

# James D. Yellen, Esq.

Yellen Arbitration and Mediation Services



Jim Yellen, founder of Yellen Arbitration and Mediation Services, has over twenty-five years of experience in securities law, is Co-Chair of the N.Y.S.B.A. Securities Law and Arbitration Committee and serves on the Board of Editors of the Securities Arbitration Commentator. Mr. Yellen is also an Adjunct Professor of Law at Fordham University School of Law and frequently lectures on securities arbitration, mediation and securities law.

## **Securities Mediation**

Having founded his practice in January 2006, Jim Yellen has completed over two hundred security and employment mediations and has settled over 90 percent of his cases. In the securities and commodities areas, he has resolved cases involving virtually every cause of action and every defense asserted in the past decade. Having tried almost one hundred arbitrations, sat on numerous panels for FINRA, NASD, NYSE, NFA AND AAA, trained arbitrators and spoken at or chaired numerous arbitration seminars, he brings a wealth of experience to the mediation arena.

## **Employment Mediation**

In employment matters, Jim Yellen has represented both account executives and management. As a mediator, he has a finely honed sensitivity to the issues debated in wrongful discharge, discrimination, retaliatory actions, promissory note claims and wage and hour cases.

## **Commercial Disputes**

Finally, as a mediator of general commercial disputes, Jim Yellen endeavors to bring practical, smart solutions to the parties in order to avoid the expenditure of significant fees and expenses and make settlement a "win-win" for the parties. Yellen Arbitration and Mediation Services has one goal - to provide the best, most effective and efficient mediation services.

# David E. Robbins, Esq.

Kaufmann Gildin & Robbins LLP



Mr. Robbins is a partner in the New York City law firm of Kaufmann Gildin & Robbins LLP and specializes in commercial arbitration, mediation and the representation of parties before regulatory agencies<sup>1</sup>. He represents investors, brokers and firms and is a mediator and arbitrator. He is also an expert witness in malpractice cases arising out of securities arbitrations. Mr. Robbins served as Special Deputy Attorney General of New York, responsible for the civil and criminal prosecution of securities fraud cases. He was the American Stock Exchange Director of the Compliance Department and later its Director of the Legal and Regulatory Policy Division, where his responsibilities included being Director of Arbitration and Director of Disciplinary Hearings. He has the highest Peer Review Rating (AV) from Martindale-Hubbell.

Mr. Robbins is the author of *Securities Arbitration Procedure Manual* (Dec. 2014 Matthew Bender, a division of Lexis Publishing<sup>2</sup>), the primary text in this area of the law. This two volume book presents pragmatic, balanced guides to the practice of securities arbitration and mediation. He has updated the book annually since its initial publication in 1990. It is used nationwide by law firms, brokerage firms and law schools. He regularly lectures at law schools that use the book in their courses. Mr. Robbins writes the annual *Practice Commentaries* to McKinney's Consolidated Laws of New York, in Article 23-A of the General Business Law, on securities arbitration and mediation for New York attorneys<sup>3</sup>.

From 1986 through 2009, Mr. Robbins was the Chairperson for all of the annual Practising Law Institute (PLI) continuing education programs on securities arbitration and mediation. He edited and contributed to the program's 23 course books. He is the recipient of the Public Investors Arbitration Bar Association (PIABA) lifetime achievement *Golden Bow Tie Award* in memory of its former president who stood for integrity, the highest standards of professionalism and fairness in arbitration. He was a member of FINRA Dispute Resolution's *National Arbitration and Mediation Committee*, where he chaired the Neutral Roster Subcommittee. He is an arbitrator and mediator and is a member of the New York City Bar Association, PIABA, the Compliance and Legal Division of the Securities Industry and Financial Markets Association (SIFMA) and the Board of Editors of *Securities Arbitration Commentator*. The AAA has published his chapter "Calling All Arbitrators: Reclaim Control of the Arbitration Process – The Courts Let You" for its *Handbook on Arbitration Practice*. In 2014, he co-chaired the New York State Bar Association program on securities arbitration and mediation, was a speaker at the New York City Bar Association and New York County Lawyers Association programs on the subject and was on a panel at the annual PIABA convention in California: "The Arbitrator's Perspective."

# Richard W. Berry, Esq.

FINRA Dispute Resolution



Richard W. Berry is Executive Vice President and Director of Dispute Resolution.

Prior to serving in this capacity, Mr. Berry was Senior Vice President, Dispute Resolution. In that role, he oversaw the four regional offices—New York, Boca Raton, Chicago and Los Angeles—and the New York Case Administration unit.

Mr. Berry joined FINRA, then NASD, in 1995 as head of Dispute Resolution's Los Angeles office. In 2001, he was named Director of Case Administration in the New York City office.

Prior to joining FINRA, he taught American law for one year in Budapest. Mr. Berry began his career practicing law in San Francisco. He is a graduate of the University of California at Santa Barbara and Hastings College of the Law. Mr. Berry is a member of the California Bar.

