



**Steven A. Certilman, C.Arb, FCI Arb**

*Attorney  
Chartered Arbitrator  
CEDR Accredited Mediator*

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### **ADR EXPERIENCE**

Appointed neutral in more than 250 domestic and international arbitral proceedings and more than 100 mediations since 1988. Experienced international and domestic arbitrator with strong case management skills serving as panel chair, panelist and sole arbitrator in corporate, commercial, real estate, information technology, business process outsourcing, intellectual property, employment and other commercial cases under various domestic and international administrative rules. Accredited Mediator (CEDR) of domestic and cross-border disputes.

### **ADR PANEL APPOINTMENTS, MEMBERSHIPS, PROGRAMS**

Invited Fellow, College of Commercial Arbitrators; Chartered Arbitrator and Fellow, Chartered Institute of Arbitrators, London, England. Appointed Panel of Neutrals, International Centre for Dispute Resolution (ICDR), American Arbitration Association (Commercial, Large and Complex Case, M&A, Employment, Construction, Technology and Mediation Panels); Mediator and Member, Panel of Distinguished Neutrals, International Institute for Conflict Prevention and Resolution, Technology and Commercial Panels; Arbitrator, London Court of International Arbitration; Arbitrator, Hong Kong International Arbitration Centre (Member, Commercial Panel and Panel of Arbitrators for Intellectual Property Disputes); Arbitrator, National Academy of Distinguished Neutrals; Arbitrator, Toronto Commercial Arbitration Society; Arbitrator, Vienna International Arbitration Centre; Arbitrator, Asian International Arbitration Centre; Arbitrator, FINRA (formerly NASD); Hearing Officer, National Arbitration and Mediation; Arbitrator, Russian Arbitration Center; Faculty Member and Course Director, Columbia University Law School - Chartered Institute of Arbitrators Comprehensive Course on International Arbitration (2016-date); Adjunct Professor of Law teaching international arbitration, Fordham University School of Law (2011-2017); Faculty Member, New York State Bar Association, Dispute Resolution Section Commercial Arbitration Training Program (2014-date); Accredited Course Director and Assessor, The Chartered Institute of Arbitrators (2008-date); Course Director and Accredited Faculty Member, International Arbitrator Fellowship Program, The Chartered Institute of Arbitrators; Co-Chair, Education Committee, Chartered Institute of Arbitrators - New York Branch (2013-2015, 2017-date); Mediator, United States District Court, Southern District of New York; Mediator, United States Bankruptcy Court, Southern District of New York; Arbitrator, United States District Court, Eastern District of New York; Special Master, United States District Court, District of Connecticut; Member, American Bar Association; Connecticut Bar Association, (Former Chair, Technology Law Section), New York City Bar (Member, ADR Committee); Fairfield County Bar Association, (Former Co-Chair, ADR Section); New York State Bar Association (Dispute Resolution Section).

Accredited Mediator, Centre for Effective Dispute Resolution (CEDR), London, England (2017). Certificate, Columbia Law School - Chartered Institute of Arbitrators Joint Program on International Commercial Arbitration (May, 2015). Certificate, American College of e-Neutrals (October, 2016). Certificate, Program on Negotiation at Harvard Law School, Negotiation and Leadership (April, 2018). Special Master, United States District Court, District of Connecticut.

### **LEGAL AND ADR EXPERIENCE**

Martindale-Hubbell AV Preeminent rated attorney with more than thirty-five years of experience as a commercial litigator, corporate, commercial, transactional IT, IP and real estate attorney, arbitrator and mediator in domestic and international matters relating to:

**Corporate:** business organization formation with related agreements, mergers and acquisitions, business divorces and accountings including in the real estate, licensing and medical fields; key

person employment and non-competition agreements; lending transactions; private and public debt and equity financings; securities including Regulation D private placements; due diligence and fraud or misrepresentation; structured commercial transactions; debt/equity financing consulting agreements and transition operating agreements.

**Commercial:** commercial agreements in a broad array of services and product categories across the product design, manufacturing, warehousing and distribution, distributor, reseller, brokerage and retail channels of trade. Selected atypical examples are direct marketing printing and related services agreements; art, book and music publishing marketing; warehousing, trucking and distribution; advertising including text message-based advertising and affinity debit card sponsorship programs.

**Insurance:** coverage and valuation disputes in commercial general liability, E&O, directors and officer's liability, completion/performance/surety bond and property insurance contexts.

**IT/IP and Technology:** business process outsourcing agreements with detailed SLA's including MAC, technology refresh, hardware acquisition, help desk and operating system migration. Internet, e-commerce and other online and IT commercial contracts and transactions such as SAP implementation, custom software development, maintenance, licensing and distribution; SEO consulting; text message marketing and SaaS agreements. Bio-product marketing and licensing; technology, trademark and copyright licensing. Telecommunications asset sale agreements and transition services agreement disputes.

