

Mark A. Berman, Esq.

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Mark Berman is a partner in Ganfer & Shore's litigation practice groups as well as in the firm's Cooperative and Condominium Housing Practice Group. He also heads the firm's E-Discovery Counseling practice. He has extensive experience in representing private and public companies, as well as partnerships and individuals, as plaintiffs and defendants, in complex commercial matters with an emphasis on real estate and securities disputes, electronic discovery conflicts, and complex title insurance issues.

Mr. Berman is experienced in all phases of litigation in both state and federal courts as well as in arbitral forums. He is a seasoned appellate attorney, having argued many cases before both the First and Second Departments. Mr. Berman is also a trained mediator. Prior to joining Ganfer & Shore, he was an associate in the litigation department at Skadden, Arps, Slate, Meagher & Flom LLP and clerked for United States Magistrate Judge Michael L. Orenstein for the Eastern District of New York.

Mr. Berman has written and lectured extensively on electronic discovery and social media issues before the American Bar Association, the New York State Bar Association and the New York State Judicial Institute, the First and Second Appellate Divisions of the New York Supreme Court. He has been appointed by the Chief Administrative Judge as a member of New York State E-Discovery Working Group advising the New York State Unified Court System.

Mr. Berman has been elected Chair of the Commercial and Federal Litigation Section of the New York State Bar Association for 2016-2017. Since 2005, Mr. Berman has authored a column in The New York Law Journal addressing electronic discovery under New York State law. Mr. Berman's articles have been quoted in both appellate and trial court decisions.

Mr. Berman is rated "AV" by Martindale-Hubbell, the highest level in professional excellence and ethics, and has been selected as a "New York Super Lawyer" annually since 2008.



Marcy Einhorn, Esq.

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Marcy was a solo practitioner in her own general practice, with an unsuccessful but exciting, hard fought run for Town Justice in the small Northern Westchester town where she lived, when she accepted a position with New York State's Unified Court System in the 1990's, first working as a Court Attorney in Yonkers City Court and then making a lateral move to the New York County Supreme Court Civil Division Law Department. In that capacity she worked on complex commercial cases, acting as a special referee in discovery disputes and drafting decisions in connection with pre-trial motions.

Since leaving the Court system in 2010, Marcy has worked on a pro bono basis to level the playing field in the consumer debt collection industry, serves as a Court-appointed fiduciary in guardianship proceedings, has consulted on an of counsel basis in pending civil litigations, and serves as a Hearing Officer in New York City's Office of Administrative Hearings and Trials.

Marcy is a longtime member of the New York chapter of the Women's Bar Association where she serves on the Solo and Small Firm Committee. She is also a member of the City Bar, where she serves on the Consumer Law and the Aging and the Law Committees. Marcy is a relatively new member of the Federal and Commercial Litigation Section's Social Media Committee. In that role, she participated in editing materials for the 2016 Social Media Ethics Guidelines and authored a 2017 update on "Inadvertent Disclosures in the Digital Age."

Marcy has a presence on LinkedIn and Twitter, uses CLIO to manage her client data and is committed to staying ahead of the curve on attorney ethics and the Internet.

Bar Admissions

The United States Supreme Court; the Southern and Eastern Districts of New York; New York State



Professional Recognition

2017 winner: NYSBA Dispute Resolution Section's Diversity Scholarship to the Section's mediation training

Publications

"2016 Amendments to the Uniform Rules for the Commercial Division," NYSBA NYLitigator, Fall 2016

"What to Do When Creditors Sue: The Completely Unofficial New York State Debtors' Litigation Handbook," 2008, available on Kindle

Other Interests

World Voices Toastmasters: Competent Communicator, Competent Leader

Education

SUNY Stony Brook, B.A., English

St. John's University School of Law, J.D.

Michael L. Fox, Esq.

Adjunct Professor
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Michael L. Fox is an adjunct professor at Mount Saint Mary College, in Orange County, New York, teaching courses in the undergraduate and MBA programs of the School of Business.

Michael received his Bachelor of Arts degree, Phi Beta Kappa and summa cum laude, from Bucknell University, in Lewisburg, PA, with a major in Economics and a minor in Biology. He was elected to Phi Beta Kappa in his junior year. At graduation, Michael 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.

Michael received his Juris Doctor 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.

Michael 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. Michael 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. He 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, Michael's 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, Michael served as Deputy Corporation Counsel for the City of Port Jervis, and as special labor counsel for the City.

