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Marc J. Goldstein
MJG Arbitration
MJG Mediation



Professional Experience

Now in his 20th year as a neutral focused on complex business disputes, international and domestic, Mr. Goldstein has served in more than 120 cases as an arbitrator and more than 100 cases as a mediator. Since 2012 he has been peer-review ranked each year as one of America's leading international arbitrators in Chambers Global and Chambers USA, and is also peer-recognized in 2025 (as in all prior years since 2010) as a leading US-based international arbitrator in the rankings of Who's Who Legal (now Lexology), which has also bestowed its coveted Thought Leader recognition. Mr. Goldstein is also recognized annually by New York Super Lawyers and Best Lawyers in America. Mr. Goldstein's arbitration experience includes service as Chair, Sole Arbitrator, Co-Arbitrator and Emergency Arbitrator in cases under CPR, ICC, LCIA, ICDR, and AAA Commercial Rules. He practiced with Proskauer Rose (1980-2003) in New York and Paris, and with Hodgson Russ (2004-2007) in New York and Toronto, 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. His Arbitration Commentaries "blog" (<http://arbblog.lexmarc.us>) since 2009 has reached a wide audience with essays on developments in arbitration law and practice.

Primary Practice Areas

Major business and industry sectors in Mr. Goldstein's work as a neutral included aviation, banking and finance, construction-engineering, securities, insurance, international trade, life sciences, franchising, sales and 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 and New York 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. From 1981 to 2017, Mr. Goldstein acted as an advocate in more than 100 arbitrations, arbitration-related judicial proceedings, and mediations. Among those cases were arbitrations involving Investor-State contracts, before the Iran-United States Claims Tribunal, and tribunals sitting under the Arbitration Rules of the International Chamber of Commerce and the Singapore International Arbitration Centre.

Recent Service as Arbitrator

Chair ICDR Tribunal in \$350m case re minority shareholder corporate governance rights based on private equity investment; ICDR Sole Arbitrator of \$17m M&A shareholder earnout case (enterprise software); Chair LCIA Tribunal in Life Sciences Pharma Patent/Regulatory Royalty Dispute; ICDR Co-Arbitrator in >\$1 billion joint venture put option valuation dispute (food and beverage industry); Chair of ICC Tribunal in \$130m case re infrastructure project (mining); ICC Tribunal Co-Arbitrator in Project Finance national utility infrastructure development case (electric power); Chair ICDR Tribunal in >\$50m energy section electric power delivery case; Co-Arbitrator CPR Non-Administered >\$100m Life Sciences Pharma Patent License Royalty case; Co-Arbitrator ICDR ~50m Joint Venture Trade Secrets case (clean energy plant

engineering); Chair ICDR Tribunal Life Sciences Pharma Licensing Development antitrust patent indemnification case; Sole Arbitrator ICDR Life Sciences medical device distribution case (cardiovascular procedures); Co-Arbitrator >400m ICC engineering EPC contract case (oil exploration equipment); Emergency Arbitrator CPR Int'l Law Firm Partnership case (partner comp); Chair ICC Tribunal >50m Life Sciences Joint Venture Pharma Manufacturing case.

Countries involved in recent international cases identified above include US, Canada, Denmark, Colombia, Germany, Brazil, South Korea, Israel, Guatemala, British Virgin Islands, United Kingdom, Kosovo. Subject matters of cases as mediator: price fixing, antitrust damages, industrial engineering/design defects, syndicated commercial lending, real estate lending, executive compensation, mergers and acquisitions, reinsurance coverage, commercial contracts, joint ventures, fiduciary obligations, investment banking, insurance brokerage, non-profits finance, attorney-client.

Professional and Community Memberships:

Honors Conferred: Lexology Thought Leader (2025); Peer-review ranked by Chambers Global, Chambers USA, Lexology, Best Lawyers in America, as leading international arbitrator in the USA. Inclusion annually in rankings of each of these peer review publications at least each of the last 12 years.

Elected: American Law Institute (Members' Consultative Group for Restatement (Third) of The U.S. Law of International Commercial Arbitration, 2010-2020, project completed); International Arbitration Club of New York; International Institute for Conflict Resolution (CPR) Arbitration Committee; Silicon Valley Arbitration and Mediation Centre; Committee on International Commercial Disputes, New York City Bar Association (2011-2017, 2019-present); College of Commercial Arbitrators (Fellow); Chartered Institute of Arbitrators (Fellow); London International Arbitration Club; Toronto Commercial Arbitration Society; American Bar Foundation (Fellow), National Association of Distinguished Neutrals.

