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Marc J. Goldstein
MJG Arbitration & Mediation



Professional Experience

Now in his 13th year as an independent arbitrator and mediator focused on international commercial disputes and complex business disputes, Mr. Goldstein has served as a neutral in more than 115 cases. He is ranked in "Band 1" of U.S. international arbitrators by Chambers USA 2018. In his 38-year career, Mr. Goldstein has been a neutral or advocate in cases under CPR, ICC, LCIA, ICDR, SIAC, UNCITRAL and AAA Commercial Rules. He practiced based in New York with Proskauer Rose (1980-2003) and Hodgson Russ (2004-2007) and led the international arbitration practice at each firm. He has been appointed by CPR to the following CPR Panels: National, International, Accounting, Banking & Finance, Sports & Entertainment.

Primary Practice Areas

Over more than 25 years of ADR practice, Mr. Goldstein has acquired in-depth knowledge of domestic and international arbitration procedure and US arbitration law including the Federal Arbitration Act and the international conventions governing arbitration agreements and awards. He has published many articles and commentaries on those subjects. Major business and industry sectors in his practice have included aviation, banking and finance, securities, insurance, international trade, pharmaceuticals, franchising, distribution, information technology, real estate, and professional sports and entertainment. Recurring legal subject matters in his practice have included US securities law, US antitrust law, New York commercial and tort law, copyright and trademark, fiduciary duty, Delaware corporation law, and international law on the responsibilities of sovereign States toward foreign investors. Mr. Goldstein's cases as a neutral and as an advocate have often involved complex valuation and damages issues, and the use of economic models to analyze such issues.

Dispute Resolution Experience and Training

In addition to above-described experience as a neutral, from 1985 to 2017 Mr. Goldstein acted as an advocate in more than 100 arbitrations, arbitration-related judicial proceedings, and mediations. Recent Arbitration-Focused Training: ASIL-ITA Symposium on Diversity and Inclusion in International Arbitration, Washington DC, April 2018; USC/JAMS Arbitration Institute Symposium on Current Issues in International Arbitration, Los Angeles, March 2018; IBA Arbitration Day, Buenos Aires, February 2018; AAA-ICDR/ICC/ICSID Joint Colloquium, New York, December 2017. Recent Mediation-Focused Training: Harvard Program on Negotiation (HPON) Advanced Master Class, November 2016; HPON Webinar "Bargaining With the Devil..." Professor Robert Mnookin, July 2016; International Mediation Institute (IMI) international mediator certification course, Brussels, August 2015; HPON September 2013. Recent Reading on Conflict Resolution: George W. Adams QC, Mediating Justice: Legal Dispute Negotiations (2d ed) (completed July 2017); Deepak Malhotra, Negotiating the Impossible: How to Break Deadlocks and Resolve Ugly Conflicts (completed July 2016).

Selected Honors, Awards, Publications and/or Professional and Civic Associations

Honors: Chambers USA 2018 Band 1 of U.S. International Arbitrators; 2018 International Who's Who of Commercial Arbitration, 2018 Best Lawyers in America, 2018 New York Super Lawyers. Elected to National Academy of Distinguished Neutrals, 2017. Member of American Law Institute. Fellow of Chartered Institute of Arbitrators. Fellow of College of Commercial Arbitrators. Publications: Founder (2009) of Arbitration Commentaries (<http://arblog.lexmarc.us>). Published more than 250 essays on contemporary issues in conflict resolution law and practice. Other recent articles include: "Deciphering *DeGusa*: The Enforcement in U.S. Courts of International Arbitration Awards Against Alter Egos of the Award-Debtor," Vol. 29 No. 2 Amer. Rev. of International Arbitration (Fall 2018, forthcoming); "A Glance Into History for the Emergency Arbitrator," 40(3) Fordham International Law Journal 779 (2017); "Living (or Not) with the Partisan Arbitrator: Are There Limits to Deliberations Secrecy?," 32(4) Arbitration International 589 (2016); "A Model Federal Arbitration Summons to Testify and Present Documentary Evidence At an Arbitration Hearing," (Project of the International Commercial Disputes Committee and the Arbitration Committee of the New York City Bar Association, Marc J. Goldstein principal author), 26 Amer. Rev. of International Arbitration 3 (2015); "Annulled Awards in the U.S. Courts: How Primary Is Primary Jurisdiction?," 25 Amer. Rev. of International Arbitration 1(2014). Recent Speaking and Teaching: ABA Dispute Resolution Section conference, Washington DC, April 2018 (Interim Measures in International Arbitration); New York International Arbitration Club presentation: "Looking for Law in All the Right Places: A Modern Spin on *Jura Novit Arbiter*," March 2018; USC/JAMS Arbitration Institute Symposium on Current Issues in International Arbitration: "Discovery (domestic) and Information Exchange (international): How Crucial Are the Differences?," Los Angeles, March 2018; AAA/ICDR Seminar Lecture: "Disclosure and Conflict Issues in Third Party Funding, New York, February 2018..

Education

B.A. *magna cum laude* University of Pennsylvania; J.D. University of Virginia Law School
(Board of Editors, *Virginia Law Review*)

Mediation Philosophy Statement

Adaptable to needs of the parties. Prepared to be highly evaluative where such a role is desired. Focused on relationship-building separately with each party in advance of sessions, to build trust and confidence and understanding.

Contact Information

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