

June 16, 2020

Michael Starr
Michael Starr Mediation Services
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<u>I. Professional</u>	<u>Accrediting Agency or Jurisdiction</u>	<u>Date of Admission</u>
Attorney	United States Supreme Court	Jan. 13, 1986
	Court of Appeals, Dist. of Columbia	Sept. 12, 1980
	Court of Appeals, 2 nd Circuit	Aug. 30, 2000
		May 12, 2009
	Court of Appeals, 9 th Circuit	June 18, 2015
	U.S. District Court, Southern Dist. of NY	Sept. 22, 1981
	U.S. District Court, Eastern Dist. of NY	Sept. 22, 1981
	U.S. District Court, Dist. of Columbia	Jan. 8, 1990
	U.S. District Court, Western Dist. of NY	Dec. 13, 2001
	State of New York – Second Dept.	July 23, 1980

<u>II. Professional Organization</u>	<u>Date of Admission</u>	<u>Active/Inactive</u>
College of Labor and Employment Lawyers, Fellow		Active
American Bar Foundation, Fellow		Active
American Bar Association, Labor and Employment Law Section		Active
Association of the Bar of the City of New York		Inactive
Federal Bar Council		Inactive
New York State Bar Association, Dispute-Resolution Section		Active

III. General professional experience:

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I have over 35 years' experience in complex civil litigation focusing on employment law and labor relations. I have represented clients at hearings and trials (including jury trials) in the SDNY and EDNY and other federal courts in the United States, and the N.Y.S. Supreme Court. I have argued numerous appeals in both federal and state courts, including before the Second Circuit, Ninth Circuit, New York State Court of Appeals and the Appellate Division of the New York State Supreme Court.

My practice encompasses federal labor law, non-competition and employee disloyalty, trade-secret misappropriation, employment discrimination and wage-hour law, as well as senior executive employment and ERISA.

Over the course of my legal career, I have also handled other, typically contract-related matters including with respect to disputed real-estate appraisals, shareholder agreements of closely-held corporations, non-competition agreements, unfair competition matters, franchise agreements, and corporate acquisition and divestitures, (including executive compensation and earnouts).

IV. General pertinent experience:

I have over 25 years' experience as a court-appointed mediator or neutral evaluator in the federal and state courts in New York City, while maintaining a law practice as a litigator for complex civil matters, focusing on labor and employment law. Beginning on July 1, 2019, I became a full-time neutral both privately, as Michael Starr Mediation Services (www.MStarrMediation.com), and through the American Arbitration Association National Panel of Neutrals, and SSAM Alternative Resolution Dispute Services.

In 2017, I conducted for PLI a program called "Mediation Advocacy: Strategies for Effective and Ethical Lawyering," and am the author of "How Mediation Differs From a Judicial Settlement Conferences" (NYLJ Aug. 2019) and "In Mediation, Right is Irrelevant," NYLJ (May 2018). In January 2020, I chaired a panel on "Ethical Issues in Alternative Dispute Resolution" for the NYS Bar Association.

In June 2016, I was a panelist for “FLSA Mediation Training,” co-sponsored by the Federal Bar Ass’n and the EDNY’s ADR Program, and have served as a mediation-advocacy trainer for the NYU Law School Lawyering Program (from 2003-04). In April, 2019, I was a guest presenter at the Columbia Law School, Advanced Mediation Clinic (taught by Prof. Alexandra Carter).

In connection with my service on the EDNY and SDNY Panels, I have mediated disputes (and have trained other mediators to mediate disputes) related to FLSA and state wage-hour law (including with respect to nonpayment of minimum wages and overtime, employee misclassification, and joint-employer status). As a member of the mediation panel on the Commercial Division of the State Supreme Court, I have helped to resolve contract disputes involving condominiums, commercial leasing, and business dissolutions.

Further information about my mediation experience is available on my website, www.MStarrMediation.com.

V. Mediation training:

- NYS Bar Ass’n, Practical Decisions for Counsel and Clients in Mediation – June 2020
- NYS Dispute Resolution Ass’n, Co – Mediating: How, Why, When? – May 2020
- American Arbitration Ass’n, Advanced Mediator Training, Expanding the Mediator’s Toolbox – June 2019
- EDNY: Mediator Ethics and Sexual Harassment Cases – March 2019
- SDNY Mediation Office: Exploring the (oh no!) Joint Sessions; Benefits, Detriments & Strategies – Dec. 2018
- NYS Dispute Resolution Ass’n: Power Imbalance in the Wake of Trauma – Nov. 2018
- NYS Bar Ass’n: 2 Day Advanced Commercial Mediation Training – June 2018
- PLI, Mediation Advocacy: Strategies for Effective and Ethical Lawyering (Instructor) – November 2017
- NYS Bar Ass’n: 3 Day Commercial Mediation Training – March 2017
- Federal Bar Ass’n & EDNY: FLSA Mediation Training (Instructor) – June 2016
- ABA: Advocacy for Clients in Mediation – Feb. 2013
- SDNY: Refresher Training for Mediators – Oct. 2012
- EDNY: Cross Cultural Mediation – Dec. 2010

- Faculty in NYU Lawyering Program, Mediation, Feb. 2004/Feb. 2003
- EDNY: Advanced Mediation Training – Oct. 2001
- EDNY: Basic Mediation Training – Sept. 1996

VI. Pertinent bankruptcy training:

Not applicable.

VII. General pertinent business or legal experience:

My over 35 years of legal experience, handling complex, nationwide litigation covering a broad range of business disputes, as well as my training and experience in mediation, gives me the ability to successfully mediate adversary proceedings arising in bankruptcy as it relates to labor, employment and general commercial disputes.

My legal practice involved a wide array of industries with significant involvement in hospitality (hotels and restaurants); broadcast and print media, technology companies and start-ups, manufacturing, construction and financial services (both global and regional banks).