

DAVID M. BRODSKY
BRODSKY ADR LLC
ARBITRATIONS AND MEDIATIONS



David M. Brodsky is Sole Principal in Brodsky ADR LLC, offering services as an independent arbitrator, mediator, and special master in the resolution of corporate governance, complex commercial, employment, insurance, and financial instruments disputes.

While a partner at Latham & Watkins from 2002-2012, he served as Co-Chair of its Global Securities Litigation Practice Group. Prior to joining Latham & Watkins, Mr. Brodsky served as Managing Director and General Counsel – Americas at Credit Suisse First Boston from 1999 to 2002, and was a partner and chairman of the Litigation Department of Schulte Roth & Zabel from 1980 to 1999.

With more than 50 years of experience as a federal prosecutor, private practitioner, general counsel, and ADR professional, Mr. Brodsky has been recognized by his peers as an outstanding arbitrator, mediator, and trial lawyer. He is a Fellow of the College of Commercial Arbitrators and of the American College of Trial Lawyers. He is also a member of the National Commercial and ICDR Panels of the American Arbitration Association; the FedArb panel of arbitrators; and a Distinguished Neutral on the Panels of Hedge Funds, Banking and Financial Services, General Counsel, and NY Region of the International Institute for Conflict Prevention and Resolution (CPR); a member of CPR's Council. He is also a member of the National Academy of Distinguished Neutrals and of the New York Academy of Mediators and Arbitrators; and a Fellow of the American College of e-Neutrals. He is a Life Member of the American Law Institute and former Chair of the American Constitution Society of Law and Policy and of the New York Lawyers for the Public Interest, and a former Chair, Nominations Committee, of Equal Justice Works.

He has been designated by the AAA, ICDR, ICC, and FedArb to sit as a sole Arbitrator, wing, and chair of domestic and international arbitrations, in such diverse areas as reps and warranties insurance coverage, international banking M&A, commercialization of pharmaceutical products, rights to an energy contract, right to a finder's fee, private equity compensation, retaliatory discharge by international bank, fiduciary duties of an investment manager of off-shore and onshore private equity funds, minority buy-out provisions, investment fraud by an attorney-in-fact, estate valuation of shares of a closely-held corporation, covenants not to compete, restrictions on the right to practice law, auditor malpractice, legal malpractice, and reps and warranties arising out of sale of residential mortgage-backed securities.

Mr. Brodsky is a frequent lecturer on subjects related to mediations and arbitrations and has written numerous works on litigation, arbitration, and mediation topics, including:

- Recommended Practices in the Conduct of Internal Investigations (principal draftsman), American College of Trial Lawyers, 2008;
- Five Things Your Client Should Know and You Should Do Before a Mediation, 2014;
- Counsel's Preparation for a Mediation: Creating the Basis for Resolution, 2014; and
- Getting Real About Discovery in Arbitrations, 2020