# William D. Briendel, Esq.

Greenberg Traurig LLP



William Briendel is a litigator who represents broker-dealers and their employees in virtually all aspects of their business. He is experienced in arbitrations and mediations before the Financial Industry Regulatory Authority (FINRA) (which combined the arbitration and enforcement functions of the National Association of Securities Dealers (NASD) and the New York Stock Exchange (NYSE)) and the American Arbitration Association (AAA), and in regulatory and enforcement proceedings before the Securities and Exchange Commission (SEC), FINRA and other regulatory and self-regulatory organizations. Bill also conducts internal investigations for his broker-dealer clients. He has a wide-ranging experience in a broad range of commercial litigation matters as well.

# Alida Camp, Esq.

ADR Offices of Alida Camp



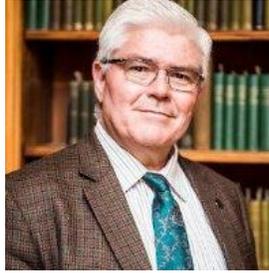
Alida Camp is a full-time mediator and arbitrator. She specializes in mediating and arbitrating disputes in a wide variety of industries including entertainment, construction, securities, fashion and general commercial. With over 100 hours of training, she has mediated more than 300 disputes including multi-party commercial and construction disputes. Mediated issues include breach of contract, breach of distribution agreements, breach of agreement between gallery and artist, breach of fiduciary duty, employment (both EEO and wrongful termination claims), construction defect, construction disputes between owner/architect, owner/contractor, contractor/sub-contractor, damage to adjacent property, mechanic liens, and customer claims against broker/dealers.

Alida is on the roster of the American Arbitration Association, the CPR Institute, the EEOC, federal and state courts, FINRA, and Volunteer Lawyers for the Arts.

Prior to her work as a neutral, Alida produced seven feature films, served as General Counsel and Vice-President of Business Affairs at Concorde-New Horizons Corp, an independent motion picture production and distribution company, production counsel on two independent features and Assistant Professor of Business Law at the University of Michigan School of Business. She began her career after graduating from the Columbia University School of Law as a litigator.

# Paul Carroll

Sententia LLC



Paul has over 30 years of experience in the Financial Services Industry. He is an expert in operational controls, processes and procedures. Primary areas of focus include trade capture, settlement, custody and margin lending practices involving FRB Reg T, Portfolio and SPAN margin inclusive of the IT support systems designed to process, control and archive these critical business activities. Coverage includes the design and testing of intra-departmental data process flows, regulatory & house margin calculations and global portfolio reporting tools utilized by employees, clients and as a basis for regulatory reporting.

Since 2011 he has been engaged in providing operational risk management review, process improvement enhancements and supervisory control system recommendations to broker/dealers, market makers, and registered member firms in support of listed SEC and CFTC regulated products. Additional services include expert consulting, expert witness and testimony on behalf of regulators, broker dealers, attorneys and private parties in connection with investigations, trials, arbitration and mediation.

Paul served as Vice President in Global Operations for Goldman Sachs Execution & Clearing, Limited Partner at Spear Leeds & Kellogg and past-President of SIFMA's Credit and Margin Society. Paul was also a member of the following regulatory sponsored committees:

- NYSE 431 Margin Committee – 1999 – 2007
- NASD Margin Day Trading Committee – 2000
- FINRA 4210 Margin Committee – 2007 – 2011
- FINRA Portfolio Margin Sub-Committee (pre-adoption) 2005 – 2007
- SEC/FINRA Portfolio Margin Sub-Committee (post adoption) 2007 - 2011

# Mark Conner

Corporate Treasury Investment Consulting LLC



- More than 30 years experience as a fixed income securities professional
- Extensive experience assisting U.S. corporations in the investment of cash assets (>\$16B US)
- Consultant to over 150 securities litigation actions, testified in more than 50 proceedings
- Admitted as an expert witness in the subject areas of:
  - Broker duties and obligations
  - Suitability (Institutional and non-institutional accounts)
  - Sales practices
  - Fixed income securities and investment
  - Fixed income securities valuation
  - Damages
- Engaged by financial industry regulator (FINRA) to assist in investigation
- Extensive contacts throughout the securities and investment services industry
- Broad and detailed understanding of U.S. capital markets, securities origination, underwriting and trading, asset management, investment banking and finance, and investor needs
- Direct and extensive experience working with treasury professionals (CFOs, treasurers, etc.) of small and very large U.S. public companies
- FINRA arbitration expert witness experience
- Extensive experience consulting to counsel for FINRA claimants
- MSRB Municipal Finance Professional, 1994 to 2008

# Philip S. Cottone, Esq.

Philip S. Cottone



Mr. Cottone is a lawyer by background and has extensive experience in dispute resolution, real estate and securities.