Voluntary: London Court of International Arbitration (North American Users' Council); International Council on Commercial Arbitration; International Chamber of Commerce (US Arbitration Committee); International Bar Association (Committee D - Arbitration); Institute for Transnational Arbitration (Dallas; Advisory Board); Swiss Arbitration Association; Institute D'Arbitrage Internationale.

Non-Profit Affiliations: Roswell Park Comprehensive Cancer Center; Perlman Music Program; American Friends of Israel Philharmonic; American Jewish Committee.

Recent Publications:

Founder (2009) of Arbitration Commentaries website. Published more than 250 essays on contemporary issues in law and practice of international commercial arbitration.

Other Treatise Chapters and Articles (non-exhaustive list): Practicing Law Inst., Arbitrating Commercial Disputes in the United States (2d ed. 2020 and 1st ed. 2018), Ch. 4 "Arbitrability & Jurisdiction"; "The Daesang Decision: New York's Manifestly Misunderstood Law on Vacating Awards," ICC Disp. Res. Bull. Winter 2018-19; "Deciphering DeGusa: The Enforcement in U.S. Courts of International Arbitration Awards Against Alter Egos of the Award-Debtor," Vol. 29 No. 4 Am. Rev. Int'l Arb. (2018); "A Glance Into History for the Emergency Arbitrator," 40(3) Fordham Int'l L.J. 779 (2017); "Living (or Not) with the Partisan Arbitrator: Are There Limits to Deliberations Secrecy?", 32(4) Arb. Int'l 589 (2016); "A Model Federal Arbitration Summons to Testify and Present Documentary Evidence At an Arbitration Hearing," (Project of the Int'l Commercial Disputes Comm. and the Arbitration Comm. of the NYC Bar Ass'n - - Principal Author), 26 Am. Rev. Int'l Arb. 3 (2015); "Annulled Awards in the U.S. Courts: How Primary Is 'Primary Jurisdiction'?", 25 Am. Rev. Int'l Arb. 1 (2014); "Application of the Doctrine of Forum Non Conveniens in Summary Proceedings for the Recognition and Enforcement of Awards Governed by the New York and Panama Conventions: Report of the International Arbitration Club of New York" (with Prof. Linda J. Silberman), 24 Am. Rev. Int'l Arb. 1 (2013); "Should the Real Parties in Interest Have to Stand Up? -- Thoughts About a Disclosure Regime for Third-Party Funding in International Arbitration."

Recent Speaking and Teaching: California International Arbitration Week Panel on Award Drafting Best Practices (March 2025); New York Arbitration Week Program on Non-Party Evidence in Arbitration (Nov. 2024); College of Commercial Arbitrators

Annual Conference, Moderator of Program on Arbitral Subpoenas and related Presentation to International Subcommittee (Oct. 2024); College of Commercial Arbitrators Webinar Panelist: "Getting It Right: Issues on Legal Research By Tribunals" (June 2024); Osgoode Hall Law School, Toronto, Prof'l Dev. Program, Nov. 2023 (Arbitrator Selection); Canada Keynote Address of Canada Arbitration Week: "Arbitrators Under Attack" (Oct. 2023); Toronto Commercial Arbitration Society Annual Meeting Panel: Arbitral Power to Impose Sanctions (May 2023); Toronto Commercial Arbitration Society "Gold Standard" Training Program, Nov. 2022 (Case Management); (Cross Examination); College of Commercial Arbitrators Program on Arbitration Procedures (May 2022); GAR Live New York (Oct. 2021) (Functus Officio and Finality of Awards); New York International Arbitration Club Presentation: "The Functus Officio Problem in Modern Arbitration and a Proposed Solution" (June 2021) ; CPR Arbitration Committee, Presentation on Advocacy in Virtual Arbitration Hearings, The Arbitrator's Perspective (March 2021); NY City Bar Arbitration Committee Presentation: "Dissenting Opinions, The Chair's Perspective" (March 2021); Osgoode Hall Law School, Toronto, Prof'l Dev. Program, Nov. 2020 (Arbitrator Selection, Procedural Conference Techniques); CPR Canada Program of Canadian Arbitration Week (Emergency Relief for Asset Protection), September 2020; ABA Int'l Section Annual Moscow Conference (Virtual) (Corruption in Investment Arbitration), Sept. 2020; ICC Annual N.Y. Conference, Oct. 2019 (Finality of Awards).

Education

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

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