

Charles J. Moxley, Jr
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Biographical

Charles Moxley has been an arbitrator for over 35 years, presiding over more than 400 cases, many of them large & complex and involving multiple parties, substantial issues, and high stakes, including cases involving claims in the hundreds of millions of dollars and, in one instance, over a billion dollars. Mr. Moxley trains arbitrators for the New York State Bar Association (NYSBA), teaches arbitration law & practice at Fordham Law School, and serves as Distinguished ADR Practitioner in Residence at the Benjamin N. Cardozo School of Law. He has been selected by the American Arbitration Association and CPR to provide training in contemporary arbitration Best Practices.

Mr. Moxley is Co-Chair of the Committee on Arbitration and ADR of the Commercial and Federal Litigation Section of NYSBA and has served as Chair of NYSBA's Dispute Resolution Section and is a Fellow of the College of Commercial Arbitrators and of the Chartered Institute of Arbitrators and an ARIAS-US Certified Arbitrator. He has written and lectured extensively on Best Practices in Commercial Arbitration, including in the areas of discovery, motion practice, and arbitration law. The three day arbitration training program he designs, organizes, and co-leads each year for NYSBA comprehensively covers all areas of commercial arbitration, including the selection of arbitrators, conflicts/disclosures, organizational issues, conducting effective preliminary hearings to design and establish the process appropriate for the particular case, determination of appropriate levels of discovery and motion practice, proactive management of cases, dealings among panel members, resolution of discovery disputes, conducting effective, efficient, and fair hearings, and writing fair, well-reasoned, and enforceable awards. The trainings also include segments on managing e-discovery, arbitrator ethics, arbitration law, arbitral decision-making, artificial intelligence, and the distinctive features of international arbitration.

An IMI Certified and CEDR Accredited Mediator, Mr. Moxley has mediated more than 75 cases, many of them large and complex, involving multiple parties and high stakes, and has been a bar leader in trying to enhance the availability of mediation in New York courts. He is an inaugural member of the Chief Judge's Advisory Committee on mediation in the New York court system.

As an arbitrator, Mr. Moxley is committed to providing all parties a fair and effectively managed process, using contemporary Best Practices designed to achieve arbitration's promise as an alternative to litigation, consistently with parties' agreements and applicable rules and law. As a mediator, Mr. Moxley's decades of experience in virtually all kinds of business and financial disputes enable him quickly to understand parties' interests and needs and help them find common ground when they are ready to do so.

Before becoming a full-time neutral, Mr. Moxley was a commercial, securities, and insurance litigator in major cases throughout the United States, starting his career at Davis Polk & Wardwell and thereafter as a member or counsel with several smaller New York City firms. He attended Columbia Law School and clerked for a United States District Judge in the Southern District of New York. As a litigator, Mr. Moxley represented a wide range of entities and individuals as plaintiffs and defendants in a wide variety of cases in court cases and arbitrations.

In addition to his work as an arbitrator, mediator, and litigator, Mr. Moxley has taught at New York area law schools for over 30 years, teaching arbitration law and practice and, before that, civil procedure, evidence, New York practice, professional responsibility, nuclear weapons law, and law & literature. Moxley served as a trainer for the AAA in its Muscular Arbitrator series of in-person and webinar programs, focusing on how arbitrators can best conduct their arbitrations to achieve the efficiency that parties often want in choosing arbitration over litigation, employing practices such as those highlighted in NYSBA's Guidelines for conducting the pre-hearing phases of domestic and international arbitrations and the Protocols of the College of Commercial Arbitrators.

With his extensive experience as an arbitrator in large cases and as a trainer and lecturer on arbitration, Mr. Moxley has a good working relationship with other leading arbitrators, enabling him to work cooperatively with them on panels, whether as chair, party-appointed arbitrator or co-arbitrator. Mr. Moxley's experience as a trainer of arbitration Best Practices enables him to facilitate the use of such practices in cases in which he is involved, consistently with the needs of the particular case and the parties' arbitration agreement and any stipulations as to process.

Moxley's expertise in arbitration discovery, a subject about which he has written and lectured, enables him to bring efficiencies into the process, again, subject to the needs of the particular case and consistently with parties' arbitration agreements and chosen arbitration rules.