Michael has been very active with the American Bar Association, New York State Bar Association, and Orange County Bar Association. He is presently 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. 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 Annual Awards, the Committee on Professional Discipline and the Committee on Legal Education and Admission to the Bar, among others, and is Executive Committee Liaison to the YLS, as well as the Electronic Communications Committee and the Committee on Law, Youth & Citizenship. Michael 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 addition, he is a Past Chair of the Committee on Community Service & Pro Bono of the NYSBA Young Lawyers Section; and a Past Chair of the Speakers Bureau of the Orange County Bar Association.

Michael 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

Hon. Victoria A. Graffeo

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Drawing on her many years of serving on the bench of the New York State Court of Appeals, the Appellate Division, Third Department and the State Supreme Court, Judge Graffeo is involved in appeals, commercial litigation in federal and state courts, and represents clients in government compliance matters. She also serves as a mediator and is a neutral arbitrator with the American Arbitration Association.

With 16 years of service on New York appellate courts, Judge Graffeo has worked with domestic and foreign law firms engaged in international lawsuits governed by New York law that involve significant breach of contract claims, corporate disputes and other commercial litigation.

Prior to joining Harris Beach, Judge Graffeo served a 14-year term on New York State's highest court, the New York Court of Appeals, from December 2000 to November 2014, ending her tenure as Senior Associate Judge. She authored over 250 civil and criminal majority opinions for the Court and she was appointed by the Chief Judge to serve as Chair of several Access to Justice committees. In April 1998, she was designated to serve as an additional Associate Justice of the Appellate Division of the New York Supreme Court in the Third Judicial Department. In September 1996, Judge Graffeo was appointed to fill a justice vacancy on the New York State Supreme Court in the Third Judicial District and was elected to a full term of office commencing January 1, 1997. She presided over jury and nonjury trials, hearings, motion arguments and other proceedings in Albany, Rensselaer, Schoharie, Sullivan and Ulster counties.

Her judicial appointments included chair of the New York State-Federal Judicial Council, chair of the Advisory Committee on the Pro Bono Scholars Program, co-chair of the Advisory Committee on New York State Pro Bono Bar Admission Requirements, chair of the Advisory Committee on Pro Bono Service By In-House Counsel In New York State, Court of Appeals Liaison to the New York State Board of Law Examiners and member of the American Bar Association's Legal Education and Bar Admission Section.



From January 1995 to September 1996, Judge Graffeo served as Solicitor General and Counsel to the New York State Attorney General. She was involved with the executive and administrative matters of the Office of the Attorney General, with more than 400 attorneys. As head of the Appeals and Opinions Bureau, she was directly responsible for management of the state's federal and state appellate litigation and the rendering of Attorney General Opinions to state agencies and municipalities. Judge Graffeo had responsibility for the review and approval of hundreds of briefs to the United States Supreme Court, the United States Court of Appeals for the Second Circuit, the New York State Court of Appeals and the Appellate Divisions of the New York State Supreme Court.

Previously, Judge Graffeo had a number of posts in state government from 1982 to 1994. She served as Chief Counsel to the Assembly Minority Leader of the New York State Assembly, Counsel to the Minority Leader Pro Tempore of the New York State Assembly and Assistant Counsel of the New York State Division of Alcoholism and Alcohol Abuse. She began her legal career as a litigation associate in an Albany law firm.

Ignatius A. Grande, Esq.

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Ignatius Grande is Senior Discovery Attorney at Hughes Hubbard & Reed LLP. In his role at Hughes Hubbard, Ignatius advises case teams and clients on how to best leverage the latest technologies and e-discovery practices to efficiently guide matters from initial document preservation and collection through to review and production.

By putting strategic processes in place, Ignatius helps clients manage their eDiscovery obligations in the most efficient and cost effective manner. He also advises clients on the management of their social media presence and in the preservation and collection of social media information. He enjoys working with companies to adapt their information governance and eDiscovery practices to changing technologies. Ignatius has represented companies in all areas of electronic discovery and information management, including advising clients on document retention policies, methods of collection, and representing clients at 26(f) conferences and in eDiscovery court hearings.

Ignatius graduated from Yale College in 1996 and Georgetown University Law Center in 1999. He previously served as in-house counsel for a commodities company and as an e-discovery consultant for a national e-discovery vendor. Ignatius also worked for several years with another major international law firm. He began his legal career as a law clerk for the Honorable James M. Munley of the Middle District of Pennsylvania.

