

DEBORAH MASUCCI Website – www.debmasucciadr.com

Independent Arbitrator and Mediator, Attorney, Executive, Consultant, 2014-Present; Vice President, Office of Dispute Resolution and Employment Dispute Resolution Program Lead, AIG, 2003-2013; Vice President, JAMS The Resolution Experts, 1999-2003; Consultant, PriceWaterhouseCoopers LLP, 1998-1999; Vice President, FINRA, PNA NASD, 1981-1998.

TEACHING^[1]_[SEP]

CIArb Approved Faculty List (Provisional); Adjunct Professor ADR Course (Fall 2020) and Domestic Arbitration Practicum, Fordham Law School Fall 2019 and 2020; Instructor, Pace-IICL Certificate Program on Mediation Advocacy Skills: Domestic and International Commercial Disputes; CoDean of College for Claims Mediation, Claims and Litigation Management Alliance, Fall 2015, 2016, 2017; Instructor, International Dispute Resolution, Cardozo Law School, Fall 2015 and 2016; Adjunct Professor, Comparative International Mediation, Fordham Law School, Spring 2015 and 2016; Adjunct Professor, Mediation Clinic, New York Law School, 2004; Advisor to the ADR Program at New York Law School, 2015 to present; Adjunct Clinical Professor and Director of the Securities Arbitration Clinic, Brooklyn Law School, 2003-2004.

WORK HISTORY

Senior business executive responsible for managing and developing business including: implementing litigation savings initiatives; budget management; creating and implementing programs; developing new business; supervising and developing staff; and leading strategic planning. Expert in the insurance, dispute resolution field, management consulting, and securities industries.

American International Group – 2003-13^[1]_[SEP]

Vice President

1. Member of the ADR defense team in connection with hundreds of insurance- related claims and corporate employment and contract disputes providing tactical and strategic

ADR advice to senior business executives, claims representatives and counsel. See below

2. Screened cases/claims to effectively determine the correct path for dispute resolution after assessing strengths and weaknesses; applying facts to the law; and predicting range of likely outcomes.^{[[L]]}_{SEP}

3. Developed, implemented and administered the company's employee dispute resolution program covering 30,000 US domestic employees as a member of the Employee Relations staff.

4. Established a new, unique department within the Litigation Management Division of the Claims Organization to improve the effective and strategic use of ADR. Worked with the Construction Claims Division to establish AIG as an ADR Provider for workers compensation claims in California and other states.

5. Developed and delivered ADR training to over 1,000 employees, e.g., claims representatives, staff counsel and other lawyers. Courses included: Mediation Advocacy; Negotiation and Settlement; Basic and Advanced Negotiation Skills; Managing Difficult Situations; Psychology of Persuasion and Evaluation; and Settlement of Reinsurance Claims.

JAMS The Resolution Experts – 1999-2003

1. Vice President Professional Development responsible for developing and delivering training programs for new and experienced neutrals

2. Regional Vice President responsible for staff in 5 offices that administered mediation and arbitration cases. Responsibilities included increasing revenue, business development and neutral recruitment.

PriceWaterhouse – 1998-1999^{[[L]]}_{SEP}

Consultant

1. Consulted with Fortune 500 companies regarding use of ADR to manage litigation and pre-litigation disputes in the pharmaceutical and financial services industries.^{[[L]]}_{SEP}

2. Consulted with government legal office about using ADR effectively to resolve tort claims.

NASD – 1981-1998

Vice President

1. Managed budget of \$30 million and staff of 150 nationwide in six locations.
2. Managed Oversight Board that approved rules and procedures.
3. Negotiated rule changes with regulators.
4. Developed and implemented strategic plans.
5. Supervised the resolution of thousands of securities investor and employment disputes.

Bradford Securities Operations Inc. - 1973-1979

Vice President

1. Primary contact to corporate secretary and investor relations department for stock transfer services. Industries serviced included: retail sales; hospitality; entertainment, consumer products; and, pharmaceuticals.
2. Resolved investor complaints and issues with respect to stock holdings and dividends

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

Regularly appointed as an arbitrator/mediator in a broad range of cases. I believe that arbitration proceedings should proceed in accordance with the parties' agreements. However, it is the responsibility of the arbitrator to manage the proceedings efficiently to ensure that the cost of proceeding is in line with the matter at hand. The subject matter in the disputes I handle include: insurance coverage; breach of contract; breach of franchise agreement; property and casualty liability; workers compensation; reinsurance; construction; professional fee disputes, employment discrimination; gender discrimination; sexual harassment; retaliation; wage and hour; FSLA; wrongful discharge; and breach of partnership agreement.

