

MICHAEL L. FOX, B.A., J.D.
Assistant Professor of Business Law
& Pre-Law Advisor



Mount Saint Mary College
Newburgh, New York

Dr. Michael L. Fox is an Assistant Professor of Business Law in the School of Business at Mount Saint Mary College, in Orange County, New York. He teaches courses in the undergraduate business program, and in the MBA program. He also serves as the College's Pre-Law Advisor.

Professor Fox received his Bachelor of Arts (B.A.) degree, Phi Beta Kappa and *summa cum laude*, from Bucknell University, in Lewisburg, PA, with a major in Economics and minor in Biology. He was elected to Phi Beta Kappa in his junior year. At graduation, he received the award for the highest standing in Economics, and he was active throughout his college career, among other things serving as a member of the Middle States Period Review Report Committee for Bucknell, and as a member of the University Judicial Boards.

Professor Fox received his Doctor of Law (J.D.) degree from Columbia University School of Law, in New York City, where he was a Harlan Fiske Stone Scholar and an Articles Editor on the *Columbia Business Law Review*.

Professor Fox served as a law clerk to the Hon. Lawrence E. Kahn, U.S. District Judge, in the Northern District of New York, in Albany. He has been rated AV-Preeminent by Martindale-Hubbell since 2015, and has been selected to the Upstate New York Super Lawyers list in 2013, 2014, 2015 and 2016. He is admitted to practice in New York State, as well as in the Southern, Eastern and Northern Districts of New York, the Second Circuit U.S. Court of Appeals, and the United States Supreme Court.

Professor Fox previously worked as an associate in the litigation department of Stroock & Stroock & Lavan LLP, in Manhattan; was, sequentially, an associate, senior

counsel, and then partner, and the litigation managing attorney at Jacobowitz & Gubits, LLP, in New York's Hudson Valley; and served as special counsel with the Hudson Valley firm of Catania, Mahon, Milligram & Rider, PLLC. At both Jacobowitz & Gubits and Catania, Mahon, his primary practice areas were Federal Practice, Electronic Discovery, Employment and Discrimination Law, Business Entity Disputes, Property Disputes, Estates Litigation, as well as general civil litigation. From February 2014 to November 2016, he served as Deputy Corporation Counsel for the City of Port Jervis, and as special labor counsel for the City.

Professor Fox has been very active with the American Bar Association, New York State Bar Association, and Orange County Bar Association. He is presently the Vice President for the Ninth Judicial District of the NYSBA, and a member of the NYSBA Executive Committee and House of Delegates. He is also a former Delegate to the ABA House of Delegates (2008-2014), and previously served as a Delegate to the NYSBA House of Delegates from 2008 to 2014, and as a Member-at-Large of the Executive Committee from 2015 to 2017. He is presently a member of the Litigation Section of the ABA, the Commercial & Federal Litigation Section and Trial Lawyers Section of NYSBA, and is a past Chairperson of the Young Lawyers Section of NYSBA (one of the largest NYSBA Sections), and is a past Secretary and Treasurer of that Section. Michael also serves on the NYSBA Committee on Professional Discipline and the Committee on Legal Education and Admission to the Bar, among others; he co-chairs the Committee on Electronic Discovery of the ComFed Section; and is Executive Committee Liaison to the Intellectual Property Law Section, as well as the Electronic Communications Committee and the Committee on Technology & the Legal Profession. Professor Fox served as YLS Program Co-Chair for the 2009 two-day Bridge-the-Gap CLE Program during the NYSBA annual meeting, Co-Chair of the 2012 and 2014 YLS Trial Academy programs at Cornell Law School, and as a member of the Critique Faculty for the 2013, 2014, 2015 and 2016 YLS Trial Academy programs at Cornell Law School. In 2017, he served as a team leader and lecturer at the Trial Academy. Professor Fox currently serves on the Board of Directors of the Orange County Bar Association, and is a Past Chair of the OCBA Speakers Bureau.

Professor Fox has authored or co-authored articles and CLEs, and has spoken at symposia and CLE programs, concerning Federal civil procedure, attorney-client privilege & work product, electronic discovery, evidence, professional responsibility/ethics, and employment law.