He is member of the arbitration and mediation commercial and real estate panels of the American Arbitration Association (AAA), and of the neutral panels of the Financial Industry Regulatory Authority (FINRA), the U.S. Bankruptcy Court for the Southern District of NY and The Counselors of Real Estate (CRE). He is certified by the International Mediation Institute (IMI) at The Hague. He is an educator, trainer and lecturer in dispute resolution. His substantive experience in real estate, securities and business informs his dispute resolution work in those fields.

Mr. Cottone's real estate experience includes property acquisition, sale, management, debt and equity financing, and development of all types of property - residential, commercial, office, retail, industrial and hotel - as well as right of way work. In real estate, he has been principal, Chairman and CEO of a national company, a senior executive in both government and the private sector, and a director of both publicly listed and private companies.

His securities experience includes being the founding principal of a broker dealer and raising capital as an issuer in over thirty Regulation D real estate private placements involving assets in fourteen different states. He also has broad experience in the disciplinary side of the business, working with the NASD (now FINRA) as Chair of both the Philadelphia and then the National Business Conduct Committee, and as Vice Chair of the national Board of Governors. He authored and taught a real estate securities course for ten years on the faculty of the Real Estate Institute of New York University. In 2014 he was appointed to a FINRA national Dispute Resolution Task Force of thirteen to consider possible enhancements to the arbitration and mediation forum. In 2015 the Task Force made over fifty recommendations for change which are now being considered.

Mr. Cottone is a graduate of Columbia College, Columbia University (1961) where he received the Burdette I. Kinne Prize for Humanities, and New York University School of Law (1966) where he received the Administrative Law Prize. He was admitted to practice law in New York State in 1967.

# Kenneth G. Crowley, Esq.

UBS Wealth Management Americas



Ken Crowley is an Executive Director at UBS Wealth Management Americas, where he has worked since 2001. As the head of the WMA retail litigation group Ken oversees the Firm's defenses in a wide range of securities litigations, including class actions, complex court matters and hundreds of sales practice arbitrations. Prior to joining UBS Ken was a senior litigator at the Simpson Thacher & Bartlett law firm, where he handled large complex commercial litigations and internal investigations. Ken began his legal career in 1988 as an Assistant District Attorney in the New York County District Attorney's Office under Robert M. Morgenthau, where he was lead counsel in several felony jury trials and also argued over a dozen appeals in the New York Appellate Division, First Department. He received a JD from the NYU School of Law in 1988, and a BA from Yale in 1983.

# Jerry DeNigris

Riverside Financial Group, LLC



Jerry DeNigris has over 25 years of experience in the securities industry. Besides managing the overall operations of the firm, he provides security/trading analysis, suitability reviews, compliance-style active account reviews and expert testimony for our clients. He also consults with our clients regarding their ongoing compliance and litigation support requirements. Jerry gained his compliance experience as a Compliance Officer in the Capital Markets Compliance group at UBS/PaineWebber. In this position he created and oversaw the implementation of surveillance and suitability procedures for large retail and institutional accounts and was involved in mark-up analysis and retail fixed income suitability approvals. In addition, Jerry ensured compliance with SRO regulations by maintaining constant contact with the capital markets trading desks and drafted policies and procedures in response to new SRO requirements all with the goal of reducing the firm's compliance exposure in new product areas.

Before serving as Compliance Officer, Jerry DeNigris was a trading analyst in the legal department. In this capacity, he prepared detailed analysis of trading activity and testified as an expert witness at NASD, NYSE and AAA arbitration hearings and mediations. He met regularly with staff attorneys to discuss the firm's exposure to customer trading activity. In addition, he was responsible for computing damage calculations, turnover and commission/equity ratios and mark-up reviews.

Prior to working at UBS/PaineWebber, Jerry DeNigris was a mortgage-backed securities trader for Security Pacific Merchant Bank. In this position, he made markets and took arbitrage positions in various sectors of the mortgage-backed securities market. He also worked with fixed income and mortgage-backed products and performed mortgage-treasury spread analysis, seasoned pool analysis, and calculated daily profit and loss reports for the trading desk. Jerry also worked on the mortgage-backed securities desk at EF Hutton, Merrill Lynch and AG Becker.

Jerry DeNigris has a BA in Economics from Rutgers University and held several NASD series registrations. Jerry is currently an active NASD arbitrator.

# Martin L. Feinberg, Esq.

Martin L. Feinberg, Esq.



Martin L. Feinberg is a solo practitioner. He represents victims of securities fraud and those who are under investigation or being sued by the U.S. Securities and Exchange Commission. He also represents parties engaged in attorney–client fee disputes.

He is a graduate of Harpur College (B.A.), George Washington University (M.B.A.), Catholic University (J.D.), and New York University (LL.M.). He is a member of the bar of New York and is admitted to practice in the United States Court of Appeals for the Second Circuit and the United States District Courts for the Southern and Eastern Districts of New York.

