Commercial Division, New York City Bar Association and Volunteer Lawyers for the Arts.</p> <p>“Mediation: Through the Eyes of New York Litigators,” report of survey for NY State and City Bar Associations.</p> <p>“Is Mediation Confidential in New York?,” New York Law Journal, October 25, 2012.</p> <p>“Mediation in a Litigation Culture: The Surprising Growth of Mediation in New York,: appeared in Summer 2011 ABA Dispute Resolution Magazine.</p> <p>“A Pragmatic Approach to Mediation: By Litigators/For Litigators,” N.Y. City Bar program, November 13, 2011.</p> <p>Has served over 25 years as a mediator, arbitrator, early neutral evaluator, Judge Pro Tem and Special Master in NY, NJ, and CA. Mediated over 400 cases, arbitrated approximately 60, represented clients in ADR proceedings and trained mediators for the Commercial Division and other NY courts. Mediates in his private practice for Second Circuit Court of Appeals, SDNY, Appellate Division of the First Dept., Commercial Division, NJ</p>

				<p>State Courts, the AAA, CPR Panel of Distinguished Neutrals and the NYC Bar Complaint Mediation Panel.</p> <p>Commercial cases mediated include: breach of contract, tortious interference with contract; shareholder and partner disputes, post-acquisition disputes, co-owner and co-worker conflicts, defamation, collection, trade name and copyright infringement, defection and damaged goods, family-owned business conflicts, premises liability, mismanagement, disability access; real estate sales and leases, entitlement to bonus, restrictive covenants (non-competes/non-solicitations); employee's patent rights, misappropriation of trade secrets; employee theft; pension rights, construction contracts and investor disputes.</p> <p>Has taken a leadership role in the NY dispute resolution community serving on the Executive Committee of the State Bar Dispute Resolution Section, the City Bar ADR Committee, Commercial Division ADR Advisory Committee, Southern District Mediator Evaluation Pilot Project and Southern District Young Mediator Mentoring Program. Spearheaded a survey of NY litigators' views on mediation for the State and City Bars. Chaired a CLE program on effective mediation advocacy and wrote a booklet on how mediation can help businesses manage risk. His articles about mediation have been published in the ABA Dispute Resolution Journal, the New York Law Journal and CPR's magazine "Alternatives."</p>
<p>WIECHMANN, ERIC W., Esq. McCarter &amp; English, LLP</p>	<p>New York: 2011 Connecticut: 1974 District of Columbia:</p>	<p>Cornell University J.D., 1974</p>	<p>Over 30 years experience as lead trial or arbitration counsel in energy, antitrust, professional liability (legal, accounting, securities, insurance broker), securities, environmental, construction, mass tort,</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting</p>

