

MINTZ LEVIN

Our attorneys' recent **Mediation** experience has included:

Finance and Banking Disputes

- Representation of holders of more than \$500 million in corporate bonds after default in litigation claims against the corporation's former directors, officers, and auditors; dispute resolved through mediation, which involved (in addition to the parties) multiple layers of insurance carriers.
- Representation of a secured creditor in a multi-party adversary proceeding in bankruptcy, in which other creditors claimed to be entitled to receive the same benefits as our client in connection with a \$2.1 billion indenture trust instrument; after a five-day court-ordered mediation, the matter was settled favorably to our client.

Business Break-ups

- Representation of a publicly-held financial services company sued by former CEO, who claimed the company improperly terminated his employment contract and owed him additional cash and stock under multiple agreements; case was successfully mediated before a court-appointed mediator.

Intellectual Property, including Trademark and Copyright, Patent and Technology Licensing Disputes

- Mediation of dispute on behalf of national travel company against former employee and competitor for theft of trade secrets (customer list); dispute involved use of special master and implementation of computer protocol to establish wrongful use of information.
- Mediation on behalf of national consulting company against former employee and shareholder to establish wrongful use of trade secret information.

Project Construction, Engineering and Architecture

- Mediation of dispute on behalf of contractor against operator and equipment manufacturer in catastrophic failure of hydroelectric facility.
- Mediation of design defect claim on behalf of national hospital operator against architect and engineer of newly constructed hospital.
- Mediation of design and construction defect dispute on behalf of national multi-family residential developer and operator.
- Mediation of construction delay claim on behalf of non-profit owner on \$30 million historic renovation of urban theater.
- Mediation on behalf of construction company with injured plaintiff (and third parties) regarding severe personal injury claim.

Sales of Capital Equipment, Commodities, etc.

- Mediation of a dispute arising from a food product manufacturing and supply agreement; settled favorably to our client.
- Acted as mediator of a dispute concerning a long-term supply agreement.

Service Contracts

- Represented the respondent in the mediation of a dispute concerning an investigative services agreement.
- Acted as mediator in the mediation of a dispute concerning the provision of investment advice to three investment trusts.

Employment and Executive Compensation

- Representation of former employee in claim for breach of contract against a major financial institution-employer that terminated the employee and failed to pay royalties and bonuses owed under the contract; the parties settled in a court-ordered mediation, and our client received a multi-million-dollar settlement.
- Representation of a publicly-held financial services company sued by former CEO, who claimed the company improperly terminated his employment agreement and owed him additional cash and stock under multiple agreements; case was successfully settled before a court-appointed mediator.
- Mediation of dispute on behalf of national travel company against former employee and competitor for theft of trade secrets (customer list); use of special master (and implementation of computer protocol) to establish wrongful use of information.
- Mediation on behalf of national consulting company against former employee and shareholder to establish wrongful use of trade secret information.
- Mediation on behalf of independent school regarding removal of employee for cause.

Miscellaneous/Other

- Representation of a public university in a dispute with an electric utility company, involving our client's claim for the recovery of clean-up costs associated with a transformer fire on our client's campus; following a one-day mediation, we negotiated a favorable settlement.
- Mediation on behalf of construction company with injured plaintiff (and third parties) involving severe personal injury matter.