**Real estate:** residential, commercial and development transactions; real estate partnership and valuation disputes; trust-related claims and claims of fraud and breach of fiduciary duty.

**Franchise:** Area development and franchisee claims. Co-owner and legal counsel to new car automobile dealership.

**Trusts and Estates:** Claims against trustees for, e.g., breach of fiduciary duty and fraud. Accounting disputes.

### **PROFESSIONAL LICENSES**

Admitted to the Bar: New York, Connecticut, Massachusetts and District of Columbia (inactive); U.S. District Court: Southern and Eastern Districts of New York, 1982; U.S. Court of Appeals, Second Circuit, 1982; U.S. District Court, District of Connecticut, 1986. Real Estate Broker (non-practicing): New York, Connecticut.

### **SELECTED PROFESSIONAL ACTIVITIES**

Elected Chairman, Board of Trustees, The Chartered Institute of Arbitrators, London, England (2009 and 2010); Elected trustee, The Chartered Institute of Arbitrators, London, England (2004 and 2008); Member, CI Arb Board of Management (2005-2008). Member, Technology Sub-Committee of the Practice and Standards Committee, Chartered Institute of Arbitrators. Observer, UNCITRAL Working Group II, New York, NY (2010); Invited Member, International Arbitration Club of New York; Freeman, Worshipful Company of Arbitrators; Arbitrator/Judge, *Willem C. Vis International Commercial Arbitration Moot Competition* (2007 to date) and others; Alternate Member, Planning and Zoning Board of Appeals, Town of Greenwich, Connecticut (2014-2016).

### **EDUCATION**

Hofstra University School of Law, Hempstead, NY (J.D. 1981); Associate Editor, *International Property Investment Journal* (1980-1981). Connecticut College, New London, CT (BA degrees in Psychology, Government and Sociology-Based Human Relations, 1978).

### **SELECTED PUBLICATIONS**

ADR in the Age of Cybersecurity, *NYSBA New York Dispute Resolution Lawyer*, Volume 12 No. 1 (Spring 2019).

Comparison of Selected International Arbitration Rules, 2018 Edition, *Alternatives to the High Cost of Litigation*, a publication of International Institute for Conflict Prevention and Resolution, Volume 36 Number 5 (May 2018).

Author of chapter entitled *Arbitrability of Intellectual Property Disputes* within a treatise entitled *Arbitration of International Intellectual Property Disputes*, Juris Publishing (2012).

Comparison of Selected International Arbitration Rules, 2011 Edition, *Alternatives to the High Cost of Litigation*, a publication of International Institute for Conflict Prevention and Resolution, Volume 29 Number 9 (October 2011).

A Brief History of Arbitration in the United States, *New York Dispute Resolution Lawyer* (a publication of the Dispute Resolution Section of the New York State Bar Association), Volume 3 No. 1 (Spring, 2010).

Protocol for E-Disclosure in Arbitration Issued by the Chartered Institute of Arbitrators, *New York Dispute Resolution Lawyer* (a publication of the Dispute Resolution Section of the New York State Bar Association), Volume 2 No. 1 (Spring, 2009).

Comparison of Selected International Arbitration Rules, *Alternatives to the High Cost of Litigation*, a publication of International Institute for Conflict Prevention and Resolution, Volume 26 Number 5 (May 2008).

Judges as Mediators: Retaining Neutrality and Avoiding the Trap of Social Engineering, *Arbitration: The International Journal of Arbitration, Mediation and Dispute Management*, Volume 73 No. 1 (February, 2007).

#### **SELECTED SPEAKING ENGAGEMENTS AND EDUCATION PROGRAMS**

Presenter, New York State Bar Association, Dispute Resolution Section, Commercial Arbitration Training (June, 2018).

Course Director, International Arbitration Accelerated Route to Fellowship Program, The Chartered Institute of Arbitrators, New York, New York (June, 2018).

Faculty Member and Course Director, Columbia University Law School – The Chartered Institute of Arbitrators Comprehensive Course on International Arbitration (June, 2018)

Course Director, International Arbitration Accelerated Route to Fellowship Program, The Chartered Institute of Arbitrators, New York, New York (June, 2017).

Faculty Member and Course Director, Columbia University Law School – The Chartered Institute of Arbitrators Comprehensive Course on International Arbitration (June, 2017)

Presenter, New York State Bar Association, Dispute Resolution Section, Commercial Arbitration Training (June, 2017).

Presenter, New York State Bar Association, Dispute Resolution Section, Commercial Arbitration Training (June, 2016).

Presenter, Connecticut Bar Association Annual Meeting, Best Practices in International Arbitration Training (June, 2016).