<p>185 Asylum Street Hartford, CT 06103 Phone: 860-275-6371 E-mail: <a href="mailto:ewiechmann@mccarter.com">ewiechmann@mccarter.com</a></p> <p>Joined ADR Program 2018</p>	<p>1983 SDNY: 1975 EDNY: 1975 District of Connecticut: 1975 United States Court of Appeals, Second Circuit: 1975 United States Court of Appeals, Fifth Circuit: 1986 United States Court of Appeals, Ninth Circuit: 1980 United States Supreme Court: 1978</p>	<p>Hamilton College, B.A., 1970</p>	<p>employment, fraud, corporate disputes, banking, probate, product liability, and class action cases at the following law firms:</p> <p>McCarter &amp; English, LLP (2003-present) - Firm-wide Managing Partner (2007-2010)</p> <p>Cummings &amp; Lockwood, P.C. (1981-2003) - Hartford Office Managing Partner (1995-2003)</p> <p>Connecticut Super Lawyers (Litigation 2006-2014)</p> <p>New England Super Lawyers (Business Litigation 2008-2014)</p>	<p>mediation in the Commercial Division ADR Program.</p> <p>Special Settlement Master, USDC Connecticut (1990-2013)</p> <p>Member - SDNY Panel of Mediators (2015-present)</p> <p>Member - AAA Roster of Neutrals serving on Commercial, Large and Complex Dispute, Energy, Merger and Acquisition and JV National Arbitration Panels and Mediation Panel</p> <p>International Center for Dispute Resolution (CPR) Distinguished Neutral Chartered Institute of Arbitrators (Fellow, 2016-present)</p> <p>Member - National Academy of Distinguished Neutrals</p> <p>Connecticut Bar Association Attorney Fee Dispute program (Mediator and Arbitrator)</p> <p>Connecticut Super Lawyers (ADR 2015-2018)</p> <p>New England Super Lawyers (ADR) - (2015-2018)</p>
<p>YAROSLAVSKY, ALEX 820 West End Avenue, Apt. 6F New York, NY 10025 Phone: 917-754-7558 347-229-1690 E-Mail: <a href="mailto:ay19@cornell.edu">ay19@cornell.edu</a></p>		<p>New York Univ., B.S., 1991 Cornell U., Masters in Industrial Relations, 1995</p>	<p>Substantial business/consulting experience with Morgan Stanley, Accenture and with own firm, Yaro Group.,</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program.</p> <p>•Completed basic mediation training at both Harvard Law School and The Association of the Bar of the City of New York. •Continuing advanced mediation training with the Center for Mediation in Law, SDNY and EDNY. •Continuing CLE in corporate, commercial, securities and accounting matters. •Member, Mediation Panels, SDNY and EDNY. •Arbitrate fee disputes in the New York City Fee Dispute Resolution Program.</p> <p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting</p>

				<p>mediation in the Commercial Division ADR Program.</p> <p>Attended Advanced Commercial Mediation Training, sponsored by Commercial Division, New York County (8 hrs), April 1, 2010</p> <p>Attended Advanced Training for Commercial Division Mediators sponsored by the New York State Unified Court System (8 hrs.) April, 2008.</p> <p>Teaches Conflict Resolution at John Jay College. Mediates privately as a member of other mediation rosters. Teaches workshops for the NYS Dispute Resolution Association.</p>
<p>ZITO, ROBERT J.A., Esq. Carter Ledyard &amp; Milburn, LLP Two Wall Street New York, N.Y. 10005</p> <p>Phone: (212) 238-8768</p> <p>Fax: (212) 732-3232</p> <p>E-mail: <a href="mailto:zito@clm.com">zito@clm.com</a></p> <p>Website: <a href="http://www.clm.com">http://www.clm.com</a></p>	<p>N.Y.: 1983 E.D.N.Y.: 1983 S.D.N.Y.: 1983 2d Cir.: 1988</p>	<p>Tulane Univ: B.A. New York Law School</p>	<p>Litigation (including trials and appeals), arbitration, and mediation in federal and state courts, AAA, FINRA and JAMS as well as general counseling in the areas of business disputes and corporate and securities transactions, SEC and SRO enforcement, securities violations, shareholder disputes and freeze-outs, directors, officers and partners fiduciary duties, corporate governance, finance, banking, commercial and corporate transactions, tax shelters, real estate and company valuations, company dissolutions and reorganizations, employment, real estate, unfair competition and trade secrets and white-collar defense. Mr. Zito is the only defense attorney in the United States to have tried to verdict a securities class action brought under Section 14 of the Securities Exchange Act, in the wake of the Private Securities Litigation Reform Act of 1995. Mr. Zito has also served as the Chairman of the Corporate Governance Committee of a public company.</p>	<p>In compliance with the requirements of Part 146 of the Rules of the Chief Administrative Judge for conducting mediation in the Commercial Division ADR Program.</p> <p>Attended Advanced Commercial Mediation Training, sponsored by Commercial Division, New York County (8 hrs), April 8, 2010</p> <p>Participated in the Mediation Workshop presented by the Commercial Division, June 1999 (16 hours).</p> <p>Attended mediation workshop sponsored by Commercial Division, 1996.</p>