Ignatius is a frequent writer and speaker on topics relating to e-discovery, social media and the Internet of Things. He serves as co-chair of the Social Media Law Committee of the New York State Bar Association's Commercial & Federal Litigation Section and teaches a course on eDiscovery at St. Johns University School of Law.

Maura R. Grossman, Esq.

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As of June 2016, Maura R. Grossman is a Research Professor in the David R. Cheriton School of Computer Science at the University of Waterloo, in Ontario, Canada, as well as an eDiscovery attorney and consultant in New York City. Previously, Maura was Of Counsel at Wachtell, Lipton, Rosen & Katz, in New York, where for 16½ years, she represented Fortune 100 companies and major financial services institutions in corporate and securities litigation, including civil actions and white collar criminal and regulatory investigations, and advised lawyers and clients on legal, technical, and strategic issues involving eDiscovery and information governance, both domestically and abroad.

Maura is a well-known and influential eDiscovery lawyer. She is described in Who's Who 2015 E-Discovery Analysis as "'sensational' according to her peers and . . . a 'go-to' in the area." Chambers & Partners USA 2015 Litigation: E-Discovery describes her as "the best-known person in the area of technology-assisted review; a superstar among superstars." Maura's scholarly work on TAR, most notably, Technology-Assisted Review in E-Discovery Can Be More Effective and More Efficient Than Exhaustive Manual Review, published in the Richmond Journal of Law and Technology in 2011, has been widely cited in case law, both in the U.S. and abroad. Her longstanding contributions to eDiscovery technology and process, including her multiple patents relating to TAR, were featured in the February 2016 issue of The American Lawyer.

Since 2010, Maura has served as co-chair of the eDiscovery Working Group advising the New York State Unified Court System. She has served as a court-appointed special master, neutral/mediator, and eDiscovery expert to the court in multiple high-profile federal cases. She has provided eDiscovery training to federal and state court judges, by invitation of the court, and has testified, on several occasions, before the Advisory Committee on the Federal Rules of Civil Procedure and the Advisory Committee on Evidence Rules, at their invitation. Maura is an adjunct professor at Columbia Law School and the Georgetown University Law Center, where she teaches courses on eDiscovery. She previously taught at Rutgers Law School–Newark and Pace Law School.



Since 2012, Maura has been a member of the Steering Committee of The Sedona Conference® Working Group 1 on Best Practices for Electronic Document Retention and Production. Since 2008, she has been involved in the National Institute of Standards and Technology's Text Retrieval Conference ("TREC"); in 2010 and 2011, as a coordinator of the Legal Track, and since 2015, as a coordinator of the Total Recall Track. Maura serves on the Advisory Boards of Bloomberg BNA's Digital Discovery & e-Evidence Report, the Georgetown University Law Center's Advanced eDiscovery Institute, and the Benjamin N. Cardozo School of Law's Cardozo Data Law Initiative.

Maura graduated with an A.B., magna cum laude, from Brown University. She earned M.A. and Ph.D. degrees in Clinical/School Psychology from the Gordon F. Derner Institute of Advanced Psychological Studies at Adelphi University, and a J.D., magna cum laude, Order of the Coif, from the Georgetown University Law Center. While at Georgetown, Maura served as Executive Notes and Comments Editor of the Georgetown Law Journal.

Ronald J. Hedges, Esq.

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Ronald J. Hedges is the principal of Ronald J. Hedges LLC. He has extensive experience in ediscovery and in the management of complex litigation and has served as a special master, arbitrator and mediator. He also consults on management and discovery of electronically stored information ("ESI").

Mr. Hedges was a United States Magistrate Judge in the United States District Court for the District of New Jersey from 1986 to 2007. While a magistrate judge, he was the Compliance Judge for the Court Mediation Program, a member of the Lawyers Advisory Committee, and both a member of, and reporter for, the Civil Justice Reform Act Advisory Committee. From 2001 to 2005 he was a member of the Advisory Group of Magistrate Judges.

Mr. Hedges was an adjunct professor at Seton Hall University School, where he taught mediation skills. He was an adjunct professor at Georgetown University Law Center and remains an adjunct professor at Rutgers School of Law—Newark. He taught courses on electronic discovery and evidence at both these schools. He was a Fellow at the Center for Information Technology of Princeton University for 2010-11 and 2011-12. Mr. Hedges is also a member of the College of the State Bar of Texas. Mr. Hedges is admitted to the bars of the District of Columbia, New Jersey, New York and Texas. He is also admitted to the bars of various federal courts.