In law school, he was an editor of the Catholic University Law Review, a recipient of the American Jurisprudence Award for Corporations, and a co-winner of the Sutherland and Miller moot court competitions.

After graduating from Catholic University’s law school, he joined the Wall Street law firm of Mudge Rose Guthrie Alexander & Ferdon as an associate. Following his Mudge Rose experience, he served in the Enforcement Division of the United States Securities and Exchange Commission, and following his SEC service, he started his own practice.

In addition to his regular legal practice, he arbitrates securities and employment disputes for the Financial Industry Regulatory Authority (“FINRA”) and mediates commercial disputes for the New York State Supreme Court. He is the coauthor of the chapter on Depositions in the treatise Federal Civil Practice (published by the New York State Bar Association) and its three supplements. He has appeared on panels to discuss “Representing your client in an SEC investigation.” He has moderated and taught securities arbitration courses for lawyers, and he moderates the annual securities arbitration program “FINRA Listens . . . and Speaks” presented by the New York County Lawyers’ Association (“NYCLA”). He teaches lawyers about their obligations and rights regarding retainer agreements, fees, and the Courts’ Part 137 fee dispute arbitration program. He is the former chair of the Joint Committee on Fee Disputes and Conciliation, which administers arbitrations and mediations of fee disputes between lawyers and clients. The Joint Committee is a joint project of NYCLA, the New York City Bar, and the Bronx Bar Association. He now serves as an arbitrator for the Joint Committee.

He is a member of the American Bar Association (Section of Litigation, Committee on Securities Litigation, Subcommittee on Securities Arbitration), NYCLA (Committees:

Securities and Exchanges; Federal Courts; and ADR (Chair 2000 - 2003)), and the Public Investors Arbitration Bar Association. He ran the 2006 New York City Marathon.

# Aegis J. Frumento, Esq.

Stern Tannenbaum & Bell LLP



Aegis J. Frumento joined Stern Tannenbaum & Bell LLP in 2012. Mr. Frumento had been a Managing Director of Morgan Stanley Smith Barney, a partner and the co-head of the Financial Markets and Securities Litigation Groups of Duane Morris, LLP, and the managing partner of Singer Frumento LLP. Mr. Frumento began his career at Schulte, Roth & Zabel.

Mr. Frumento concentrates his practice in representing senior executives of public companies, private companies planning for initial public offerings, and SEC-regulated entities and persons. He has over 25-years' experience litigating and arbitrating complex corporate, commercial and securities disputes, including extensive practice before the SEC, FINRA and other regulatory bodies. At Morgan Stanley, he headed the Executive Financial Services Department, which was responsible for legal compliance of sales of stock by all clients of the firm who were corporate insiders.

Mr. Frumento has tried jury and non-jury cases in all New York state and federal trial courts. He is a member of the United States Courts of Appeal for the 2d and 3d Circuits and the United States Supreme Court.

Mr. Frumento is a graduate of Harvard College and New York University Law School, and has an AV® Preeminent™ Peer Review Rating, the highest rating awarded, by Martindale Hubbell. He has published over a dozen law review and other articles and has often appeared on professional panels speaking on securities law issues. He chaired the American Conference Institute's Annual Forum on Broker-Dealer Arbitration in 2004, 2005 and 2006.

# Darya Geetter, Esq.

LPL Financial



Darya Geetter is an Executive Vice President, Deputy General Counsel, reporting to the General Counsel at LPL Financial. She is responsible for managing all litigation and arbitration matters impacting the company and its advisors; representing LPL Financial and its advisors in FINRA arbitration proceedings and regulatory inquiries; and serving on various internal committees.

Ms. Geetter has been practicing for 25 years and was formerly at MF Global Holdings Ltd., where she served as Global Head of Litigation and Deputy General Counsel with responsibility for coordinating all litigation globally, managing all U.S. regulatory relationships, and leading internal investigations. Thereafter, she was a senior counsel to the Chapter 11 Trustee regarding strategy and coordination for litigation and insurance coverage in the Chapter 11 bankruptcy matters. In earlier roles, Ms. Geetter served as Deputy General Counsel and Executive Director at UBS Financial Services; Managing Director/Principal at Bear, Stearns & Co. Inc.; Counsel at Hogan & Hartson LLP; and held several roles at the U.S. Department of Justice, including Senior Trial Attorney in the Civil Rights Division and Assistant U.S. Attorney for the District of Columbia.

Ms. Geetter clerked for a U.S. District Court judge in New Orleans, LA and is admitted to practice in the District of Columbia, New York, and various U.S. district and appellate courts.

Ms. Geetter earned her J.D. from New York University School of Law and her B.A., with Honors, from the University of Chicago.