Insurance Dispute Resolution

Served as an arbitrator/panel Chair in a \$5m claim alleging partnership/contract dispute and breach of fair dealing. Appointed as an arbitrator on insurance coverage disputes

Served as a mediator in policyholder disputes^{[[[]]}_{SEP}

Appointed a Special Master to review confidential client lists^{[[[]]}_{SEP}

Mediated First party Storm Sandy disputes.

Arbitrated disputes to recover policy premiums from insured.

Arbitrated breach of reinsurance contract dispute.

Party appointed arbitrator to recover premiums brought by a health insurer against insured.

Provided strategic and tactical advice to senior business executives, internal/external lawyers and claims representatives on arbitration and mediation tactics on thousands of proceedings with disputes involving: insurance coverage; bad faith; property and casualty; construction risk; environmental; workers compensation; broker dealer securities; vendor services; personal injury; health care; reinsurance; professional liability; directors and officers liability; and subrogation claims. Claims were between insured and insurer; defense of insured; defense of the Company or initiated by the Company^{[[[]]}_{SEP}

International Disputes^{[[[]]}_{SEP}

Served as an arbitrator/panel Chair in a \$5m claims alleging partnership/contract dispute and breach of fair dealing. Appointed as an arbitrator on insurance coverage disputes.^{[[[]]}_{SEP}Served as a mediator in policyholder disputes.^{[[[]]}_{SEP}

As part of the defense team provided tactical advice to claims representatives and internal/external lawyers on arbitration proceedings involving interpretation of surety contracts and reinsurance disputes.^{[[[]]}_{SEP}

Financial Disputes

^{[[[]]}_{SEP}Representation and administration of arbitration and mediation proceedings with respect to federal state or common law violations involving misrepresentation; suitability; fraud; wrongful termination; and rescission. Won a six-figure award involving suitability of annuities for an elderly public customer.

Employment Disputes^{[[[]]}_{SEP}

Served as an arbitrator in employment wrongful discharge; wage and hour; and discrimination disputes involving former employees and retail companies.^{[L][SEP]}

Served as a mediator to resolve executive compensation contract dispute involving an investment company.^{[L][SEP]}

Construction Disputes^{[L][SEP]}

Served as an arbitrator on cases involving: construction defect; improper installation of HVAC and heating systems; construction of decks and driveways; and improper renovations.^{[L][SEP]}

Other Arbitration Experience

Served as an arbitrator on approximately 80 debt recovery matters involving financial services companies.

Served as an arbitrator on a dispute brought by former and current employees for failure to monitor investment purchases in the employee profit sharing plan by the delegated investment manager thereby breaching the its fiduciary duty to employees.

Served as an arbitrator on a franchise matter involving breach of contract. Served as an arbitrator on lawyer/client fee disputes involving return of retainers or legal fees for immigration and estate matters. Arbitrator for Attorney-Client Fee Dispute Resolution Program Pursuant to Part 137 of Chief Administrator, Office of Court Administration, New York State - 2003 to present.

TRAINING

Complex Technology and eDiscovery Disputes during COVID-19 & Cyber Turmoil: How Special Masters Can Help (AAA) 6/20; The American Arbitration Association's Adoption of Initial Employment and FLSA Discovery Protocols 5/20; Nuts and Bolts of Conducting Arbitral Hearings by Video Conference, CIArb NY/USCIB ICC Sole Practitioners Group Arbitrator Series, 2020; Covid 19 and Business Interruption Insurance - A Policyholder and Carrier Perspective, NYSBA; Navigating Workers' Compensation Claims, Gordon & Reese; ACE 20 - Cyber Security: A Shared Responsibility, 2019; Advanced Mediator Training Series: Expanding the Mediators Toolbox – Blending Advanced Mediator Strategies 2019; AAA ACE 19 Case Finances: What Arbitrators Need to Know, 2019; ADS 02 Pro Se - Managing Cases with Self-Represented Parties; AAA/ICDR Council, New York Law School, Cornell Scheinman Institute Conference, 2018; AAA-ICDR/ICC/ICSID 34th Annual Joint Colloquium on International Arbitration, 2017; Motion Practice Under AAA Rules – What You Need to