Presenter, New York State Bar Association, Dispute Resolution Section, Commercial Arbitration Training (June, 2015).

Visiting Instructor, International Arbitration Workshop, Osgoode Hall Law School, York University, Toronto, Canada (January 2015).

Speaker, Use of Dispute Review Boards in IT Transactions, 18<sup>th</sup> Annual Meeting and Conference, Dispute Review Board Foundation, Toronto, Canada (October 2014).

Course Director and Tutor, *International Arbitration Training Program*, a Joint Training Program of The International Institute for Conflict Prevention and Resolution and The American Arbitration Association, New York, New York (May, 2014).

Presenter, *Getting the Arbitration Process Parties Want and Need*, College of Commercial Arbitrators (various presentations to law firms 2013 and continuing).

Presenter, *Comparison of Five Major Rules of International Arbitration*, Connecticut Bar Association, New Haven, Connecticut (November, 2011).

Presenter, *Introduction to Arbitration*, The Chartered Institute of Arbitrators (Bahamas Branch), Nassau, The Bahamas (May, 2011).

Presenter, *Introduction to Mediation*, The Chartered Institute of Arbitrators (Bahamas Chapter), Nassau, The Bahamas (May, 2011).

Speaker, *An Arbitration Grand Slam – The Protocols of the College of Commercial Arbitrators for Re-establishing the Goals for Quicker, Cheaper, Better*, Connecticut Bar Association (May, 2011).

Tutor, *International Arbitration Training Program*, a Joint Training Program of The International Institute for Conflict Prevention and Resolution and The Chartered Institute of Arbitrators, New York, New York (May, 2010).

Speaker, *CPR Advanced Arbitrator Training: How to Conduct Efficient Hearings and Avoid Common Pitfalls*, International Institute for Conflict Prevention and Resolution (CPR), New York, NY (October, 2009).

Faculty/Speaker, *College of Commercial Arbitrators National Summit on Business to Business Arbitration*, Washington, DC (October, 2009).

Tutor, *Accelerated Route to Fellowship (UK domestic)*, The Chartered Institute of Arbitrators, London, England (May, 2009).

Speaker, *Arbitrator Training II*, American Dispute Resolution Center, New Britain, CT (April, 2009).

Speaker, *Arbitrator Training I*, American Dispute Resolution Center, New Britain, CT (September, 2008).

Speaker, *The North American Perspective*, The Chartered Institute of Arbitrators International Conference, Dublin, Ireland (November, 2007)

Tutor, *International Arbitration Training Program*, a Joint Training Program of The International Institute for Conflict Prevention and Resolution and The Chartered Institute of Arbitrators, New York, New York (May, 2007).

Speaker, *Using Process Differences and Techniques From Other Legal Systems to Make the Most of Your International Arbitration Case*, ABA Section on Dispute Resolution Annual Meeting (April, 2007).

Speaker, *ADR Applications and Methodologies: International Perspectives*, East Asia Branch, The Chartered Institute of Arbitrators, Hong Kong (March, 2007)

Tutor, *International Arbitration Training Program*, a Joint Training Program of The International Institute for Conflict Prevention and Resolution and The Chartered Institute of Arbitrators, New York, New York (October, 2006).

Speaker, *History of ADR in the United States*, Connecticut Bar Association ADR Section (2006).

Presenter, *Best Practices in International Arbitration*, Joint Program of the American Arbitration Association and the Fairfield County Bar Association (2006).

Assessor, *Fast Track to Fellowship Program (International)*, The Chartered Institute of Arbitrators, New York, NY (October, 2006).

Assessor, *Fast Track to Fellowship Program (International)*, The Chartered Institute of Arbitrators, Chicago, Illinois (September, 2006).

Speaker, *History of ADR in the United States*, Transatlantic Perspectives on ADR, a Joint Program of St. John's University Law School (Queens, NY) and The Chartered Institute of Arbitrators (July, 2006).

Assessor, *Fast Track to Fellowship Program (International)*, The Chartered Institute of Arbitrators, London, England (July, 2006).

Speaker, *ADR in the Intellectual Property and Information Technology Fields*, Connecticut Bar Association Annual Meeting (June, 2006).

Presenter, *Law for Artists: A Paint by Numbers Primer*, presented before various organizations, 2005 to present.

Presenter, *AAA Best Practices in Arbitration*, Joint Program of the American Arbitration Association and the Fairfield County Bar Association (May, 2005).

#### **ADDITIONAL ACTIVITIES AND INTERESTS**

Real estate investor, nationally recognized art collector, web-gallerist. Interests include travel and photography. Co-principal of first-line automobile franchise.

**Mr. Certilman is committed to the need for confidentiality and information security and has taken measures to fulfill that commitment.**

#### **CONTACT INFORMATION**

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