Because of Mr. Moxley's extensive experience and expertise, he is selected as sole arbitrator and chair in high stakes cases material to companies and individuals involved. Committed to sound preparation, Mr. Moxley proactively manages cases in which he is chair or sole arbitrator so as to achieve the efficiencies arbitration offers, subject to the needs of the particular case and parties' arbitration agreements and chosen rules.

Mr. Moxley is actively engaged in international arbitration and mediation. He regularly serves in such cases and is a member of the New York City Bar Association's Committee on International Commercial Disputes and a member of the New York International Arbitration Club and the New York International Arbitration Center.

Mr. Moxley is committed to public service and engagement. He has written extensively and regularly teaches and speaks on the subject of weapons of mass destruction and international law.

Case Experience/Arbitration

Representative Cases in which Mr. Moxley has served as arbitrator include:

- **Accounting:** chair in case involving malpractice claims against auditor for over \$1 billion; served as arbitrator in other cases involving alleged accounting malpractice, fees for accounting services, and the requirements of the U.S. tax laws;
- **Aviation:** chair of panel hearing disputes relating to international contracts for the delivery of military aircraft;
- **Banking and Finance:** arbitrated numerous disputes involving alleged failures to meet debt obligations, including cases involving negotiable instruments and the funding of litigation;
- **Bankruptcy:** arbitrated several cases involving issues arising out of parallel bankruptcy proceedings;
- **Brokerage:** arbitrated disputes over claims by brokers in the securities and real estate industries for services rendered, often combined with cross-allegations concerning the performance of the services at issue;
- **Business Divorce:** arbitrated dozens of cases involving disputes among partners, shareholders, joint venturers and members of professional associations as to their respective rights and obligations under their contracts and applicable law, including issues as to valuation, alleged breach of contract and fiduciary duty, entitlement or not to salary, draws, expenses, stock payouts, pension rights, ongoing employment, indemnification, non-competition obligations, and reinstatement. Examples: chair in case involving dispute among founders of securities firm; party-appointed arbitrator in case involving break-up of a securities firm over issues of the loyalty and competence of one of the founders; chair in case involving exclusion of a founder from a securities firm; sole arbitrator in dispute among owners of insurance brokerage firm in the context of the contemplated sale of the firm; sole arbitrator in case involving break-up of an association of physicians; sole arbitrator in dispute over agreement to turn over control of law firm upon retirement of one of the founders; co-arbitrator in dispute among founders of world-wide manufacturing company; sole arbitrator in dispute among founders of company in the film industry; dispute among owners of chain of tanning salons; dispute among owners of corporation formed for horse breeding; dispute among owners of company formed to board horses and provide riding lessons; break-up of family held Long Island manufacturing company; dispute among investors in gambling casino; dispute among owners of family held sporting goods company; dispute among founders of pizza shop; dispute among family members over printing business; dispute among brothers over ownership of Manhattan townhouse; dispute among investors in real estate enterprise; dispute among owners and managers of international real estate operations; dispute among owners and managers of several large industrial plants;
- **Cannabis:** disputes over capital-raising and commercialization;
- **Cogeneration Plants:** chair of panel hearing dispute among owners and operators of cogeneration plant; party appointed “drop-away” arbitrator in case involving dispute over management of co-generation plants;
- **Commercial:** arbitrated many dozens of cases involving disputes over goods and services provided under a wide range of contracts and legal regimes, domestic and