Bar Admissions

- New York, 2004
- U.S. District Court, Southern District of New York, 2004

- U.S. District Court, Eastern District of New York, 2004
- U.S. District Court, Northern District of New York, 2005
- U.S. Court of Appeals, Second Circuit, 2007
- U.S. Supreme Court, 2007

Education

- **Columbia University School of Law – New York, New York**
Doctor of Law (J.D.) – 2003
- **Bucknell University – Lewisburg, Pennsylvania**
Bachelor of Arts (B.A.) – 2000

Selected Published Works

- ***Forthcoming in 2017*** – “*Corporate Counsel & HR Managers Be Aware – In Employment Law, Protected Classes Are Expanding to Include Sexual Orientation, Gender Identity and Transgender Status*”, __ INSIDE __ (the Journal of the Corp Counsel Section of the New York State Bar Association)
- ***Forthcoming in 2017*** – Article by staff of the ALBANY LAW JOURNAL OF SCIENCE & TECHNOLOGY, covering in print form the presentations at the Symposium held at Albany Law School on November 16, 2016, concerning Evidence Today – Discussing the Impact of Technology on Traditional Evidence and Its Influence on the Evolution of Modern Evidentiary Techniques
- *"I Show You Exhibit E for Identification" - Differing Approaches for Authentication of Electronic Evidence at Trial*, 22 NY LITIGATOR 14 (Spring 2017) (the Journal of the Commercial & Federal Litigation Section of the New York State Bar Association)
- *Civility in Litigation – A Path to Winning* (Co-Author Hon. Mark D. Fox & Michael L. Fox), NEW YORK STATE BAR ASSOCIATION JOURNAL, Vol. 85, No. 6, at 30 (2013)
- *Beware Discovery of Social Media Posts*, NEW YORK LAW JOURNAL, Vol. 249, No. 14, at 10 (Jan. 22, 2013)
- *It's No Joking Matter: Our Profession Requires Greater Civility and Respect* (Co-Author Hon. Mark D. Fox & Michael L. Fox), NEW YORK STATE BAR ASSOCIATION JOURNAL, Vol. 81, No. 2, at 10 (2009)
- *The 2000 Amendments to the Federal Rules of Civil Procedure* (Co-Author Alan M. Klinger, James L. Bernard & Michael L. Fox), Materials for ABA CLE Seminar, San Juan, Puerto Rico, Jan. 19-21, 2005
- *An Update to A Comprehensive Survey of the Attorney-Client Privilege and Work Product Doctrine* (Co-Author Alan M. Klinger, James L. Bernard, Michael L. Fox &

Lauren E. Abolsky), Materials for ABA CLE Seminar, San Juan, Puerto Rico, Jan. 19-21, 2005

- *Family Unity or Family Crisis: Revisiting the Need for a Parent-Child Communication Privilege* (Co-Author Hon. Mark D. Fox & Michael L. Fox), JOAN FULLAM IRICK PRIVACY PROJECT: PHASE II 41(Ass'n of Defense Counsel) (2004)
- *The 2000 Amendments to the Federal Rules of Civil Procedure* (Co-Author Alan M. Klinger, James L. Bernard & Michael L. Fox), Materials for ABA CLE Seminar, Scottsdale, Arizona, Feb. 18-20, 2004
- *Breaking Rocky Ground: Issues in Investment and Ethics in a Shaken Economy*, 2002 COLUM. BUS. L. REV. 793 (2002) (Michael L. Fox, *To Tell or Not To Tell: Legal Ethics and Disclosure After Enron*, COLUM. BUS. L. REV. 793, 867-925)
- U.S. Congress-Korean National Assembly Youth Exchange Program, *Mission Report*, 144 CONG. REC. E1998-01, July 23-August 8, 1998