# Jonathan L. Hochman, Esq.

Schindler Cohen & Hochman LLP



Jon Hochman is one of the firm's founders. After learning to litigate at a prominent international firm, Jon imagined building a firm where he could continue his sophisticated financial litigation practice in a responsive and efficient boutique setting. Today, SCH is exactly that firm. With clients including major financial institutions and investment funds, Jon's complex litigation and arbitration practice focuses on securities, private equity, hedge funds, structured finance, investment banking, commercial fraud, contract disputes, and class action defense.

An active trial lawyer, Jon has tried cases in federal court and numerous arbitral forums. As part of his focus on financial-sector litigation, Jon serves as Co-Chairman of the New York State Bar Association Securities Litigation and Arbitration Committee and is a member of the New York State Bar Association Hedge Fund and Capital Markets Litigation Committee. He served as a member of the Securities Litigation Committee of the Association of the Bar of the City of New York from 2010-2012. Jon regularly speaks on panels about securities litigation and arbitration.

For each year from 2007 through 2015, Jon has been named a New York Super Lawyer by Law & Politics Magazine. Before founding SCH, he practiced at Kaye Scholer LLP.

# Professor Seth E. Lipner

Deutsch & Lipner



## **Education**

LL.M., 1981, New York University School of Law, Trade Regulation

J.D., 1980, Albany Law School of Union University

B.S., 1978, Rensselaer Polytechnic Institute (with Honors), Business Management

## **Employment History**

Professor, Zicklin School Of Business, Baruch College, CUNY, 1982 - Present (Asst. Prof. 1982 - 85; Assoc. Prof. 1985 - 1991)

Adjunct Professor, Adelphi University School of Management, 1981 - 82

Attorney, Deutsch & Lipner, 1985 - Present

## **Areas of Expertise**

State and Federal Securities Law

Arbitration Law

# Jenice L. Malecki, Esq.

Malecki Law



JENICE L. MALECKI, ESQ. is a well-known securities attorney and has a uniquely diverse background with experience representing a wide range of clients in securities and commercial litigation matters, both investors and industry professionals. She has successfully recovered tens of millions of dollars in securities related settlements and awards for her clients. An aggressive litigator, her unique background enables her to see both sides of the dispute and anticipate the opposition. Ms. Malecki has handled thousands of investor, intra-industry and employment matters, including arbitrations, whistleblower complaints and contested governmental, regulatory and self-regulatory investigations and hearings, as well as mediations, settlements, Acceptance, Waiver and Consent Orders (“AWC”s), litigation proceedings and appeals. She has also represented investor and industry witnesses and cooperators in various governmental, regulatory and self-regulatory bodies in hearings settlements.

Ms. Malecki has been a FINRA arbitrator and Chairperson. She has been qualified as an Expert Witness by FINRA arbitrators and is a trained mediator. She was recently appointed to FINRA’s advisory committee, the National Arbitration and Mediation Committee (NAMC), which advises FINRA’s Board of Directors. Ms. Malecki is a frequent bar association and law school speaker, as well as a seasoned authority on New York law, who frequently files official comments for consideration on new rules and laws. In 2014 and 2015, she visited Senators and House of Representatives members’ offices to garner support for the Investor Choice Act of 2013, currently on the floor of the House of Representatives, and to persuade the Senate to pass similar legislation to the Department of Labor’s “Fiduciary Rule.”

Ms. Malecki is currently the VP on the Board of Directors of the PIABA Foundation, an investor educational non-profit group with a mission to educate investors and provide the public with information about abuses in the financial services industry and the securities dispute resolution process. Ms. Malecki is a member of and has been on the Board of Directors (and an Officer of) the Public Investors Arbitration Bar Association (PIABA) and been a member of the Securities and Exchanges Committee (SEC) at the New York City Bar Association and the New York State Bar Association, having spoken many times at the Practising Law Institute (PLI), the New York City Bar Association and the New York County Lawyers Association, Brooklyn Law School, St. John’s Law School and New York Law School, as well as participating annually in PIABA’s year-end conference.

Ms. Malecki's speaking engagements extend to appearing as an expert for the Wall Street Journal Live, NBC's Today Show, Fox Business News, ABC's Eyewitness News, Bloomberg Television, China TV, EBR TV and several other syndicated shows and networks. She has also appeared on Steve Forbes' in-flight radio show "America's Most Influential Women in Government, Technology, Business, and the Law", as well as other nationally syndicated radio programs. She and her cases have been and continue to be cited in numerous industry publications, including The Wall Street Journal, The New York Times, Forbes and Newsweek. The Wall Street Journal featured Ms. Malecki in a permanent educational video clip on its website about the arbitration process at FINRA.

Ms. Malecki's experience as a New York securities attorney began in class action litigation, having worked on the famed class action case *In re Crazy Eddie* in the counsel's office of the lead plaintiffs. Throughout the 1990's she represented numerous broker dealers and was instrumental in regulatory matters involving well-known "boiler room" stock fraud characteristic of the era and actually represented the progeny of the real-life "Wolf of Wall Street", that was the subject of a Hollywood blockbuster. In 1999, Ms. Malecki founded her own practice, Malecki Law, in Manhattan, which today employs a staff of securities arbitration, litigation and employment lawyers.