Know, 2017; ACE 14 ~ Red Flags & Risk Areas: Challenges to Arbitrator Authority, 2017; AAA When Work Hurts - Workplace Bullying and the Opportunities For Addressing It, 2017; Ethical Issues and Misconduct in International Arbitration organized by the NYSBA IDRC and co sponsored by CIArb, NYIAC, December 2016; FSLA Mediation Training sponsored by the EDNY, Sept. 2016; AAA Exploring Critical Issues in Arbitration, 2016; AAA, Commerce and Dispute Resolution: Goals for Justice and Trade 2015; Faculty, AAA Healthcare Dispute Resolution Innovation & Strategy Conference 2014; AAA, Managing the Arbitration Process Following the Preliminary Hearing 2014; AAA Essential Mediator Skills for the New Mediator, 2014; AAA "Exceeded Power": Recent Trends in Cases Challenging Arbitrator Authority, 2014; ABA Managing A Successful Arbitration Part I Getting to Arbitration, Part II The Preliminary Conference and Discovery, Part III Ethical Considerations for Arbitrators and Advocates Part IV The Arbitration Hearing and Part V The Arbitration Award, 2014; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE005), 2013; AAA Bullying: The New Conflict Challenge in ADR, 2013; AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2013.

LICENSES

Admitted to the Bar: New York, 1981; Eastern District and Southern District, New York, 1981; Certified Litigation Management Professional - conferred by Claims and Litigation Management Alliance, 2015.

PROFESSIONAL ASSOCIATIONS

Past Chair, NYSBA Dispute Resolution Section; Past Chair, American Bar Association Section of Dispute Resolution; Past Chair and currently Honorary Board Member, International Mediation Institute; International Arbitration Club of New York; Claims and Litigation Management Alliance (ADR Committee, Co-Chair); Member of the ICC Consultative Task Force for the Development of ADR Rules; New York City Bar Association; New York State Bar Association (Dispute Resolution Section, Federal and Commercial Litigation Section, Committee on Law Practice Management); Fellow of the Chartered Institute of Arbitrators; Co-Chair of the IMI /CCA/Pepperdine Mixed Mode Task Force. Serves on the AAA/ICDR Commercial, Large and Complex, Employment, and International panels. Serves on the arbitration and mediation panels for the American Health Lawyers Association. Serves on the arbitration panel for The Forum and FairClaims. Member of the Roster of International Arbitrators published by Juris.

EDUCATION

New York Law School (JD); Manhattanville College (BA Economics, Early Childhood Education K-4).

PUBLICATIONS:

As Businesses Reopen, the Lawsuits Begin: The Landscape for Post-COVID Deluge of Lawsuits, the Intersection of Insurance and Using ADR for Expedited Resolution, NYSBA Dispute Resolver Summer 2020, Vol 13, No 2, pages 76-80 ; “From Skepticism to Reality - The Path to the Convention for the Enforcement of Mediated Settlements” The Singapore Mediation Convention Reference Book, Cardozo Journal of Conflict Resolution, Volume 20 Number 4-2019pages 1123-1132; "Moving Mediation Practice Forward - Is it Time for Certification?" NYSBA NEW YORK DISPUTE RESOLUTION LAWYER, 2019; "The Singapore Convention - A First Look," Co Author, NYSBA NEW YORK DISPUTE RESOLUTION LAWYER, 2018; Interview on Global Pound Conference, published by Stradley Ronan, ADR DIGEST, 2018; "Access to Justice - The Road Ahead: What is the Role of the Lawyer/Advisor and Education?" FORDHAM INTERNATIONAL LAW JOURNAL, 2017; "Transforming Business Through Proactive Dispute Management," CARDOZO JOURNAL OF CONFLICT RESOLUTION, 2017; Co Author; "Dispute Resolution: Where We Are And The Promise For The Future," CORPORATE DISPUTES MAGAZINE, 2017; Proposed UNCITRAL Convention on mediated settlements of international commercial disputes - Mediation Committee newsletter article, September 2016 Issue, International Bar Association mediation committee newsletter; Co-author; "The Global Pound Conference: The Journey to Determine the Needs of Users Has Started," NYSBA NEW YORK DISPUTE RESOLUTION LAWYER, 2016; "ADR In Employment Law," Co- author of Chapter 4, ALTERNATIVE DISPUTE RESOLUTION PROVIDERS AND THE RESOLUTION OF EMPLOYMENT DISPUTES, published by the ABA through Bloomberg BNA, 2015; "A Win Win Strategy Embracing Planned Early Dispute Resolution," Co-author, CLAIMS AND LITIGATION MANAGEMENT ALLIANCE MAGAZINE, 2012; "The Dispute Resolution Program: How Value Added Corporate Strategies Secure Efficiency and Savings," Co-author, DISPUTE RESOLUTION JOURNAL, 2012; ALTERNATIVE DISPUTE RESOLUTION GUIDE - Chapter 21, "Securities Arbitration," edited by Bette J. Rothe, Randall W. Wulff, and Charles A. Cooper; published by West Group, updated through 2015.

