

Dominic Fulco III
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Summary

Accomplished lawyer in private practice for 39 years with the highest caliber rating in legal knowledge, ability and ethics by peer rating firm (Martindale Hubbell). Represents clients in achieving effective and creative solutions in a wide range of cases including civil litigation and appeals and alternative dispute resolution as a shareholder of Reid and Riege, P.C., a thirty lawyer Connecticut law firm (www.rrlawpc.com).

Arbitrator for the American Arbitration Association and privately for 31 years.

In-house general counsel to Reid and Riege, P.C., providing legal counsel and risk management to the firm's lawyers.

Commercial Arbitrator Experience

Arbitrator serving on the commercial panel of American Arbitration Association and privately since 1992. Arbitrator in a complex financial transaction case asserting approximately \$2 million in breach of contract and fraud claims. *William Clark, et al. v. OMG Holdings, LLC, et al.*, No. 17-CV-7233 KMK, 2020 WL 7058992 (S.D.N.Y. Dec. 2, 2020) (confirming Award of arbitrator). Other cases as an arbitrator include: a complex breach of contract case with claims in excess of \$1 million; several cases asserting breach of franchise agreements involving national franchisors; several cases involving breach of commercial loan agreements by a lender against borrowers and guarantors; a case asserting claims of breach of a limited liability company agreement and breach of fiduciary duty by minority members against a majority member; a case involving the termination of a partnership in a service business; a case involving a breach of consulting/service agreement; a case involving a dispute over the supply of medical equipment and medicines; cases arising from a withdrawal of physician/shareholder and a veterinarian/shareholder from professional corporations; a case involving a dispute over the valuation of the shares of stock in a privately held company; and several cases involving disputes over the purchase of assets by businesses including claims of breach of representations and warranties.

Consumer Arbitrator Experience

Arbitrator serving on the consumer panel of the American Arbitration Association since 2021. Arbitrator in several cases arising from disputes by consumer purchasers or lessors of automobile against dealer (seller). Arbitrator in several cases by consumer credit card holders against credit card issuers.

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Practice of Law Experience (Current)

Litigation and ADR. Trial practice in federal and state courts and alternative dispute resolution practice (arbitration and mediation) representing clients in diverse matters. Substantive law experience in cases includes: business and commercial; corporate governance; consumer protection; employment; environmental; ERISA; fiduciary, probate and trust; franchise; insurance and reinsurance; non-profit; real estate; shareholder; tax; technology; trademark; and unfair business practices.

General Counsel. In-house legal advisor to Reid and Riege, P.C. and its attorneys on various matters including ethics, professional liability, compliance, risk management and employment. Responsibilities include engagement and management of outside legal counsel.

Appellate Advocacy. Prosecution and defense of appeals before the Connecticut Supreme Court, Connecticut Appellate Court, Second Circuit Court of Appeals and Federal Circuit Court of Appeals.

Additional Practice Areas (prior to 1999)

Corporate Law. Represented closely held stock corporations and non-profit corporations as counsel including the preparation of articles of incorporation, bylaws, minutes, and resolutions.

Financial and Real Estate Law. Represented businesses, financial institutions and individuals in: acquisition and sale of assets; commercial loan transactions, loan restructuring; creditors' rights in bankruptcy proceedings; and real estate transactions including purchase, sale, and leasing.

Employment History

Shareholder, Reid and Riege, P.C., 1999-present
Founding Member, Baker & Fulco, 1993-1999
Partner, Ohrenstein & Brown (Hartford office), 1991-1992
Partner, Fulco & Graham (Hartford office), 1990-1991
Associate, Hebb & Gitlin, A Professional Corporation, 1984-1990

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Education

Temple University (J.D., 1984)
Temple Law Review (Staff Member 1982-1983 and
Business Editor, 1983-1984)
University of Hartford (B.A., magna cum laude, 1981)

Professional Licenses

Admitted to the Bar: Connecticut; U.S. District Court, District of Connecticut; Second Circuit
Court of Appeals; Federal Circuit Court of Appeals; U.S. Tax Court.

Professional Associations

American Bar Association; Connecticut Bar Association; Hartford County Bar Association;
Arbitrator, American Arbitration Association.

