

**Contact** American Arbitration Association

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**Marc J. Goldstein, Esq.**

**Current Employer-Title** Marc J. Goldstein Litigation and Arbitration  
Chambers - Founding Partner

**Profession** Arbitrator, Litigation and Arbitration Attorney, Mediator

**Work History** Founding Partner, Marc J. Goldstein Litigation and Arbitration  
Chambers, 2007-present; Hodgson Russ LLP (leader of international arbitration  
practice), 2004-07; Proskauer Rose LLP, 1980-2003 (leader of international arbitration  
practice, 1999-2003); Meiselman Denlea P.C., 2004; Rosenfeld & Kaplan, 2003.

**Experience** Since 2006, Chair, Sole Arbitrator and Co-Arbitrator in international  
and domestic commercial arbitrations under ICDR, ICC, CPR and AAA  
Commercial/Large and Complex Case Rules. Since 1980, counsel in commercial  
arbitrations and litigations, frequently matters having international elements, and in  
contract-based Investor-State arbitrations and Iran-U.S. Claims Tribunal arbitration.  
Since 2009, mediator of international and US domestic commercial disputes.

Subject matters of cases as arbitrator: accounting, accountant liability, aviation, breach  
of contract, commercial banking, China, commercial contracts, consumer electronics,  
consultant compensation, currency trading, deceptive trade practices, Delaware  
corporation law, distribution, employment, fiduciary duty, finance, Forex, fraud,  
hedge funds, intellectual property, interim measures, injunctions, investment  
management, insider trading, investment banking, inter vivos trusts, limited liability  
companies, joint ventures, mergers and acquisitions, minority shareholder rights,  
negligence, New York law, options trading, partnership, patent licensing, private  
placements, Ponzi schemes, power cogeneration, professional malpractice, private  
banking, procurement, proprietary trading, real estate, reverse mergers, RICO,  
Uniform Commercial Code Article 2, US federal securities liability.

Subject matters of cases as mediator: price fixing, antitrust damages, syndicated  
commercial lending, real estate lending, reinsurance coverage, commercial contracts,  
joint ventures, fiduciary obligations, insurance brokerage, non-profits finance.

Subject matters of cases as advocate: accounting; accountant liability and malpractice;  
aviation -- private luxury aircraft purchase and sale; commercial real estate  
development; currency swaps and other derivatives; broker-dealer liability; Generally  
Accepted Accounting Principles; imported steel and pipe distribution; imported  
apparel distribution; imported foods distribution; music publishing; professional sports  
-- franchises, merchandising, broadcast regulation, collective bargaining, employment;  
merger purchase price adjustments; pharmaceuticals patent licensing; expropriation --  
pharmaceuticals industry investment; expropriation -- residential real estate industry  
investment; expropriation -- cable television franchise investment;  
telecommunications -- wireless franchises abroad; ISDA contracts; health care  
facilities financing; life insurance sales practices; commercial lending/secured creditor

rights; partnership and closely-held corporation dissolution; minority shareholder rights; valuation of expropriated property; industrial machinery contracts; international entertainment joint ventures; joint ventures with China state enterprises; US Age Discrimination Law, US Civil Rights Statutes; US antitrust law -- monopolization, restraint of trade, price discrimination; US securities law civil liability, US copyright law, US and NY trademark law, US bankruptcy law -- Chapter 11 reorganization, preferential transfers, adversary proceedings; New York and Delaware corporation laws, Vienna Sales Convention, Uniform Commercial Code -- Article 2 sales law, Article 9 secured creditor rights, enforcement of foreign judgments and arbitral awards, Federal Arbitration Act, New York Convention, antisuit injunctions.

RECOMMENDED IN: International Who's Who of Commercial Arbitration 2012; Best Lawyers in America, 2008, 2009, 2010, 2011, 2012, for international arbitration; Legal Media Group Expert Guide, Commercial Arbitration 2001-2009.

