

**Please submit your Bio in the following format**

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**I. Professional Accrediting Agency or Jurisdiction Date of Admission**

Attorney	State of New Jersey	1985
	U.S. District Court, NJ	1985
	State of New York	1987
	U.S. District Court, EDNY	1985
	U.S. District Court, SDNY	1985
	U.S. District Court, WDNY	2017
	U.S. District Court, NDNY	2019

**II. Professional Organizations Date of Admission Active/Inactive**

Lawyers Advisory Committee To The Bankruptcy Bench of New Jersey	1998 – 2005	Inactive
Turnaround Management Association	2014	Active
• President Elect, NYC Chapter	2016	1-year term
• President, NYC Chapter	2017	1-year term
• Chairperson, NYC Chapter	2018	1-year term
• Global Executive Board	2018 – 2019	
• Global Board of Trustees	2020 – 2021	Active
New York State Bar Association		
• Executive Committee, Dispute Resolution Section	2019	Active
• Treasurer, Dispute Resolution Section	2021	Active
• Co-Chair, Commercial Lending Committee, Dispute Resolution Section	2021	Active

CPR International Institute for Conflict Prevention and Resolution	2019	Active
<ul style="list-style-type: none"> <li>• Co-Chair Banking and Financial Services Committee</li> </ul>	2021	Active
American Arbitration Association		
<ul style="list-style-type: none"> <li>• Listed on the roster of mediators</li> </ul>	2019	Active
<ul style="list-style-type: none"> <li>• Listed on the roster of arbitrators</li> </ul>	2019	Active
American Bankruptcy Institute	2016	Active

### III. General professional experience:

I combine years of experience as a senior officer at publicly traded companies with my law firm experience to facilitate pragmatic business-minded settlements of all types of bankruptcy and commercial disputes.

**Clerkship:** 1985-1986. Served as Law Clerk to the Honorable Rosemary Gambardella, former Chief Bankruptcy Judge for the District of New Jersey.

**Law Firms:** 1985-2006 and 2012-Present. Member of the bankruptcy, restructuring and creditors' rights groups in various law firms, including Reed Smith from 2000-2006 and Stradley Ronon from 2017-present. Represent debtors, creditors, committees, asset acquirers and others in out of court restructurings, as well as in all aspects of complex corporate bankruptcy cases. Serve as mediator or arbitrator in commercial bankruptcy and non-bankruptcy disputes.

**Senior Vice President and Chief Litigation Counsel at CIT Group Inc.:** 2006-2010. Established and managed CIT's litigation and government investigations group, including developing litigation policies and strategies, overseeing outside counsel and representing the company at mediations and settlement meetings with adversaries and government officials in significant matters. Reported directly to board of directors and was actively involved in CIT's restructure, including its transition to a bank holding company.

**General Counsel to Fairholme Capital Management and Secretary to Fairholme Funds, Inc.:** 2010-2011. Served as the General Counsel to Fairholme Capital Management, the financial advisor to managed accounts and three open-ended, non-diversified mutual funds traded on NASDAQ that had more than \$20 billion under management.

### IV. General pertinent experience:

As counsel and a senior corporate officer, I have participated as an advocate, party representative or neutral in innumerable successful mediations and negotiated settlements involving private and

governmental parties. I combine my legal skills and business acumen to develop or facilitate creative, practical solutions once I have a thorough understanding of the parties and their positions and priorities. I have been involved in mediations in a broad range of bankruptcy and commercial disputes, including securities and derivative cases, class and mass actions, various state and federal government investigations, fraud, and “deepening insolvency” or “fueling the fraud type claims.

I have been a presenter on bankruptcy topics at national conferences hosted by the ABA Section of Business Law, the National Conference of Bankruptcy Judges, Turnaround Management Association, and the American Bankruptcy Institute. I also have been a presenter on litigation topics, including ADR, at conferences sponsored by Legal IQ, a division of IQPC and the Marcus Evans Chief Litigation Officer Summit.

#### **V. Mediation training/experience:**

*Embracing Change: Dispute Resolution in Unprecedented Times*, sponsored by the New York State Bar Association, Dispute Resolution Section, October 2020.

*Cyber Security: A Shared Responsibility*, sponsored by the American Arbitration Association, July 2020.

*Learn to Mediate Online Training Program*, taught by Susan Guthrie, March 2020.

*ADR in the Boardroom and the Headlines: Not Fake News*, sponsored by the New York State Bar Association, January 2019

*Arbitration Fundamentals & Best Practices for New AAA Arbitrators*, American Arbitration Association, 2-day intensive training, sponsored by the American Arbitration Association, October 2018.

*Effective Mediation Advocacy: The Roles of Client and Counsel*, sponsored by CPR International Institute for Conflict Prevention & Resolution, April 2018

*Advanced Negotiation and Mediator Skills Training*, sponsored by the United States Bankruptcy Courts for the Southern and Eastern Districts of New York, September 2005.

*Advanced Mediation Skills and Creative Workshop*, sponsored by the United States Bankruptcy Courts for the Southern and Eastern Districts of New York, September 2005.

Significant appointments include: appointed to serve as one of three mediators in the bankruptcy case of Dewey & LeBoeuf; selected to serve as the mediator or arbitrator in more than 60 disputes arising in the Madoff liquidations; selected to serve as the mediator in several disputes arising in the Lehman Brothers case.

ADR Speaking Engagements:

*Managing the Onslaught of COVID-Triggered Financial Services Disputes – Is Arbitration the Solution?* sponsored by the New York State Bar Association, November 2020.

Guest speaker at CPR International Institute for Conflict Prevention & Resolution, Banking and Financial Services Committee regarding use of mediation in mega bankruptcy cases and applicability of such use in non-bankruptcy context, October 2020.

**VI. Pertinent bankruptcy training/experience:**

For more than 25 years, my practice has been concentrated in the representation of all constituencies in bankruptcy cases, out of court restructuring matters and commercial litigation. My experience encompasses all aspects of representation in bankruptcy cases, from pre-bankruptcy planning through consummation of a plan of reorganization. Specifically, without limitation, I have represented clients in bankruptcy litigation involving confirmation disputes, lien priority disputes, valuation, substantive consolidation, DIP financing, lender liability, disgorgement, union issues, asset sales, preferences, fraudulent conveyances and other avoidance actions.