



**D. Charles Stohler**

Partner

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**Practice Areas**

- Alternative Dispute Resolution
- Corporate & Business
- Labor & Employment

**Industries**

- Education
- Healthcare

**Education**

- Muhlenberg College,  
Undergraduate  
A.B. 1978  
~ summa cum laude
- Duke University School of Law,  
Law School  
J.D. 1981

**Bar Admissions**

- Connecticut
- New York
- Pennsylvania

**Court Admissions**

- U.S. Court of Appeals for the  
Third Circuit

**Current Employer-Title** Carmody Torrance Sandak & Hennessey LLP - Partner

**Profession** Attorney, Mediator, Arbitrator

**Work History** Partner, Carmody Torrance Sandak & Hennessey LLP, 1988-present; Director of Personnel Administration/Executive Assistant to President, Otis Elevator Co., 1984-88; Attorney, Robinson & Cole, 1982-84; Attorney, Tryon, Friedman & Espenshade, 1981-82.

**General Experience** Since 1981, career has been almost exclusively in employment and labor matters. For more than 35 years has been an employment attorney principally representing employers in both the private and public sectors. Has handled matters all across the employment spectrum, including traditional labor relations and collective bargaining, employment discrimination, employment contract and severance issues, reductions in force, wage-hour and FLSA disputes, Family and Medical Leave Act, OSHA and safety issues, affirmative action, compensation and benefit issues, and general preventive and policy matters. Has appeared in all relevant state and federal courts and administrative agencies (National Labor Relations Board, Equal Employment Opportunity Commission, Connecticut Commission on Human Rights and Opportunities, Department of Labor, Occupational Safety and Health Administration, Office of Federal Contract Compliance Program, Unemployment Compensation, and Workers' Compensation). Experience in representing employers in response to statutory claims includes substantial experience in the discrimination area, including handling more than 100 cases at all stages before the Connecticut Commission on Human Rights and Opportunities and the Equal Employment Opportunity Commission. Has defended discrimination claims of all types including sex, sexual harassment, age, race, color, national origin, disability, sexual orientation, religious, and reverse discrimination claims.

**Experience as a Mediator** Practice has shifted more to a neutral role as a Special Master, Mediator, Fact-Finder, Arbitrator or Investigator. Mediator in more than 200 private employment mediations. Cases mediated include, FLSA and state law wage claims (including class and collective action disputes); discrimination (age, sex, race, national origin, harassment, disability, religion, sexual orientation); common law employment actions (contract, torts such as defamation, emotional distress, free speech, privacy); retaliation actions (workers' compensation and others); FMLA; Executive compensation, contract and severance disputes. Experience in more than 100 cases in all of above areas as advocate. Mediated with, and for, public and private employers and with many of the employment law firms (both plaintiff and defendant) in Connecticut, New England and New York City.

In 2019, appointed as Special Master in U.S. District Court in Connecticut in multi-state FLSA collective and state class action. Mediated numerous regional and national FLSA and state law wage-hour matters, particularly class and collective actions. Issues include FLSA exemptions and



- U.S. District Court, District of Connecticut
- U.S. District Court, Eastern District of Pennsylvania

misclassifications, off-the-clock claims, tip and wage payment and overtime claims. Industries include retail, restaurants, manufacturing exotic dancer clubs, financial services, information technology, cleaning, construction, limousine, moving, transportation, insurance and health care.

Participant in at least 50 labor contract mediations and 30 grievance mediations as an advocate.

**Representative Issues Handled as a Mediator** Employment cases include Fair Labor Standards Act and State Wage-Hour claims (including numerous collective and class action disputes); Family & Medical Leave Act; discrimination (age, sex, race, national origin, disability, religion, sexual orientation); other statutory and common law claims (contract and torts such as defamation, emotional distress, free speech, privacy; retaliation actions (including workers' compensation, Conn.Gen.Stat. Section 31-290a); Executive compensation, contract and severance disputes. Amounts in dispute have varied from \$50,000 to more than \$80 Million. Class sizes have ranged from under 50 to several thousand members. Numerous settlements in the \$1 million to \$20 million range.

**Multi Party Mediation Experience** Mediated numerous cases when groups of employees represented by more than one counsel or multiple employer defendants. Mediated cases when employer and individual defendants are separately represented.

**Years of Practice as a Mediator** 20

**Total Number of Cases Mediated** 200

**Mediation Experience as an Advocate or Party** Participant as advocate in more than 200 mediation sessions. This includes employment matters such as discrimination and litigation defense as well as labor mediations in the context of contract negotiations and grievance settlement. Recognize difference between labor and employment mediations; willing to serve in both settings.