- international. Examples: dispute among members of an extended family and others who jointly owned a major jewelry business in New York and throughout the United States over their respective rights under certain contracts to expand the business; disputes over a long-term contract to provide tuna and other fish for a large international food supplier; dispute over cargo of scrap iron destined for Italy; dispute over damage of commercial satellite at launch site; dispute over lots of allegedly deficient fertilizer; dispute over provision of research services to securities firm; dispute over provision of employee uniforms to business entity; dispute over supply of oil to a business;
- **Communications:** arbitrated international disputes concerning the supply of broadband and the price therefor; disputes over alleged improper fax blasting;
 - **Computer Technology:** arbitrated disputes over the licensing of computer technology; dispute over provision of computer technology to securities firm;
 - **Construction:** arbitrated numerous construction cases, including cases involving disputes among owners, architects, engineers, contractors, general contractors, and others for industrial projects, including disputes among owner, owner's successor, architect and contractor as to an alleged \$30 million in delays and extras arising out of construction of heat and air conditioning system at a New York airport; dispute over construction of large manufacturing plant in Iraq;
 - **Consulting:** arbitrated disputes over fees between consultants and law firms or companies retaining them;
 - **Defense Industry:** chair in cases over supply of aircraft to Israel and tanks to the U.S.;
 - **D&O:** chair of panel in a coverage case involving whether certain D&O and related policies covered the settlement of a securities fraud class action claim brought under a California statute that required only a showing of constructive fraud;
 - **Declaratory Judgment:** arbitrated numerous cases involving claims for declaratory judgment, including claim arising out of \$100 million sale of chemical business where the business thereafter sustained substantial liability damages allegedly arising out of decisions made prior to the closing on the sale;
 - **Executive Employment:** arbitrated many dozens of cases between high level executives and their companies, involving such issues as alleged breach of contract and fiduciary duty, termination, cause, compensation, covenants not to compete, confidential information, stock rights, pension rights, health insurance benefits, IP rights, SEC requirements, reinstatement, defamation, and alleged harm to the company, including in the fashion, manufacturing, advertising, automotive, computer servicing, telecommunications, security, restaurant, international freight, and commodities businesses. Examples: sole arbitrator in dispute between public company and its former CEO/founder involving competing damages and declaratory judgment claims for over \$28 million; disputes involving termination claims under employment, partnership, and shareholder agreements;
 - **Energy:** cases involving energy generation and supply; computer design services for pipelines;
 - **Foundations/Charitable Organizations:** arbitrated dispute between fund raising organization and charitable foundation;
 - **Franchises:** arbitrated many dozens of cases involving disputes among franchisors and franchisees concerning alleged breach of contract and fiduciary duty, IP rights, post-termination rights, non-compete obligations, royalties, termination, confidentiality, and

sales of franchises, including in the apparel, restaurant, fast food, and jewelry businesses. Examples: declaratory judgment action between franchisor of major high end international clothing line and franchisee involving rights to hundreds of millions of dollars of business; dispute as to departing co-owner's right to open competing automobile distributorship;

- **Gambling:** arbitrated dispute over ownership of interests in gambling casino;
- **Health Care:** arbitrated disputes among hospitals, physicians, and insurers, including dispute between hospital chain and health insurance provider over coverage obligations of carrier over multi-year period;
- **Hedge Funds:** arbitrated disputes among investors and hedge funds; disputes among hedge funds and service providers, including for research, computer services, consultation, and employee placement services; disputes among hedge funds and partners, members, directors, employees, subcontractors and the like; dispute among principals in hedge fund as to their financial obligations to one another; dispute over hedge fund manager's alleged undisclosed withdrawal of personal funds from fund in breach of agreement with investor;
- **Implied Covenant of Good Faith and Fair Dealing:** arbitrated many dozens of disputes involving alleged breaches of covenants of good faith and fair dealing implied under the contract law of many jurisdictions;
- **Insurance:** arbitrated numerous coverage disputes as to designers and contractors professional liability, D&O, representations and warranties, subcontractor performance, and other liability and property policies, including dispute as to coverage of \$50 million in tax shelter losses in one case and as to \$3 million of liability for statutory securities fraud class action settlement in another case; disputes between insurance industry entities and other professional entities; dispute involving buy-out of insurance brokerage firm and claims of fraud in the inducement of the parties' original shareholders agreement; disputes among hospitals, physicians, and health insurance providers over coverage issues; coverage dispute concerning industrial accident; dispute among insurance companies over excess layer coverage; coverage dispute concerning liability insurance provided to Indian tribe; dispute over alleged fraud in application for liability insurance;
- **International:** arbitrated dozens of international disputes involving disputes over investments, securities, IP, consulting, franchises, mergers, goods and services, manufacturing, pharmaceuticals, satellites, large construction projects/industrial facilities, telecommunications, construction, shipping, industrial facilities, local representatives, and legal services;
- **Intellectual Property:** arbitrated disputes involving rights under patents and trademarks, including for consumer health products and computer software, including serving as chair in dispute over licenses for use of electrochemiluminescence technology in multi-billion dollar worldwide market; chair of panel in dispute over patent rights to contact lenses grossing in the hundreds of millions of dollars; dispute over claims for breach of software license and copyright infringement; disputes involving issues as to ownership, royalties, trade secrets, R&D, and termination;
- **Hospitality:** arbitrated dispute over hospitality services for sports stadiums;
- **Law Firms/Lawyers:** arbitrated dispute between major law firm and departing partner over pay-out and contractual obligations as to business generation; disputes between