A natural fit and compliment to her securities work, Ms. Malecki has successfully represented clients in State, Federal and Appellate courts in various type of commercial and business disputes, including breach of partnership and contract disputes, against major and well-funded adversaries.

# Henry F. Minnerop, Esq.



Henry F. Minnerop is a member of the NY bar and a recently retired partner of the law firm of Sidley Austin LLP in New York City. Mr. Minnerop specializes in the law and regulation of clearing brokers. He is a former member of the Clearing Firms Committee of the Securities and Futures Industry Association and author of a number of publications on clearing Brokers, including "The Role and Regulation of Clearing Brokers", 48 Bus.Law. 841 (1993) and "Clearing Arrangements", 58 Bus. Law. 917 (2003). Mr. Minnerop is a graduate of City College of New York and Columbia Law School.

# Timothy J. O'Connor, Esq.

The Law Offices of Timothy J. O'Connor



Timothy J. O'Connor maintains a private practice of law in Albany, New York and is licensed in New York and Florida. He has been representing investors in securities brokerage customer claims since 1985.

A graduate of Middlebury College (A.B. Economics, 1980) and the University of Denver College of Law (J.D. 1984), Mr. O'Connor was nominated in the Fall of 2003 as the Inaugural Visiting Clinical Instructor for the Investor Rights Project Securities Arbitration Clinic of Albany Law School of Union University in Albany, New York, funded through the efforts of New York State Attorney General, Eliot Spitzer, from the proceeds of a settlement obtained against several national securities brokerage firms involving allegations of analyst fraud and wrongdoing. Mr. O'Connor served in this adjunct position through 2005. He has also widely written on a number of topics relating to the topic of investors rights.

In addition to his private practice, he is currently an Adjunct Lecturer at SUNY Albany, teaching courses in Law in Financial Market Regulation and Technology in Financial Market Regulation.

# Matthew C. Plant, Esq.

Bressler, Amery & Ross, P.C.



Matt Plant focuses in securities litigation and regulatory law. He has appeared on behalf of corporate and institutional clients in federal and state courts in New York and New Jersey, and at arbitrations before various self-regulatory organizations. He also represents individual registered representatives and corporate clients in connection with self-regulatory organizations and state investigations and inquiries.

Over the past years, Matt has personally witnessed product failures that have resulted in complex litigation for his clients. These failures have included hedge funds and structured products, among other examples. Matt is highly adept in guiding his clients beyond such obstacles and in overcoming financial product specific litigation claims.

Because Matt understands how financial products and services are structured and managed, his ability to work with witnesses involved in litigation claims is highly developed, and frequently a competitive edge for his clients. Often in partnership with in-house counsel, Matt has worked with his clients to ensure that such matters are handled in a consistent fashion and as efficiently as possible, never losing sight of achieving a positive result.

Currently, Matt lives in Norwood, NJ with his wife, daughter and cocker spaniel. A sports enthusiast, he enjoys training for and competing in triathlons and playing golf.

# Michael Pysno, Esq.

Attorney and Mediator



Michael Pysno is a mediator of securities, banking, personal and corporate trust, and employment disputes.

Prior to opening his mediation practice in 2013, Michael was Managing Director and Senior Associate General Counsel at RBC Wealth Management (formerly RBC Dain Rauscher) in Minneapolis. In that role Michael led a group responsible for all of RBC Wealth Management's dispute resolution activities, including litigation, arbitration, customer complaints, and broker note collections. He also supervised the RBC Wealth Management employment law team and handled regulatory enforcement matters. Prior to joining RBC, Michael was Vice President and Associate General Counsel at U. S. Bancorp. There he was in charge of the bank's defense litigation and supervised the employment, consumer banking, and trust legal groups. He began his legal career as a litigator with Dorsey & Whitney in Minneapolis, where he dealt with securities, construction, products liability, and employment matters.

Michael has lectured and participated in CLE panels on a variety of topics including securities litigation, broker-dealer customer complaints, deferred compensation plans, employee handbooks, mediation practice, in-house staffing, attorney-client privilege, multi-jurisdictional practice, litigation risk assessment, and in-house litigation management. He has also presented education programs to clients on employment discrimination, sexual harassment, wrongful discharge, and defamation.

Michael is a FINRA arbitrator and mediator and is a qualified neutral under Rule 114 of the Minnesota General Rules of Practice. He received his Bachelor of Arts from the University of Minnesota and his Juris Doctor, cum laude, from Brooklyn Law School, where he was Articles Editor of the Brooklyn Law Review.