SPEAKING ENGAGEMENTS

AAA/ICDR Global Mediation and Advocacy, November 2020; Business Arbitration and Mediation 2020: How Arbitration and Mediation will and Should Look in the Future Co Presenter June 2020; Co- Presenter, NYSBA webinar: Preparing for Your First or Next Mediation, April 2020; Co presenter, AAA course: "Advanced Global Mediation Skills", December 2019; Speaker, New York State Bar Association Arbitrator Training, 2015-19; Panelist, Hot Topics in Securities Arbitration, 2019, New York City Bar; "Arbitration: Where Does It Belong and Not Belong?" Co-Presenter 2019 ABA Section of Litigation & Solo, Small Firm and General Practice Division CLE Conference May 2019; "Minds Meeting" Across Borders: Can't We All Just Mediate Our International Dispute? Co-Presenter, ABA Section on International Law Washington DC April 2019; "Practice Development - How to Get More and Bigger Cases as a Neutral" - Co Presenter, NYSBA CLE 2019; Fordham Law's First Symposium- Public Policy and Gender Impact - Mandatory Arbitration and Workplace Sexual Harassment; Faculty member of the ABA Arbitration Institute, May 2018; International Commercial Mediation: How Culture and Regulation are Affecting the Business and Practice of Mediation, November 2017; The Arbitration Management Conference: A Blueprint for an Orderly Hearing, Co-Presenter, Lawline, February 2017; ABA Webinar-Arbitration: Balancing Party Control and Efficiency: Drafting and Designing Arbitration Clauses; Fordham International Arbitration and Mediation Conference, "Arbitrator Practices that Foster Settlement: Mixing Processes the Spectrum Across the Globe," October 2016; NYLS Introduction to International Mediation and Arbitration," October 2016; "Arbitration: Balancing Party Control and Efficiency - Managing the Parties and Preparing for the Hearing," Webinar, ABA September 2015; "On-Line Mediation: Challenges and Opportunities," ODR 2015, Pace Law School 2015; "Succeeding Through Mediation: Getting There," International Mediation Institute and Florence International Mediation Chamber, 2015; "Securities Arbitration and Mediation Hot Topics 2015," NYCBA 2015; An Expedited Way to Resolve Coverage Disputes: The Use of Mandatory ADR Clauses," Co-panelist CLM, 2014; Evidence on the business case for how ADR and mediation delivers business results for Insurers and Claimants Co-Panelist London, 2014

HONORS

Honored by the Association for Conflict Resolution for Greater New York "2011 ADR Achievement Recipient"; 2020 Awards Winner International Advisory Experts www.international-advisory-experts.com; 2020 CPR James F. Henry Award for

Outstanding Achievement in ADR www.cpradr.org; American Bar Association Dispute Resolution Section Chair's Award, May 2020; Who's Who Legal: Mediation 2020; Recipient of the 2021 Corporate Intl Global Awards for Mediation, Arbitration and ADR Lawyer of the Year,

HEARING LOCATIONS

Greater New York City area and State of Florida