

# Positively Neutral

Arbitration and Mediation for Attorneys and Their Business Clients

## Arbitration and Mediation Matters

2021-22

### *Business Ownership and Employment (financial services)*

- Investment advisor's alleged improper solicitation of his former firm's clients (three-person arbitration panel)
- Economic rights of senior employee following his departure from a broker-dealer (three-person arbitration panel)
- Claims and counterclaims between investment advisory firm and a client
- Employment and related claims between a principal and the financial services holding company with which he was affiliated
- Claims pertaining to the separation of a senior executive from a private equity firm (chair of three-person arbitration panel)

### *Business Ownership (non-financial services)*

- Respective rights and interests of twelve veterinarians to a jointly owned animal hospital (three-person arbitration panel)
- Practice ownership and employment rights of physicians regarding their jointly owned practice
- Valuation of equity interests of senior management team in a manufacturing company acquired by a private equity firm
- Claims arising out of a joint venture between scientist and operations executive to develop and market Covid tests
- Respective financial interests of the co-owners of investment real estate
- Dispute regarding the economic interest of a founder of a trade show business

### *Employment and Independent Contractor (non-financial services)*

- Financial interests of long-time senior employee and orthotics company employer
- Services agreement claim between golf professional and the municipal owner of a public golf course
- Dispute between senior manager/advisor and shopping center developer
- Harassment claim brought by employees of a professional practice against one of its principals
- Claims for breach of contract by a manufacturing company's former CEO, and counterclaims alleging misconduct by the CEO and a company director
- Equity and monetary interests of a founder and senior employee terminated by a software development company
- Discrimination claims arising out of the separation of the Executive Director of a non-profit organization

## *Contractual Rights/Responsibilities*

### *Franchise, Distribution and Dealer*

- Compliance with terms of ice cream franchise agreement
- Termination rights/obligations of national food service franchisor
- Dispute between nationwide food distributor and point-of-sale operator of airport markets
- Class action between petroleum products distribution company and commercial customers
- Dispute between owners/employees of a motorcycle franchise

### *Construction, Real Estate and Public Amenities*

- Dispute between contractor and fire escape subcontractor
- Competing claims between property manager and owner/developer of multi-family residential properties
- Indemnification dispute between amusement park owner and ride manufacturer pertaining to the cause of injuries suffered by a park visitor

### *Manufacturing*

- Emergency claim for injunctive relief by national consumer company against its container manufacturer
- Vendor's claims regarding rights to continued presence on online marketplace

### *Financial*

- Payment processor's withholding of client's reserve account funds (three-person arbitration panel)
- Lender's claim for recovery of business financing
- Breach of merchant financing arrangement

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