# Professor Paul Radvany

Fordham University School of Law



Paul Radvany teaches the Securities Arbitration Clinic, as well as Trial and Arbitration Advocacy and the Criminal Justice Externship Seminar. He previously was a Deputy Chief of the Criminal Division for the United States Attorney's Office in the Southern District of New York. While working there, he was a Lecturer-in-Law at Columbia Law School, where he taught Trial Practice, the Federal Court Clerk Externship class, and the Profession of Law class and also was the founder and instructor of the Disability Law Project. Before joining the U.S. Attorney's Office, Prof. Radvany worked at Debevoise & Plimpton as a litigation associate. Prior to working at Debevoise, Prof. Radvany clerked for the Hon. Michael H. Dolinger in the Southern District of New York, and received his JD from Columbia Law School, where he was a Harlan Fiske Stone Scholar.

# Alan S. Rafterman, Esq.

Wells Fargo & Company



Alan Rafterman is a Senior Counsel in the Wells Fargo Litigation Group. Since 2008, he has been representing Financial Advisors and the Firm, as well as overseeing outside counsel in predominately sales practice arbitrations before FINRA. In addition to his litigation responsibilities Alan has partnered with the Subpoena and Garnishment Unit providing legal advice and assisted in several regulatory investigations. Alan has also been invited to communicate with the field on hot topics in securities law and offering advice to Financial Advisors as to how they can protect their practices. Prior to coming to Wells Fargo, Alan was part of Merrill Lynch's National Arbitration Practice Group for five years where he represented registered representatives and Merrill Lynch in sales practice arbitrations and in connection with State and other regulatory investigations. In addition to his work in the securities field, in private practice he has represented clients in various commercial litigation matters before State and Federal courts. Prior to entering private practice, Alan was an Assistant District Attorney for the Bronx District Attorney's Office and clerked for Judge Bernard Newman in the United States District Court for the Southern District of New York. He earned a J.D. from Fordham University School of Law and a BA from the State University of New York at Albany.

# Richard P. Ryder, Esq.

Securities Arbitration Commentator, Inc.



Richard P. Ryder is the founder and owner of SAC, and the editor/publisher of three newsletters, Securities Arbitration Commentator, Securities Arbitration Alert and SAC's Online Litigation Alert. Mr. Ryder earned his J.D. degree from New York University School of Law; he served with the NASD for seven years as New York District Counsel among other positions, and later as Director of Arbitration in charge of the NASD's nationwide arbitration program. From 1982 through 1988, he was head of litigation and Associate General Counsel for PaineWebber, Inc. Mr. Ryder also participates in the arbitration process as an arbitrator and mediator and appears as a speaker on the subjects of securities arbitration and litigation from time to time.

# Michael G. Shannon, Esq.

Thompson Hine LLP



Mike is a partner in the firm's Business Litigation practice group. He focuses his practice on the defense of broker dealers, brokers and clearing firms and the representation of members of the financial services industry in litigations, arbitrations, mediations and regulatory matters.

Mike has extensive experience with hundreds of SRO securities arbitration claims (including more than 60 clearing firm cases) involving the full array of substantive issues including fraud, suitability, margin, unauthorized trading, regulatory violations, marketing and sales, churning, raiding, SIPC and other issues.

Mike also has more than 30 years of experience as a commercial litigator and has worked on diverse substantive related matters, including employment discrimination, antitrust (including civil, criminal, and class action), white collar defense, trademark, copyright, bankruptcy, hospitality, RICO, real estate and estates.

# Barry Temkin, Esq.

Mound Cotton Wollah & Greengrass LLP



Barry Temkin is a partner at Mound Cotton Wollah & Greengrass LLP. His practice includes securities arbitration and litigation, commodities and securities regulation, legal ethics, professional liability defense, employment and commercial litigation. Mr. Temkin represents broker dealers, financial advisors, insurance brokers and registered representatives in litigation, arbitration and regulatory investigations. He also represents lawyers and law firms in disciplinary investigations, legal malpractice claims and conflict disputes.

Mr. Temkin is an adjunct professor at Fordham University School of Law, where he teaches Professional Responsibility. As an Assistant District Attorney in Brooklyn, he tried dozens of jury cases and served as a Senior Trial Attorney in the Homicide Bureau. Mr. Temkin has published articles on securities law and attorney professionalism in the Georgetown Journal of Legal Ethics, The Securities Regulation Law Journal, Seattle University Law Review, Securities Arbitration Commentator, and the New York Law Journal. Mr. Temkin has been a member of the FINRA (Financial Industry Regulatory Authority) Board of Arbitrators since 1999, and served for nine years as co-chair of the New York County Lawyers' Association Professional Ethics Committee. Mr. Temkin has participated in panels on securities, commodities and legal ethics at the New York State Bar Association, the New York County Lawyers' Association, the Association of the Bar of the City of New York, the Practising Law Institute, the Futures Industry Association and The Defense Association of New York, along with numerous corporations and insurance companies. He has been quoted in the ABA Journal, the New York Law Journal, The Economist, The Wall Street Journal.com, Law360.com, The National Law Journal, Lawyers U.S.A. and other publications. He is a graduate of the University of Pennsylvania Law School and the University of Rochester.