- attorneys and clients over legal fees; dispute arising out of pay-out agreement with retiring founder/name partner of law firm;
- **Life Sciences:** disputes over vaccines, cancer diagnosis and treatment, clinical testing, surgical devices, contact lenses, prosthetics, hospital Medicaid services, and cosmetics;
 - **Liquidation:** chair in dispute over liquidation of hedge fund;
 - **Manufacturing:** chair in dispute over damage to satellite at Kazakhstan launch site; dispute over supply of sterilization production lines for consumer medical goods;
 - **Maritime:** arbitrated disputes as to the compliance of shipped commodities, including fish and scrap iron, with contractual, legal, and industry requirements;
 - **Matrimonial:** arbitrated dispute between spouses as to ownership of securities and interest in securities firm; dispute over securities and other properties arising out of the parties' divorce and involving issues as to the marital or non-marital nature of such properties; dispute between spouses over support obligations; dispute over distribution of business assets and liabilities by divorcing spouses;
 - **Medical Testing:** arbitrated several disputes over contractual, legal and regulatory obligations relating to the testing of potential drugs;
 - **Mergers, Acquisitions, and Dissolutions:** arbitrated numerous cases involving fall-out from mergers, acquisitions, and dissolutions, including several cases involving the sale by owners of their companies to other companies and subsequent disputes over the value of the companies and the performance of the prior owners when retained by the buyers to continue to run the companies or advise as to same; disputes over whether liabilities that emerged post-acquisition are attributable to the buyers or sellers; disputes over payouts to the sellers; disputes over use of proprietary information followings the sale of companies; disputes over valuation; and disputes involving post-closing adjustments and issues as to valuation;
 - **Partnerships, Joint Ventures, Professional Associations, Corporations and Sole Proprietorships:** disputes among owners of securities, insurance, accounting, law, medical, manufacturing, energy, retail, and other practices and businesses;
 - **Patent Litigation:** arbitrated dispute as to how underlying patent litigations were or should have been conducted and as to what would have happened if certain claims which a party was allegedly contractually obligated to bring had in fact been brought;
 - **Patents:** chair in dispute as to infringement, design-arounds, reasonable royalties, and related damages claims allegedly in the hundreds of millions of dollars; sole arbitrator in dispute over scope of patents and trademarks as to computer software;
 - **Physicians:** arbitrated several disputes between carriers and physicians as to whether physicians were upcoding;
 - **Pharmaceuticals:** chair in dispute over licensing of technology for consumer medical products involving billions of dollars of business annually; sole arbitrator in dispute between drug company and testing company specializing in drug development/testing;
 - **Private equity:** disputes over investments and alleged misrepresentations and omissions;
 - **Professional Associations:** arbitrated numerous disputes among members of professional associations, including among physicians, attorneys, accountants, securities and insurance industry professionals, and architects over contractual and legal rights and obligations;
 - **Real Estate:** arbitrated many disputes among owners of real estate; disputes among family members concerning real estate ventures; disputes between entities in the real