**Mediation Philosophy** My mediation philosophy is part facilitative and part evaluative. Typically, I am chosen because I am a subject matter expert in employment law matters, especially on wage-hour issues. My focus is on listening to the parties and helping them to establish what is a possible mutually acceptable settlement - not how I think the matter should settle. Unless absolutely necessary, and only at the parties' request, do I set a "Mediator's number" under very specific terms. My typical approach includes a pre-mediation telephone conference with the lawyers, pre-mediation statements sent one week in advance of the mediation, a plenary session where I discuss the ground rules, "shuttle diplomacy" between the parties, and a written term sheet of agreement before adjournment. My view is that the parties can structure the mediation process as they see fit but they hire me to guide them. I use a variety of techniques to bring the parties closer and will take strong positions as necessary. Each mediation is different, and a key part of my role is to determine the best approach for each case. I expect parties will have the appropriate personnel present with the authority to settle. When I determine that the parties are not serious, or the timing is wrong for a settlement, I will terminate the mediation. I am a strong believer in the "process," and most of my cases settle, sometimes shortly after the mediation.



**Mediation References**

Shannon Liss-Riordan, Esq., (617) 994-5800, sliss@llrlaw.com  
Barry Miller, Esq., (617) 946-4806, bmiller@seyfarth.com  
Brant Casavant, Esq., (617) 231-6777, brant@fairworklaw.com  
William J. Anthony, Esq., (860) 522-0404, anthonyw@jacksonlewis.com.

**Alternative Dispute Resolution Training** ABA 21<sup>st</sup> Annual Section of Dispute Resolution Spring Conference, Minneapolis, MN, April 2019; CBA The Anatomy of Class Action, February 2019; Arbitrator Performance and Demeanor- Meeting Participant Expectations, 2018; ACE 11- Exercising Arbitrator Discretion: A Look at Some Best Practices, 2017; CBA The Arbitration Pre-Hearing Conference, September 2017; ABA Webinar, What I Wish My Mediators Knew, March 2017; Panelist, American Conference Institute, National Forum on Wage-Hour Claims and Class Actions, Miami, FL, January 2017; AAA Protecting Your Award from Appellate Challenge, 2016; ABA Webinar, Mediation FAQ: Top Five Questions Answered, July 2016; Panelist, American Conference Institute, National Forum on Wage-Hour Claims and Class Actions, Miami, FL, January 2016; ABA Advanced Mediation Institute, two day course, Atlanta, GA, 2015; AAA ACE 10 - Avoiding Ten Common Missteps Arbitrators Make, 2015; AAA Essential Mediation Skills for the New Mediator, 2013; AAA, Essential Mediation Skills for the New Mediator, 2012; Panelist, CBA Presentation on Effective Mediations, 2012; AAA Webinar, How to Become a More Innovative Neutral or Advocate: Applying Cutting Edge Innovation Management Techniques to Your ADR Practice, 2012; ABA Seminar, Overview and Current Trends in Mediation and Arbitration, 2011; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2009; CBA Mediation Training, 2009; National Business Institute, Mediation: A Valuable Tool for Litigators, 2008; AAA Arbitrator Ethics & Disclosure (ACE003), 2006; AAA Employment Arbitrator II: Advanced Case Management Issues, 2005; AAA Arbitrator I Training-Fundamentals of the Arbitration Process, 2004; Harvard/MIT, The Program on Negotiations, 2002.

**Professional Licenses** Admitted to the Bar: Pennsylvania, 1981; Connecticut, 1982; New York, 2017; U.S. District Court: Eastern District of Pennsylvania, 1982; District of Connecticut, 1982; U.S. Court of Appeals, Third Circuit, 1982.

**Professional Associations** Connecticut Bar Foundation (James W. Cooper Fellow); American Bar Association (Labor and Employment Section); Connecticut Bar Association (Labor and Employment Section, Executive Committee, Past Member); National Conference for Community and Justice, Greater Hartford and Western Massachusetts Region (Past Board Member); Asylum Hill Congregational Church (Past Moderator); Board Member, Community Mediation, New Haven, CT (Past Member).

**Distinctions** Highlighted in the 2018 edition of *Chambers USA Guide to America's Leading Lawyers for Business* for placing in the Top Tier of Lawyers in Connecticut; Highlighted as a Band 1 labor and employment attorney in *Chambers USA*, 2010 – 2018; Selected for inclusion in *The Best Lawyers in America* in the area of Employment Law, 2020; Selected for inclusion in *New England Super Lawyers* in the area of Employment & Labor Law, 2007 – 2018; Selected for inclusion in *Connecticut Super Lawyers* in the area of Employment & Labor Law, 2006 – 2018.

**Education** Muhlenberg College (BA, Economics/Political Science-1978); Duke University (JD-1981).



**Mediation Rate** \$500 per hour. Will bill for pre and post mediation services such as research; will bill for travel from the New Haven, CT area.

**Citizenship** United States of America

**Locale** New Haven, CT