# William P. Thornton Jr., Esq.

Stevens & Lee



Bill chairs the firm's securities litigation practice and represents broker-dealers and insurance companies nationwide in all manner of claims related to the purchase and sale of securities and insurance products. He represents a broad array of clients in customer litigation, FINRA broker-dealer claims, intra-industry claims, insurance product disputes (including annuity and life insurance claims), and SEC, FINRA and state securities commission investigations and enforcement actions. Bill also represents parties in auditor liability disputes, corporate and fiduciary duty claims, shareholder litigation and intra-company disputes.

Bill's clients include large broker-dealers, banks, Fortune 100 insurance companies, directors and officers of public companies, registered investment advisors, professionals in the financial services industry, institutional and private investors, and individuals charged with violating federal or state securities laws.

Bill frequently defends suitability, trading away, unauthorized trading and other sales-practice cases for broker-dealers. He represents insurance companies in misrepresentation and policy suitability matters, including IRS Section 412(i) and 419 related claims. He also handles all manner of regulatory investigations before the SEC and FINRA, including insider trading investigations and other enforcement matters. Bill leads corporate investigations for broker-dealers, insurance companies and public companies, and prosecutes and defends related litigation.

Bill has litigated FINRA arbitrations, life insurance product disputes and state and federal securities-related claims in multiple jurisdictions, including Massachusetts, California, New York, Washington, Utah, Arizona, Texas, Illinois, Michigan, Ohio, Pennsylvania, New Jersey, Maryland, Virginia, West Virginia, North Carolina, Tennessee, Florida, Alabama, Hawaii, Louisiana and Connecticut.

Bill holds a Series 7 license from FINRA and has directed and spoken at financial services seminars, addressing topics such as sales practice claims, FINRA arbitration practice, and mediation.

# Ross Tulman

Trade Investment Analysis Group



Trade Investment Analysis Group was formed in 1985 to manage securities portfolios of high net worth individuals, small businesses and retirement plans. The current focus of our practice is to provide expert witness consulting services to counsel engaged in securities arbitration and litigation matters.

## **Employment**

Registered Investment Advisor. 1985 – Current

Principal - Trade Investment Analysis Group (formerly Tulman Investment Advisory), Columbus, Ohio. Manage fixed income, equity, partnership & venture capital investments. Litigation consulting - securities and investment disputes. Series 65.

AudiPac/North American Logistics, Inc. 1993 - 2003.

Columbus, Ohio. Portfolio Manager of Fixed Income & Equity Investments, Board of Directors.

Investment Broker. J. C. Bradford & Co. 1982 - 1985.

Columbus, Ohio. Series 7 and Series 63 Licensed.

# Angela A. Turiano, Esq.

Bressler, Amery & Ross, P.C.



Angela Turiano focuses in the representation of brokerage firms and individual registered representatives in customer and employment arbitrations and litigation. Angela has worked as in-house counsel for two major securities firms, so she understands, from an internal perspective, the highly specific needs of her clients. Known for her composure and her commitment to achieving results, Angela's clients also value that she serves as a FINRA Arbitrator. On many occasions, her experience in this capacity has benefited them greatly in terms of navigating beyond FINRA related obstacles.

Angela is a practiced trial lawyer who has appeared on behalf of corporate clients in New York federal and state courts and in arbitrations before various self-regulatory organizations. In addition to her extensive work in the securities arena, Angela has also represented individuals in both state and federal criminal prosecutions, from inception through trial. Prior to entering private practice, Angela served as an Assistant District Attorney in the Kings County District Attorney's Office, where she prosecuted and successfully brought to trial multiple felony cases including Burglary, Narcotics Sale, Robbery and Kidnapping.

Highly respected throughout the financial services industry, Angela is an active speaker in the securities community, including speaking engagements at the renowned NYU Stern School of Business and client firm roundtables and compliance conferences. She also served as a panelist for the American Conference Institute, where she has lectured on the latest trends in securities litigation.

Angela partners with corporate clients to provide free legal advice at the Neighborhood Entrepreneur Law Project (NELP) small business legal clinic, as well as volunteers annually as a mock arbitrator/trial judge in various law school competitions. Angela also speaks annually at the Lincoln High School Career Day in Yonkers, NY. When Angela is not practicing law, she enjoys cooking, running, golf and skiing. With her infant son in hand, you can find Angela at the Jersey Shore, whether at the beach in the summer, picking pumpkins in the fall or sitting by the fire in the winter months.

# Robert Usinger, Esq.

One Beacon Insurance Group



Rob Usinger is Assistant Vice President of Financial Institutions Claims at One Beacon Insurance Group in New York City. Previously, Rob spent nearly ten years between insurance carriers and a coverage law firm focusing on various types of claims and related coverage litigation.