- estate industry and other professional entities. Examples: dispute over provision of management services to real estate firm; dispute over alleged defalcations by manager of hundreds of properties throughout the United States;
- **Restaurants:** arbitrated many dozens of disputes among franchisors and franchisees of restaurants; disputes among partners and among investors over rights and obligations as to restaurants;
 - **Royalties:** arbitrated disputes over royalties for patent and other IP rights;
 - **Satellites:** chair of panel for dispute as to damage to commercial satellite being prepared for launch in the former Soviet Union;
 - **Securities:** arbitrated dozens of disputes involving securities, including disputes involving investors, brokers, investment advisors, and securities firms; disputes between buyers and sellers of securities; disputes among securities firms and partners, members, employees, and subcontractors; disputes among securities firms and service providers; disputes over the ownership, dissolution, and liquidation of securities firms. Examples: chair in case involving withdrawals of personal funds from a hedge fund by the manager of the fund allegedly in violation of contractual obligation to investors; co-arbitrator in case involving substantial losses by an investor in discretionary account; sole arbitrator in case between investor and her broker over substantial losses in her portfolio after she retired following many years of investing with the broker; sole arbitrator in dispute between investor and her investment advisor; sole arbitrator in dispute between investor and securities firm over alleged obligation of securities firm to have blocked a certain investment pursuant to limits agreed to with the firm; dispute involving Madoff-related losses; dispute over finder's fee/commission between securities firm and individual who introduced various investors; dispute among investors in optical technology;
 - **Sports:** arbitrated dispute over provision of management services to international soccer player;
 - **Supply of Goods:** arbitrated many disputes among buyers and sellers of goods;
 - **Tax:** co-arbitrator of dispute as to the insurability of tax shelter vehicles;
 - **Telecom:** sole arbitrator in international dispute over provision of telecommunications services to telephone company in Africa; and
 - **Trusts and estates:** disputes over estates, including over interests in ongoing businesses and real estate.

Case Experience/Mediation

Representative Cases in which Mr. Moxley has served as a mediator include:

- **Accounting:** mediated accounting malpractice claims;
- **Attorney/Client:** mediated numerous fee disputes among attorneys and clients. Example: claim for attorneys' fees for services rendered to a co-op, with issues centering around the authority of the co-op's President;
- **Art Law:** mediated dispute between artist and art dealer as to their respective rights over the artist's paintings;

- **Bankruptcy and Liquidation:** mediated disputes over real estate projects facing bankruptcy; disputes over liquidations of businesses following fall-outs among founders/owners;
- **Banking:** mediated dispute concerning bank's loss of contents of safety deposit boxes;
- **Business Divorce:** mediated \$6 million dispute involving two litigations between outside and inside investors in film cutting business; dispute among family members over the break-up/sale of the family's manufacturing business allegedly worth some \$5 million;
- **Commercial:** mediated claim for computer consulting and related services; claim based on defendant delicatessen's alleged breach of agreement permitting plaintiff to supply internet services;
- **Computer Services:** mediated dispute over amounts claimed under computer consulting and related services agreement; dispute concerning delicatessen's alleged breach of contract permitting contractor to supply internet services in the delicatessen;
- **Condominiums:** mediated dispute involving water damage to Brooklyn condominiums;
- **Construction:** mediated dispute between owner, general contractor and subcontractor over construction work and related mechanics lien; dispute over provision of energy saving technology;
- **Coop Apartment Building:** mediated dispute concerning \$700,000 in attorneys' fees for services rendered to a co-op at the behest of the President of the co-op, who allegedly acted without authority;
- **Deal Mediation:** mediated issues concerning acquisition rights of minority shareholders of securities firm;
- **Executive Employment:** mediated disputes concerning respective rights of discharged executives and former employers, including case involving whether general counsel of public company was terminated for cause and issues as to his contractual and legal rights upon termination; dispute concerning alleged breach by former officer of educational training company of non-compete and confidentiality obligations and alleged misappropriation of company assets; termination of co-managing director/founder of a securities firm based on alleged thefts;
- **Hedge Funds:** mediated claim by hedge fund for \$3 million break-up fee based on letter of understanding with Manhattan real estate company;
- **Hospitality:** mediated dispute among owners/developers of several hotels as to their respective rights and obligations;
- **Insurance:** mediated several coverage disputes and dispute concerning contract rights of dealer for national company providing medical services to insurance companies in connection with sale of life insurance; disputes concerning reinsurance;
- **Intellectual Property:** mediated disputes over IP in connection with business break-ups;
- **International:** mediated numerous international disputes involving such matters as investments, construction projects, and sales of goods; dispute involving investment in real estate in Tbilisi, Georgia;
- **Joint venture:** mediated dispute concerning joint venture by two pharmaceutical companies with respect to development of drug;
- **Law Firms/Lawyers:** mediated dispute over whether General Counsel of public company was terminated for cause and economic issues as to his claim under his contract; claim by a law firm against two of its former partners for alleged over-drawing