Selected Classes/Seminars

- Guest Lecturer, Real Property Class of Hon. Lawrence E. Kahn, on Topics Including Adverse Possession and Zoning, Sage College of Albany, 2006
- Guest Lecturer, Judicial Placement Class of Hon. Lawrence E. Kahn, on N.Y.S. Legislative Process, Albany Law School, 2006
- Co-Presented CLE & Materials, with Hon. Mark D. Fox, U.S.M.J. (*ret.*) – Patent Lawyer Jokes: No Joking Matter, at The Honorable William C. Conner Inn of Court, Daniel P. Moynihan U.S. Courthouse, Southern District of New York, in Manhattan, October 21, 2009
- Electronic Discovery CLE, New York State Bar Association Young Lawyers Section Fall Executive Committee Meeting and Afternoon CLE Program, In Albany, NY, October 23, 2009
- “Ask the Experts: Navigating Today’s Competitive Job Market”, New York State Bar Association Law Student Council 2010 Annual Meeting Program, In New York City, January 28, 2010
- “Involvement in the Organized Bar”, American Bar Association Law Student Division Second Circuit Spring Meeting, at Pace Law School, White Plains, NY, February 27, 2010
- USERRA (Uniformed Services Employment & Re-Employment Rights Act) & Veterans’ Re-Employment Issues, CLE, Orange County Government Center, June 10, 2010

- Electronic Discovery & Document Preservation, The Pine Bush Area Chamber of Commerce, Fall Mixer in Walden, NY, September 20, 2010
- Electronic Discovery & Technology in the Courtroom, CLE, New York State Bar Association Municipal Law Section Fall Meeting & U.S. Supreme Court Admissions Program, in Washington, D.C, October 17, 2010
- Electronic Discovery & Document Preservation, CLE, New York State Bar Association Young Lawyers Section Bridge-the-Gap Program, NYSBA Annual Meeting in New York City, January 27, 2011
- Speaker on Panel at American Bar Association Law Student Division Fall Leadership Summit. "Working Effectively with Law School Administrators and Community Leaders." Leadership Summit for the Division's 1st, 2nd, 3rd and 11th Circuits, New York Law School, New York, October 1, 2011
- Presentation Arguing an Appeal and Making an Appellate argument, John S. Burke Catholic High School Honors Class, Goshen, New York, January 13, 2012
- "Patent Lawyer Jokes: No Joking Matter." Presented to the Intellectual Property and Innovation American Inn of Court, Albany Law School, Albany, New York, February 27, 2012
- Program Co-Chair and Member of Critique Faculty for Third Annual New York State Bar Association Young Lawyers Section Trial Academy, Cornell University Law School, Ithaca, New York, March 21, 2012 – March 25, 2012
- Alumni Judge annually, First Year Moot Court and 2L/3L Harlan Fiske Stone Moot Court Competition, Columbia University School of Law, New York, New York, 2008 – 2015
- Presented CLE & Materials on Electronic Discovery in Federal & New York State Courts, at New York State Bar Association Young Lawyers Section Fall Meeting and CLE program, New York State Bar Center, Albany, New York, October 19, 2012
- Presented CLE & Materials on Electronic Discovery in Federal & New York State Courts, Finkelstein & Partners Center for CLE, May 7, 2013
- Presented CLE & Materials on Electronic Discovery in Federal & New York State Courts, Women's Bar Association of Orange and Sullivan County, January 23, 2014
- Co-Taught/Guest Alumni Lecturer, LPW Professionalism Class, Columbia University School of Law, New York, NY, April 2, 2014
- Co-Chair and Member of Critique Faculty, NYSBA Young Lawyers Section Trial Academy, Cornell Law School, March 29, 2014 – April 2, 2014
- Panelist, "What I Wish I'd Known About My Job Search" during ABA 2014 Annual Meeting in Boston, American Bar Association Law Student Division, August 8, 2014

