

MERTON E. MARKS

Arbitration, Mediation and Special Master Services

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MERTON E. MARKS • PROFESSIONAL EXPERIENCE

Arbitrator, Mediator and Special Master Practice

◆ Since retiring from law practice in 2001, Merton Marks frequently serves as chairperson and member of arbitration panels and as sole arbitrator in a broad range of commercial disputes throughout the U.S. with concentration in all phases of insurance/reinsurance coverage and bad faith, securities and trade secret theft. Many cases involve production of electronic data and related issues.

Arbitral Appointments and Organizations

- ◆ Arbitrator and Mediator, American Arbitration Association (Commercial, Reinsurance and Large Complex Case panels).
- ◆ Arbitrator, Financial Industry Regulatory Authority (FINRA) (customer-broker and broker-representative disputes).
- ◆ Certified Arbitrator, Reinsurance and Insurance Arbitration Society (ARIAS-US).
- ◆ Arbitrator, Inter-Insurance Arbitration Panel, International Institute for Conflict Prevention & Resolution (formerly CPR Institute for Dispute Resolution).
- ◆ Certified Arbitrator, U.S. District Court, Arizona.
- ◆ Fellow, Chartered Institute of Arbitrators, London.
- ◆ Former Arbitrator, Singapore International Arbitration Centre (International Panel).
- ◆ Graduate, Straus Institute for Dispute Resolution course on Mediating Complex Construction Disputes, Pepperdine University Law School, Malibu, California.

Legal Organizations

- ◆ American Bar Association (former Chair, Special Committee on Federal Asbestos Legislation, former Chair, Workers' Compensation and Employers' Liability Committee).
- ◆ Federation of Defense and Corporate Counsel, (past Chair, Alternative Dispute Resolution Section; past Chair, Pharmaceutical Litigation Section; past Vice President).

- ◆Defense Research Institute (Speaker, Product Liability and Insurance Seminars).
- ◆Member, Arizona Trial Lawyers Association.
- ◆Member, Arizona Association of Defense Counsel (Past President).
- ◆Member, Maricopa County (Phoenix), Pima County (Tucson) and Scottsdale Bar Associations.

Professional Background

- ◆Former judge pro tempore, Arizona Court of Appeals
- ◆Former Assistant Attorney General, State of Arizona. Counsel to the Arizona Corporation Commission Securities Division.
- ◆Partner, 27 years, Phoenix law firm of Lewis and Roca LLP; member, Policy Committee and chair, Insurance Litigation Practice Group; Previously, partner, 9 ½ years in Shimmel, Hill, Kleindienst & Bishop, Phoenix, specializing in civil litigation. Practice in both firms included representation of U.S. and international Fortune 500 corporations in class actions, major litigation and appeals.
- ◆American Board of Trial Advocates.
- ◆American College of Legal Medicine.
- ◆Martindale-Hubbell “A-V Preeminent” rating.
- ◆Arizona’s Finest Lawyers.
- ◆Who’s Who in America, Who’s Who in American Law and Who’s Who in the World.
- ◆Author of over 50 published papers and speaker at local, national and international legal and business conferences on arbitration, mediation insurance and securities law in the United States, England, Canada, France, Germany, Israel and Spain.
- ◆Admitted to practice: U.S. Supreme Court, 9th U.S. Circuit Court of Appeals, U.S. District Court; States of Arizona and Illinois.

Education

- ◆Northwestern University School of Law, Chicago, Illinois (JD), contributing author, Northwestern Law Review, and Northwestern University College of Arts and Sciences, Evanston, Illinois (BS in Political Science and Economics).

Military Service

- ◆Captain, U.S. Army 9th Infantry Division, XV Army Corps and Judge Advocate General’s Corps as prosecutor and defense counsel in courts martial. Awarded Army Commendation Medal. Admitted to practice, U.S. Court of Appeals for the Armed Forces. Life Member, Reserve Officers Association of the U.S. Member, Military Officers’ Association of America.