- of capital accounts and expense account issues; dispute between partner and law firm over conflicts that emerged based on the partner's prior relationships;
- **Mergers and Acquisitions:** mediated dispute arising out of the sale of assets of a company engaged in the business of manufacturing paint for private labeling;
- **Mortgages/derivatives:** mediated disputes over sales of portfolios of mortgage loans; dispute over \$30,000,000 of mortgages on a Manhattan residential building arranged by an allegedly unfaithful officer of the corporate owner of the property and his alleged theft of such monies; foreclosure on mortgage of over \$120 million on Manhattan real estate;
- **Pharmaceuticals:** mediated dispute involving joint venture by two pharmaceutical companies over development of a drug;
- **Professional Associations:** mediated dispute concerning accounting firm's termination of a partner; dispute concerning alleged \$840,000 over-drawing of capital accounts by former partners of law firm and nonpayment of their share of expenses; and
- **Real Estate:** mediated action to foreclose on \$120 million mortgage on Manhattan properties; \$30,000,000 multiparty international dispute involving four litigations arising out of mortgages on a prime Manhattan residential building by an allegedly unfaithful officer of the owner of the property and out of certain alleged thefts by that officer; dispute with respect to alleged \$1.2 million price for a Japanese hotel chain's option on a developer's contract rights on a block of real estate parcels intended for construction of a hotel; dispute among majority and minority owners of Manhattan low income residential building valued at \$4 million as to the management of the building and the possibility of a buy-out by one faction or the other; dispute among investors in hotel chain; dispute over rights to hotels; dispute among family members to rights to extensive real estate properties in New York.

Representative Issues Mediated

- valuations and economic viability of portfolios of mortgages and claimed contractual right of buyer to put individual mortgages back to seller;
- respective rights and obligations of unit owners and condominium concerning water damage to apartments and delays in re-construction;
- rights under international camera supply agreement;
- contractual issues concerning accounting firm's termination of partner;
- contractual and legal rights and obligations of discharged executives and former employers, including as to cause, compensation, severance, expenses, benefits, outplacement, stock options, pensions, confidentiality, proprietary information, non-competition, and non-disparagement;
- contractual and legal rights of partners, controlling shareholders and others within business entities and professional associations upon business divorces;
- valuations of business entities and investments;
- facilitating parties' negotiation of purchase and sale of majority interests in securities firm;
- enforceability of break-up fee provision in letter of understanding between hedge fund and real estate company;
- interpretation of contract language;

- bases for admission of parol evidence;
- legal prerequisites for liquidated damages;
- distinction between liquidated damages and penalties;
- legal significance of contract parties' course of dealing;
- waiver of contractual rights;
- statute of frauds;
- authority of corporate officer to bind company to mortgage where officer ostensibly had authority, but bank was allegedly on notice of red flags;
- impact of cultural differences as to intent concerning enforceability of oral agreements;
- lawyer's potential liability based on opinion letter as to authority of corporate officer, where lawyer allegedly was on notice of red flags;
- interpretation of coverage and exclusion provisions and conditions of insurance policies, underwriting intent, representations, custom and usage, industry practice, notice, waiver, and estoppel;
- effect of lawyers' delays in submitting bills on right to collect on them;
- authority of residential co-op's president to permit co-op's lawyers to engage in level of litigative activity exceeding estimates;
- question of whether it was malpractice in an arbitration for lawyer to demand attorneys' fees, exposing client to being charged with other side's attorneys' fees;
- impact on law partners' agreement as to their respective draws when the partners thereafter filed individual and partnership returns based on amounts actually drawn rather than on agreed amounts;
- whether law firm's conduct at the time two partners withdrew constituted firm's consent to terms of the withdrawal, waiving later claims for retroactive adjustments;
- enforceability of contract which small business owner who spoke limited English signed without reading;
- questions whether alleged deficiencies in providing internet services constituted legal basis for owner's withdrawal from services agreement; and
- legal advice given as to implications of various possible settlement approaches.

Education

Columbia University (JD); Fordham University (MA; BA).