**Alternative Dispute Resolution Experience** Sole arbitrator, co-arbitrator, presiding arbitrator, mediator, counsel in arbitrations and litigations relating to arbitration including enforcement and vacatur of arbitration awards.

Has acted in cases under arbitration rules of ICC, ICDR, AAA (commercial), Singapore Arbitration Centre, Danish Arbitration Institute, UNCITRAL, NASD, New York Stock Exchange, and others.

Arbitrator Rosters: ICDR, AAA Commercial, AAA Large and Complex Case, CPR International Panel, CPR Accounting, Banking and Finance Panel and Entertainment Panel; ICC North America Arbitrator Database; Hong Kong International Arbitration Centre, Singapore International Arbitration Centre; Chicago International Dispute Resolution Association.

Mediator Rosters: ICDR, AAA Commercial, U.S. District Court Southern District of New York; New York Supreme Court Commercial Division in New York, Westchester and Suffolk Counties.

**Alternative Dispute Resolution Training** Arbitration: ICC/ICSID/ICDR Triple Colloquium, 2011; ICDR International Symposium in Advanced Case Management Issues, 2011; Arbitration Sessions, IBA Annual Conference, 2011; College of Commercial Arbitrators Annual Meeting, 2011; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2011; American Law Institute, Restatement of U.S. Law of International Arbitration, Members' Consultative Group Meeting, 2011; American Law Institute, Restatement of U.S. Law of International Arbitration, Members' Consultative Group Meeting, 2011; ICC/ICSID/ICDR Triple Colloquium, 2010; Arbitration Sessions, IBA Annual Conference, 2010; ICC Institute Master Class for Arbitrators, 2010; IBA Arbitration Day, 2010; AAA/ICDR Neutrals Conference, 2009; American Law Institute, Restatement of U.S. Law of International Arbitration, Practitioners' Comment Conference, 2009; IBA Arbitration Day, 2009; LCIA Symposium, 2009; ICC/ICSID/ICDR Joint Colloquium on International Arbitration, 2008; ICCA Biennial Conference, 2008; LCIA Symposium, 2008; ICC Arbitration Workshop, 2008; ICDR/ICC, The Current State of International Arbitration and a Vision of the Future, 2008.

Numerous other similar workshops, symposia and conferences on international commercial arbitration from 1996 to 2007.

Mediation: N.Y. Supreme Court Commercial Division, Advanced Commercial Mediation Training, 2009; Center for Mediation in Law, Mediation Intensive Training Program, 2008.

**Professional Licenses** Admitted to the Bar, State of New York, U.S. District Court: Eastern and Southern Districts of New York; U.S. Court of Appeals: First, Second and Third Circuits.

**Professional Associations** Elected: American Law Institute (Members' Consultative Group for Restatement (Third) of The U.S. Law of International Commercial Arbitration); International Arbitration Club of New York; International Commercial Disputes Committee, New York City Bar Association; New York State Bar Association Dispute Resolution Section (Executive Committee); College of Commercial Arbitrators (Fellow); Chartered Institute of Arbitrators (Fellow and Member of NY Chapter Executive Committee); London International Arbitration Club; Toronto Commercial Arbitration Society; American Bar Foundation (Fellow); American Bar Association (Section of International Law, Co-Chair Canada Committee, Vice-Chair International Mediation Committee, Senior Adviser International Arbitration Committee).

Voluntary: London Court of International Arbitration; International Chamber of Commerce (North America Arbitration Committee); International Bar Association (Committee D - Arbitration); Institute for Transnational Arbitration (Dallas; Advisory Board); American Bar Association (Section of International Law; Canada Committee, Vice Chair); Swiss Arbitration Association; Institute D'Arbitrage Internationale.

Non-Profit Affiliations: Canadian Association of New York; Perlman Music Program; East Hampton (N.Y.) Historical Society; Jewish Center of the Hamptons (Board of Trustees).

**Education** University of Pennsylvania (BA, magna cum laude, 1976); University of Virginia Law School (JD, Member, Virginia Law Review, 1980).

