

Edna Sussman Esq.
Hoguet Newman Regal & Kenney, LLP
10 East 40th Street
NewYork, NewYork 10016
Phone 914-472-9406
Phone: 212-689-8808
Fax: 914-472-8975
E-mail: esussman@hnrklaw.com

File Last Updated: 8/10/07

<u>I. Profession</u>	<u>Accrediting Agency or Jurisdiction</u>	<u>Date of Admission</u>
Attorney	New York (First Department)	1974
	US District Court: Southern District NY	1974
	US District Court: Eastern District NY	1974
	US Court of Appeals, Second Circuit	1974
	US Court of Appeals, Third Circuit	2005
	United States Supreme Court	1978

<u>II. Professional Organization</u>	<u>Date of Admission</u>	<u>Active/Inactive</u>
American Bar Association	1970's	Active
Association of the Bar of the City of New York	1970's	Active
Mediator, USDC SDNY	1997	Active
Arbitrator/mediator, American Arbitration Association	1994	Active
Arbitrator/Mediator ICDR	2006	Active
Arbitrator/ mediator CPR	2006	Active
Mediator NYS Supreme Court NY and Westchester	2005	Active
Mediator EDNYand EDNY Bankruptcy Court	2005	Active
Mediator Delaware Bankruptcy Court	2005	Active
Westchester Bar Association	2003	Active
Energy Bar Association	2006	Active
International Bar Association	2005	Active

III. General professional experience:

My specialty as an attorney has been as a commercial litigator specializing in complex corporate disputes. In the past twelve years I have also served as a neutral in over 80 mediations and arbitrations.

As a litigation partner and associate at White & Case and in my current position as Of Counsel at Hoguet Newman & Regal I have represented clients in many different industries in a wide variety of complex commercial litigations. These disputes have included matters arising out of contracts, bankruptcy, accounting, financing transactions,

fraudulent conveyances, securities, banking issues, antitrust, mergers/acquisitions, dealership relations, transnational litigation, products liability, employment, and fiduciary duties. These matters have enabled me to become familiar with many different businesses, including energy and environmental businesses, liquor, steel and oil industries, consumer goods businesses, retail businesses, franchise operations, a variety of investment vehicles and various facets of accounting and banking.

IV. General pertinent experience:

As a court certified mediator for the Commercial Division of the New York Supreme Court and as a mediator for the S.D.N.Y. mediation panel and for several of the leading dispute resolution organizations, I have had extensive experience as a neutral and have successfully mediated and arbitrated over 80 disputes. Recent matters handled include disputes arising out of general commercial contracts, insurance coverage, construction, dealership and franchise relationships, real estate transactions, corporate acquisitions (breaches of representations and warranties, post-closing adjustments, post-sale competition by seller in breach of agreement, continued use of intellectual property sold in breach of agreement), partnership agreements, bank/customer transactions, hedge fund investment management fees, employment complaints, tax advice and accountant's liability, payment for goods sold and delivered, claims against brokers in connection with brokerage accounts, various environmental and energy disputes including issues with respect to environmental assessments and environmental cleanups, oil spills, storm water management projects and line expansions.

V. Mediation training

American Bar Association, numerous arbitration and mediation trainings from 1994 to the present

United States Bankruptcy Court for the Southern and Eastern Districts and the National Association of Securities Dealers, mediation training (14 hours)

USDC Southern District of New York Mediation training (21 hours)

New York State Supreme Court, mediation training (14 hours)

Equal Employment Opportunity Commission, mediation training (14 hours)

National Association of Securities Dealers, arbitrator training (7 hours)

New York Stock Exchange, arbitrator training (3 Hours)

VI. Pertinent bankruptcy experience:

I have counseled on bankruptcy issues in the context of sophisticated business transactions and represented both secured and unsecured creditors in a broad variety of matters in various bankruptcy courts around the country. I have also represented the trustee in bankruptcy in extensive proceedings to recover property. Cases I handled became important precedents in the areas of adequate protection and the recognition of

foreign trustees in bankruptcy.

VII. General pertinent business or legal experience

Named in Energy Law 360 Publication as an Outstanding Woman Lawyer in the Energy field, April 2007 (unsolicited and unfunded)

Publications and Speaking Engagements:

Publications: Associate Editor of Oil Gas and Energy Law Intelligence; formerly co-authored monthly column on litigation practice for the LEGAL TIMES OF NEW YORK and served as co-editor of the LETTER OF CREDIT REPORTER and on the Advisory Board of LENDER LIABILITY LAW REPORT; Author of Chapter on “*Climate Change Developments in the United States Create Opportunities for Alternative Dispute Resolution*” to be published Fall 2007, Oxford University Press in “*Dispute Resolution in the Climate Change Regime*”, edited by the Permanent Court of Arbitration in the Hague

Recent representative articles published:

Through Mediation, Adversaries Learned the Facts and Settled, Construction News, March 2007

Survey of U.S. Case Law on Enforcing Mediation Settlement Agreements, International Bar Association’s Mediation Law Committee Newsletter, April 2006

The Energy Charter Treaty Affords Investor Protections and Right to Arbitration, Oil Gas and Energy Law Intelligence, October 2006

Building Stock Offers Opportunities to Foster Sustainability and Provides Tools for Climate

Change Mitigation and Adaptation, American University Washington College of Law, Sustainable Development Law & Policy Journal, Spring 2007

“*Complexities of Designing a Federal Carbon Regime: A Challenge for Congress*” Energy Law 360, July 2007

New York Addresses Climate Change with the First Mandatory Greenhouse Gas Program, New York State Bar Association Journal, May 2006

All About Motions to Dismiss, ALI-ABA’s The Practical Litigator, March 2006

Renewable Energy Resources Development Initiatives on Public Lands, American Bar Association’s Trend Newsletter March/April 2005

Recent Representative Lectures:

Frequent speaker on arbitration and mediation practice and energy and environmental issues for the American Bar Association (ABA), New York City Bar Association and international, law school, business and other organizations. Recent presentations include:
Energy and ADR: What Every Energy Professional Should Know, Energy Bar Association, January 2007

Arbitrating Energy Disputes: The Way to Go if Other ADR Fails, ABA, June 2006

Climate Change Litigation: Past, Present and Future, ABA June 2006

Executive, Legislative, and Judicial Responses to Global Warming” ABA, April 2007
Climate Change: The Business Advantage, Westchester Business Council, March 2007
Local Governments Address Climate Change, NYU Law School Colloquium, February 2007
Sustainability Planning; a Community Partnership, Columbia University, December 2006
The Legal and Financing Implications of the Kyoto Protocol Clean Development Mechanism,
American Branch of the International Law Association, October 2006
Greenhouse Gas Trading, International Bar Association, September 2006
The Energy Policy Act of 2005: Something for Everyone NYC Bar Association,
October 2005

Education: Barnard College (B. A. 1970), Columbia Law School (J.D. 1973)
Leadership in Energy and Environmental Design (LEED) Accredited Professional, United States Green Building Council.