Recent Publications and Speaking Engagements

“Other Discovery Rules and Devices (Chapter 11)”, *A Practical Guide to Discovery and
Depositions in Connecticut*, Massachusetts Continuing Legal Education, 2011, 2013, 2018.
Speaker, "COVID-19 Webinar: COVID-19 & The New Normal - Helping Your Business Survive
the Challenges & Thrive After Reopening", Middlesex Chamber of Commerce, July 15, 2020.
Speaker, "COVID19 Webinar Series: Open for Business: Preparing for a Successful Reopening
Strategy", Chamber of Commerce Eastern Connecticut, May 29, 2020.
Speaker, "Arbitration and Its Alternatives," Hartford County Bar Association.

Accolades

AV Preeminent Rated by Martindale-Hubbell (peer review)
Super Lawyers, 2011-2016, 2018-2020, 2022, 2023
James W. Cooper Fellow, Connecticut Bar Foundation
Inductee, East Catholic High School Hall of Fame, 2014

Community/Civic Involvement

Member, University of Hartford Board of Regents, 2007-2018; Vice Chair, 2013-2018.
Member, Board of Trustees, Foundation for the Advancement of Catholic Schools, 2003-present;
Vice President, 2008-2020.
Member, East Catholic High School Board, 2002-2011; Chairman, 2007-2011; Chairman,
Principal Search Committee, 2010-2011.
Member, East Hartford Housing Code Board of Appeals, 2001-2011; Chairman, 2006-2011.
Member, East Hartford Redevelopment Agency, 1999-2005.
Coach, Youth and American Legion Baseball, 1997-2006.

Personal

Married to Ann Kennedy Fulco since 1984
Adult children: Nicholas, Gabrielle, and Eva

DOMINIC FULCO III REPORTED DECISIONS

William Clark, et al. v. OMG Holdings, LLC, et al., No. 17-CV-7233 KMK, 2020 WL 7058992 (S.D.N.Y. Dec. 2, 2020) ¹

O.F. Mossberg & Sons, Inc. v. Timney Triggers, LLC, et al., 955 F.3d 990 (Fed. Cir. 2020)

Michael J. Ferri Trustee, et al v. Nancy Powell Ferri, et al., 326 Conn. 438 (2017)

Michael J. Ferri Trustee, et al v. Nancy Powell Ferri, et al., 476 Mass. 651 (2017)²

Scholastic Book Clubs, Inc. v. Commissioner of Revenue Services, 304 Conn. 204 (2012)

Connecticut Nat. Bank v. Rehab Associates, et al., 300 Conn. 314, 12 A.3d 995 (2011)

People's United Bank v. PeoplesBank, 401 Fed. App'x 607 (2d Cir. 2010)

Comprehensive Orthopaedics and Musculoskeletal Care, LLC v. Axtmayer, 293 Conn. 748, 980 A.2d 297 (2009)

Envirotest Systems Corp. v. Commissioner of Motor Vehicles, 293 Conn. 382, 978 A.2d 49 (2009)

Centimark Corp. v. Village Manor Associates Ltd. Partnership, 113 Conn.App. 509, 967 A.2d 550 (2009)

Upper Occoquan Sewage Authority v. Emcor Group, Inc., 86 Conn.App. 113, 861 A.2d 518 (2004)

Calabrese v. McHugh, 170 F.Supp.2d 243 (D.Conn. 2001)

In re Raytech Corp., 261 B.R. 350, 2001 (Bkrcty.D.Conn. 2001)

PPG Industries, Inc. v. Webster Auto Parts, Inc., 128 F.3d 103 (2d Cir. 1997)

In re Thirteen Chapter 7 Cases of Former Trustee Germain, 182 B.R. 375 (Bkrcty.D.Conn. 1995)

In re Dazic Controls Corp., 178 B.R. 328 (Bkrcty.D.Conn. 1995)

Fulco v. Norwich Roman Catholic Diocesan Corp., 226 Conn. 404, 627 A.2d 931 (1993)

Baker v. Sun Refining and Marketing Co., 208 Conn. 801 (1988)

Baker v. Sun Refining and Marketing Co., 14 Conn.App. 804, 539 A.2d 1043 (1988)

¹ As the Arbitrator deciding the underlying case brought before the American Arbitration Association; decision upheld on appeal by the United States District Court for the Southern District of New York

² Supervisory counsel for appellants; no appearance filed