Mr. Hedges' many publications include The Sedona Conference Cooperation Proclamation: Resources for the Judiciary (coeditor) (revised and first editions) (The Sedona Conference: 2012 & 2011), Managing Discovery of Electronic Information; A Pocket Guide for Judges (coauthor) (second and first editions) (Federal Judicial Center: 2012 & 2007), Discovery of Electronically Stored Information: Surveying the Legal Landscape (author) (BNA: 2007), The Sedona Guidelines: Best Practices Addressing Protective Orders, Confidentiality & Public Access in Civil Cases (The Sedona Conference: 2007) (editing team member), "Case Management and E-Discovery: Perfect Together," DDEE (July 1, 2009), "Rule 26(f): The Most Important E-Discovery Rule," New Jersey Law Journal (May 18, 2009), and "A View



from the Bench and the Trenches: A Critical Appraisal of Some Proposed Amendments to the Federal Rules of Civil Procedure," 227 F.R.D. 123 (2005).

Among other things, Mr. Hedges is a member of the American Law Institute, the American Bar Association and the Federal Bar Association. He is a member of the Historical Society and the Lawyers Advisory Committee of the United States District Court for the District of New Jersey. Mr. Hedges is a member of The Sedona Conference Advisory Board, The Sedona Conference Working Group on Protective Orders, Confidentiality, and Public Access, and The Sedona Conference Working Group on Best Practices for Electronic Document Retention & Production. He is also a member of the advisory board of the Advanced E-Discovery Institute of Georgetown University Law Center.

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Shawndra Jones practices in the areas of commercial litigation and labor and employment law. Her experience includes matters before state and federal courts and administrative agencies. As part of her labor and employment law practice, Ms. Jones has counseled employers concerning various issues, including family and medical leave, disability accommodation, wage and hour matters, veterans' rights, equal employment opportunity concerns, and questions arising at the intersection of technology and the workplace. In 2016, Ms. Jones co-authored an article entitled "Using Technology in the Hiring Process – Should Employers 'Like' Social Media?," which appeared in the National Bar Association Magazine. Ms. Jones has also lectured on legal and ethical issues associated with social media and other emerging technologies.

Ms. Jones's professional memberships and activities include the American Bar Association, Section of Labor and Employment Law; National Bar Association, Labor and Employment Law Section & Women Lawyers Division; New York State Bar Association, Labor and Employment Law Section (Workplace Rights and Responsibilities Committee) & Commercial and Federal Litigation Section (Social Media Committee); New York City Bar Association, Judiciary Committee & Diversity in the Judiciary Subcommittee; Association of Black Women Attorneys; Volunteer Lawyers for the Arts; and Practicing Attorneys for Law Students Program, Inc. ("PALS").

Ms. Jones is a 2016 recipient of the National Bar Association's "40 Under 40 Nation's Best Advocates" and "Excellence in Innovation" awards. In addition, the New York State Bar Association recently recognized Ms. Jones as a "2016 Empire State Counsel® Outstanding Pro Bono Volunteer." She was also selected to become a member of The National Black Lawyers – Top 40 Under 40 – for New York in 2016 and a Fellow of the American Bar Foundation.

After graduating cum laude with Distinction in Psychology from Yale University, Ms. Jones earned her juris doctorate from Columbia Law School, where she was a Harlan Fiske Stone Scholar, graduation co-chair, and editor in chief of the Columbia Journal of Law and Social Problems. Following law school, Ms. Jones served as a law clerk to the Honorable Alvin W. Thompson in the United States District Court for the District of Connecticut before entering private practice at Cravath, Swaine & Moore LLP.



Scott L. Malouf, Esq.

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Scott L. Malouf, Esq. is a litigator. He has more than ten years of experience in high value commercial claims, construction litigation, insurance matters, contract disputes, and as an attorney on both sides of the personal injury divide.

He also has extensive experience with electronic discovery, especially issues related to social media discovery, staffing, document analysis and document production. Scott writes and presents on using technology in litigation as well as other areas of the law. He also is a member of bar committees focused on law practice management (past), technology and litigation. He is licensed to practice law in New York and Massachusetts.

Scott received his B.A. from Hamilton College and his law degree from Vanderbilt University. In law school he was the editor of a moot court problem argued by teams from across the United States. Scott is an average mountain biker but a great cook. His favorite recipe, by Jacques Pepin, is Eggs Jeanette.