Memberships & Affiliations

- Chartered Institute of Arbitrators (Fellow);
- College of Commercial Arbitrators (Fellow);
- New York International Arbitration Center (Member);
- New York State Bar Association (Co-Chair, Committee on Arbitration and ADR, Past Delegate);
- American Bar Association (Dispute Resolution Section, Arbitration and Mediation Committees; International Law Section);

- New York City Bar Association (International Commercial Disputes Committee);
- New York County Lawyers Association (International Law Committee);
- ARIAS-U.S. (Certified Arbitrator);
- CEDR Accredited Mediator;
- International Mediation Institute (Certified Mediator);
- Commercial Division, Supreme Court, New York County (Mediation Panel);
- National Academy of Distinguished Neutrals (Member); and
- Lawyers Committee for Nuclear Policy (Board of Directors).Member of Executive Committee, Commercial and Federal Litigation Section (Member of Executive Committee, Past Chair, Dispute Resolution Section) (House of Delegates),

Courses and Trainings Provided

Mr. Moxley has been chosen by leading providers and professional groups, including the American Arbitration Association, CPR, the Dispute Resolution Section of the New York State Bar Association (NYSBA), the American Bar Association, and the Fordham and Cardozo Law Schools to teach and train arbitrators and others. The annual three-day Commercial Arbitration Training Mr. Moxley organizes and co-leads for NYSBA and Cardozo provides comprehensive training for arbitrators and counsel in all phases of commercial arbitration.

Representative examples:

- Faculty teaching Arbitration Law & Practice, Fordham Law School, 2011 to 2016, 2018 to 2020.
- Faculty, designing and co-leading annual three-day Commercial Arbitration Training for the New York State Bar Association (NYSBA) and the Benjamin N. Cardozo School of Law, 2011 to 2023 (*see* agenda for 2023 training at <https://nysba.org/events/comprehensive-commercial-arbitration-training-for-arbitrators-and-counsel-3/>).
- Faculty, designing and co-leading CPR Advanced Commercial Arbitration Training, 2018.

Speaking Engagements

Faculty, designing and co-leading annual NYSBA/Fordham Law School ADR Conferences:

- “Arbitration and Mediation 2023: Fulfilling the Promise – Getting Matters Resolved in a Timely and Efficient Way in Today’s World” (2023);
- “Contemporary Arbitration and Mediation—How We Can Do Better” (2022)”;
- Arbitration and Mediation 2021: Best Practices Working Through—and Beyond COVID” (2021);
- “Business Arbitration and Mediation 2020: How Arbitration and Mediation Will and Should Look in the Future” (2020);

- “Commercial Arbitration 2019—What Parties and Their Counsel Have a Right to Expect and Arbitrators Should Be Delivering: Arbitration at Its Best” (2019); and
- “The Litigative DNA—The Underutilization of Mediation in New York and What Can Be Done About It” (2018).

Moderator/Speaker, NYSBA CLE Programs

- “AI and Arbitration” (2023);
- “Arbitration of Cannabis Disputes” (2023);
- “Updates to the AAA Commercial Arbitration Rules and Mediation Procedures” (2022);
- “Practical Considerations in Navigating Emergency Arbitrations” (2022);
- “Virtual Arbitrations Are Here to Stay: What You Need to Know” (2021);
- “Missed Opportunities in Approaching Your Arbitration Case” (2021);
- “Best Practices: Roundtable on Different Approaches to Arbitration” (2021);
- “An International and Domestic Arbitration Roundtable” (2021);
- “Hot Topics in Dispute Resolution” (2021);
- “Cyber Security Boot Camp Training: What Must You Know in Your Arbitration” (2020);
- “Artificial Intelligence and Arbitration: The Computer as an Arbitrator—Are We There Yet?” (2020);
- “Insurance Arbitration in light of COVID-19” (2020);
- “AAA-ICDR Virtual Hearing Guidelines” (2020);
- “Best Practices of Counsel in Representing Parties in Arbitration from the Perspectives of Neutrals and Arbitration Institutions” (2020);
- “Arbitration in the Time of Coronavirus” (2020);
- “What Are the Typical Steps in Large, Complex Commercial Arbitrations: Peering into the Arbitrators’ Brain” (2020);
- “Arbitrators’ Questions and Other Proactive Steps in Arbitration: How Far Can Arbitrators Go?” (2020);
- “Peering into the Arbitrator's Brain: How Is Your Large, Complex Case Evaluated?” (2019);
- “ESI and Arbitration” (2019);
- “NYIAC Talks: Bar to Bench Dialogue – The Role of the New York State Court in International Arbitration” (2019);
- “Contemporary Issues in Arbitration and ADR” (2019);
- “Balance Between Efficiency and Justice in Arbitration” (2018); and
- “The 10 Most Important Things for Counsel and Arbitrators” (2016).