- Presented CLE & Materials – Electronic Discovery in Federal & New York State Courts, Finkelstein & Partners Center for CLE, November 6, 2014
- Presented CLE & Materials – Electronic Discovery, Social Media & Ethical Considerations, New York State Bar Association Young Lawyers Section Bridge-the-Gap Program, NYSBA Annual Meeting in New York City, January 30, 2015
- Presented CLE on Electronic Discovery, Social Media and Related Ethical Considerations, at WBASNY Annual Convention, Bolton Landing, Lake George, NY, on May 15, 2015
- Presented CLE on Electronic Discovery, Social Media and Related Ethical Considerations, Orange County Bar Association, Goshen, NY, on April 13, 2016
- Presented CLE on Legal Ethics in the Digital Age, a NYSBA Statewide CLE Program, New York City, New York, on September 29, 2016. Served as Moderator for Panel: The Do's and Don'ts of Attorney Social Media Use and Advice to Clients: An Overview of the "Rules of the Road"; Member of Panel: Managing Records in the Cloud and Elsewhere: Takeaways for Organizing Your Client Files.
- Presented CLE on Electronic Discovery, Social Media and Ethical Considerations, at firm of Heslin, Rothenberg, Farley & Mesiti, P.C., in-house program, Albany, New York, on September 30, 2016.
- Presented CLE on Electronic Discovery, Social Media and Ethical Considerations, NYSBA Young Lawyers Section Fall Program, Albany, New York, on October 1, 2016.
- Presented CLE on Deciphering FMLA, ADA and Workers' Compensation Issues, part of National Business Institute (NBI) program, Newburgh, New York, on October 19, 2016.
- Presented CLE on Preparing for Electronic Discovery in Litigation, part of National Business Institute (NBI) program, Newburgh, New York, on October 19, 2016.
- Presented as part of a Panel – Employment Law Program for Business Owners and Human Resources Personnel, a program sponsored by Catania, Mahon, Milligram & Rider, PLLC, November 2, 2016, at Mount Saint Mary College in Newburgh, New York.
- Presented at Symposium hosted by ALBANY LAW JOURNAL OF SCIENCE & TECHNOLOGY. Symposium concerned Evidence Today – Discussing the Impact of Technology on Traditional Evidence and Its Influence on the Evolution of Modern Evidentiary Techniques, November 16, 2016, Albany Law School, Albany, New York.

Honors and Awards

- Phi Beta Kappa
- Mortar Board
- Dean's List (All Semesters)
- President's Award for Distinguished Academic Achievement, 1997 – 2000
- William C. Gretzinger Prize (Senior with Highest Standing in Economics)
- Louis W. Robey Prize (Senior Man and Woman Who Most Embody Ideals of a Bucknell Education)
- Middle States Steering Committee for Development of Bucknell's Period Review Report, 1998 – 1999

Professional Associations and Memberships

- American Bar Association, Member, New York Young Lawyer Delegate to ABA House of Delegates, 2008 – 2014
- New York State Bar Association, Member, Executive Committee, June 1, 2015-Present
- New York State Bar Association, Member, Delegate – NYSBA House of Delegates, 2008 – 2014; June 1, 2015-Present
- New York State Bar Association, Vice President, 9th Judicial District, June 1, 2017-Present
- New York State Bar Association, Young Lawyers Section, Former Chair, June 1, 2012 – May 31, 2013
- New York State Bar Association, Young Lawyers Section, Chair-Elect, June 1, 2011 – May 31, 2012
- New York State Bar Association, Young Lawyers Section, Former Secretary, June 1, 2009 – June 1, 2010
- New York State Bar Association, Young Lawyers Section, Former Treasurer, June 1, 2010 – June 1, 2011
- New York State Bar Association, Young Lawyers Section, Former Chair, Committee on Community Service & Pro Bono, 2006 – 2008
- Orange County Bar Association, Member
- Orange County Bar Association, Board of Directors, May 4, 2017-Present
- Orange County Bar Association, Past Member of Law Day Committee
- Orange County Bar Association, Past Chair of the Speakers Bureau
- Women's Bar Association of Orange and Sullivan Counties (Chapter of WBASNY)

- Association of the Bar of the City of New York (now New York City Bar), Former Member

Pro Bono/Community Activities

- Member, Advisory Board of the Food Bank of the Hudson Valley (2014-Present)
- Attorney-Coach for Warwick Valley High School Mock Trial Team (2015)
- Team Leader & Lecturer on closing arguments at 2017 YLS Trial Academy program at Cornell Law School; Member of Critique Faculty in 2013, 2014, 2015, 2016