**Publications and Speaking Engagements** Founder (2009) and Author, Arbitration Commentaries: ([www.arbblog.lexmarc.us](http://www.arbblog.lexmarc.us)).

Other Articles (non-exhaustive list): "Should the Real Parties in Interest Have to Stand Up? -- Thoughts About a Disclosure Regime for Third-Party Funding in International Arbitration," (TRANSNATIONAL DISPUTE MANAGEMENT, Special Issue, November 2011); "Arbitral Cost Allocation: Should Guidelines Accompany Discretion?" 2011 AAA Yearbook on Arbitration and the Law (23rd Edition); "Judicial Interim Measures in Aid of Arbitration: New York's Muddled Landscape," IBA ARBITRATION NEWS, vol. 16, no. 1, March 2011; "Non-Party Discovery in Arbitration: The Second Circuit Weighs In," IBA Committee D Newsletter, March 2009 (posted at <http://arbblog.lexmarc.us>); "Hall Street Associates v. Mattel, Inc. and the Uncertain Future of Manifest Disregard of the Law," conference paper presented at Colorado Bar Association ADR Section meeting, Denver, January 2009; "E Discovery in United States Federal Courts: A Survey of Current Issues," conference paper presented at Insight Conference, Montreal, October 2008; "Class Action Waivers and the Federal Arbitration Act," Mealey's Class Action Reports, June 26, 2008; "New York Convention Judgments Protected by Foreign Anti-Suit Injunction," IBA Arbitration Committee Newsletter, March 2008; Case Abstract, Termorio v.

Electranta, Swiss Arbitration Association (ASA) Bulletin, September 2007; "Crossing the Common Law-Civil Law Divide in International Arbitration," paper presented at 2nd Annual Cross-Border Litigation Seminar of Hamilton Law Association, May 5, 2006; co-author, "Enforcement of Foreign Arbitral Awards Under United States and English Law," TRANSATLANTIC COMMERCIAL LITIGATION AND ARBITRATION, Oceana, 2004; "Some Thoughts About Costs in International Arbitration," ABA International Law & Practice Section Dispute Resolution Newsletter, Fall 2003;

Recent Speaking Engagements: Guest Lecturer, Interim Measures in International Commercial Arbitration, Osgoode Hall Law School LLM Program in International Arbitration, Toronto, Dec. 8, 2011; Moderator, "Judicial Review of Investment Arbitration Awards," ABA International Section Teleconference, Dec. 8, 2011; Guest Speaker, Toronto Commercial Arbitration Society Tylney Hall Colloquium, Nov. 4, 2011; Moderator and Panelist, "Current Ethical Issues in International Arbitration," Joint Conference of Israel Bar Association and ABA Section of International Law, Eilat Israel, May 31, 2011; Moderator, "International Arbitration Canadian Style: Is There a Distinctive Approach?", ABA International Section Conference Dec. 16, 2010; "Recent Developments in Cross-Border Litigation and Arbitration," Joint Conference of Israel Bar Association and ABA Section of International Law, Eilat, Israel, June 2010; "Regulating Attorney Conduct in Arbitration: The Search for Transnational Standards," ABA International Section Spring Meeting, New York, April 2010; Guest Lecturer, Enforcement of International Arbitration Awards, Osgoode Hall Law School LLM Program in International Arbitration, December 2009; "Cross-Examination in International Arbitration," ABA International Section Fall Meeting, Miami, October 2009; The Colorado Bar Association International and ADR Sections Conference, Denver CO, January 2009; "E Discovery in United States Federal Courts: A Survey of Current Issues," Insight Conference on Electronic Discovery, Montreal, October 2008.

Member, New York City Bar Observer Group, UNCITRAL Working Group on Arbitration 54th Session, February 2011; 51st Session, September 2009.

**Compensation** \$660 Per Hour

Hourly rate applies to study and hearing time. No charges for travel time.

**Citizenship** United States of America

**Locale** New York, NY