Speaker, Other CLE Programs

- “Why Courts Vacate Awards—and How to Prevent It,” 2023 AAA/ICDR Panel Conference, Rancho Mirage, CA;
- “Use of Rules of Evidence in Insurance/Reinsurance Arbitration,” “ARIAS-U.S. Fall Conference (2012);

- “Best Practices in International Arbitration,” New York International Arbitration Center (NYIAC), 2015;
- “Enforceability of Arbitral Subpoenas under the FAA and New York Arbitration Law,” NYSBA/DR Section Fall Meeting, 2014;
- “International Arbitration in the New York Courts,” NYIAC, 2014;
- “Best Practices for Conducting Fair, Expeditious and Economical Commercial Arbitrations,” NYSBA DR Section Annual Meeting, 2014;
- “Use of Rules of Evidence in Insurance/Reinsurance Arbitration,” ARIAS-U.S. Fall Conference, 2012;
- “Conducting Effective Arbitrations Using Contemporary Best Practices,” Benjamin N. Cardozo School of Law, 2012;
- AAA Muscular Arbitration Series: Fat-Free Hearings, 2012;
- AAA Faculty, AAA Muscular Arbitration Series: Weight Lifting-Muscular Ethics, 2012;
- AAA Muscular Arbitration: Trimming the Fat Out of Arbitration, 2011;
- “International Dispute Resolution in Practice: Experiences, Trends and Tips,” NYSBA DR Section Annual Meeting, 2010;
- “Introduction to the Basics of International Arbitration,” NYSBA International and DR Sections, Annual Meeting, 2010;
- “Designing Arbitration Clauses to Anticipate Choice of Law Issues and Avoid Costly and Time-Consuming Ancillary Litigation,” New York City Bar Association, 2010;
- “Best Practices as to Conducting Preliminary Hearings in Large Complex Arbitrations in the Employment and Other Areas,” NYSBA DR Section, Fall Meeting, 2009;
- “How to Achieve the Arbitration Goals of Expedition, Economy and Fairness in Cases in the Accounting and Financial Industries,” New York State Society of CPAs, 2009;
- “Perspectives on Arbitration and Mediation in the Real Estate and Financial Industries,” Conference on Conflict Resolution at Work-ADR in the Private and Public Sectors, Benjamin N. Cardozo School of Law, 2009;
- “Exploring The Murky Boundaries Between the FAA and State Law in Arbitrations in New York: Which Law Applies and When? An Overview of Arbitration Choice of Law,” ABA Section of Dispute Resolution's 11th Annual Spring Conference, 2009;
- “The Uniform Mediation Act - Is It Time For New York State to Get on the Bandwagon?,” NYSBA DR Section, Fall Meeting, 2008; and
- “Selecting the Ideal Arbitrator,” American Arbitration Association, 2005.

Representative Publications in Arbitration and Mediation

- Co-author, “Understanding—and Avoiding—Vacatur and Applications for Vacatur,” DISPUTE RESOLUTION JOURNAL, American Arbitration Association (Fall 2023);
- “How Litigators Can Get the Most Out of Arbitration—Opportunities and Pitfalls in Representing Clients in Arbitration,” New York Litigator (Vol. 28, No 2 2023);
- “Understanding the AAA-ICDR Virtual Hearing Guide for Arbitrators and Parties,” NEW YORK DISPUTE RESOLUTION LAWYER (Summer 2020);
- “Some Tips for Conducting Muscular Arbitration Hearings,” ARIAS-U.S. QUARTERLY (1st Quarter 2013);

- “Traps for the Unwary: Major Differences between New York and Federal Arbitration Law,” NEW YORK DISPUTE RESOLUTION LAWYER (Spring 2010);
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Rates Information

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