

## **MICHAEL I. BERNSTEIN**

Senior Partner, Bond, Schoeneck & King, PLLC. Formerly Managing Partner, Benetar Bernstein Schair & Stein (Corporate edition of Corporate Counsel Magazine, “Best Lawyers: Labor and Employment,” 2004; 1992, The Reliance Award for Excellence in Education, Outstanding Small Business in New York City).

Columbia University School of Law, LL.B. (1962); University of Michigan, B.A., Economics (1959).

- Listed: The Best Lawyers in America (25 years or longer); New York Super Lawyers; “Top 100 New York Super Lawyers” covering all areas of practice (2007); New York Times “Top Attorneys in New York”; Chambers & Partners, USA, Chambers USA (America’s Leading Lawyers for Business); Finance Monthly Magazine Global Awards for Achievement; International Who’s Who of Management Labour and Employment Lawyers; Marquis Who’s Who; Who’s Who in American Law.
- Selected, Fellow of the American Bar Foundation; elected Fellow of the College of Labor and Employment Lawyers (1996); elected, Fellow of the New York Bar Foundation (1992).
- Past Chair, New York State Bar Association, Labor and Employment Law Section, and current member of its Executive Committee.
- Past Chair, Committee on Labor and Employment Law, New York City Bar Association.
- Past Chair and current member, Federal Labor Standards Legislation Committee (Age Discrimination, Equal Pay, Fair Labor Standards Act), American Bar Association.
- Member, Committee on Minorities in the Profession, New York City Bar Association; Judge, Annual Michael Oshima Essay Competition.
- Past Member, Special Committee on Youth Outreach, New York State Bar Association.
- Member, Committee on Diversity and Inclusion, New York State Bar Association.

- Member, Advisory Board, Center for Labor and Employment Law, New York University School of Law.
- Past Member, Privacy Initiative Task Force, New York State Bar Association.
- Past Member, Regional Credentials Committee, College of Labor and Employment Lawyers.
- Past Member, Law Committee (Labor Section), American Arbitration Association.
- Member, Governor's Advisory Panel on Economic Development, New York State, 1985-86 ("Project 2000").
- Member, Lt. Governor's Task Force on Plant Closings, New York State, 1984-85.
- Chairman, Subcommittee, Project on Simplification of the Law, New York State Bar Association, Labor and Employment Law Section, 1984-85.
- Member, Committee on Law School Liaisons, New York State Bar Association, Labor and Employment Law Section, 1990-; Judge, Annual Law School Writing Contest.
- Past Chair, Committee on Intake and Investigation, Task Force of New York State Bar Association reviewing practices and procedures of the New York State Division of Human Rights.
- Former Attorney, National Labor Relations Board.

Active lecturer, author and contributing editor, including:

Books and Articles:

Senior Editor, Age Discrimination in Employment Law, 2003-2006 Supplement and 2007 Supplement; Contributing Editor: How ADR Works, BNA (December 2001); Board of Advisors, New York Employment Law, American Law Media/New York Law Journal Seminar Press (1999-); Editorial Board, Treatise on the Fair Labor Standards Act (American Bar Association and Bureau of National Affairs (1995-98)); Editorial Advisory Board, "You & The Law," National Institute of Business Management (1998-); Contributing Editor to New York Employment Law, Supplements, Matthew Bender (1994-96); Contributing Editor to American Bar Association Section on Labor and Employment Law, Developments in Age Discrimination, Chapter on Federal Labor Standards Legislation (1976-1982); Contributing Editor to American Bar Association First, Second, Third, and Fourth Supplements to Employment Discrimination Law (1983- ) (Age Discrimination Chapter), Schlei and Grossman; Bernstein, Personal Responsibility and Accountability: Can you have a Disability but not be Disabled?, New York Employment Law & Practice (Vol. 3, No. 8, May 2002); Bernstein, Reeves: Revisionism Reconstructed, New York Employment Law & Practice (Vol. 2, No. 7, Apr. 2001); Bernstein & Lombardi, Injunctive Relief under Section 10(j): "Injunctivitis" or a Necessary Prescription?

49th New York University Annual Labor Conference (1995); Bernstein & Sanders, Stray Remarks in the Workplace, Employment Law Strategist (1993); Bernstein & Safon, Can Unions Find a Place to Live in Jean Country? An Analysis of Lechmere and Its Progeny, PLI, Fundamentals of Labor Law Under the National Labor Relations Act (1993); Arbitration and the Courts: Recent Exercises in the Predictably Unpredictable, 46th New York University Annual Labor Conference (1992); "Arbitration Born Again ... And Again: Post-Gilmer," Arbitration and the Law, AAA General Counsel's Annual Report, 1991-92; "Recurring Evidentiary Issues and Examination of Witnesses (A Management Viewpoint)," THE ANNUAL EMPLOYMENT LAW LITIGATION CONFERENCE, Law Journal Seminars-Press, 1992; contributor to Handbook of Health Care Human Resources Management, Second Ed. 1990 (Metzger) "What's in a Name: The Discovery in Grievance Handling"; Remedies Under The Age Discrimination And Employment Act, PLI, Advanced Strategies In Litigating, Settling, And Avoiding Unjust Dismissal And Age Discrimination Claims (1987); Bernstein & Savitt, AIDS!, Association of Healthcare Human Resources Administrators of Greater New York (1987); Disparate Impact, PLI, Age Discrimination Workshop (1985); Comparable Worth or Pay Equity: A Rose Is A Rose?, 39th NEW YORK UNIVERSITY ANNUAL LABOR CONFERENCE (1985); ADEA Implications of Hishon, THE LABOR LAWYER (American Bar Association, Vol. 1, No. 3, Summer 1985); Bernstein, Preventive Maintenance Viewed in Light of Title VII Class Action and Other Litigation, 1 EMPLOYEE RELATIONS JOURNAL 563 (1976); Bernstein, Union Representation Elections: Law and Reality, EMPLOYEE RELATIONS JOURNAL (1977); Klein & Bernstein, Labor Law Introduction, Second Circuit Review, 1973-74 Term, 41 BROOKLYN L.REV. 1217 (1975); Klein & Bernstein, Labor Law Introduction, Second Circuit Review, 1974-75 Term, 42 BROOKLYN L.REV. 1157 (1976); Arbitration Basic Labor Relations, CORPORATE LAW AND PRACTICE, PRACTISING LAW INSTITUTE 237 (1972); Bernstein, Appropriate Bargaining Unit Determinations: Affirmative Action Now!, 5 EMPLOYEE RELATIONS JOURNAL 185 (1979); Bernstein, Avoid Age Discrimination, THE AMERICAN SCHOOL BOARD JOURNAL (Nov. 1982); Bernstein, Age Discrimination, THE EXECUTIVE EDUCATOR (1982).



**MELISSA H. BIREN, ESQ.**

**Arbitrator and Mediator**

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**Maplewood, NJ 07040**

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**Melissa H. Biren** is a full time arbitrator and mediator focusing on resolution of labor-management and employment disputes in the public and private sectors. Her cases involve diverse disciplinary, contract, statutory and common law claims in a broad range of industries. She has over 30 years experience in the areas of traditional labor and employment law, first as an advocate and, since 2002, as an arbitrator and mediator.

Ms. Biren is listed on various rosters including the AAA (Labor and Employment Panels), FMCS, NYS PERB, NYC Office of Collective Bargaining, NJ PERC and NJ State Board of Mediation. In addition, she serves as an arbitrator on numerous permanent panels and is a named arbitrator in several collective bargaining agreements.

Ms. Biren is a member of the National Academy of Arbitrators and is currently Vice-Chair of the NAA - NY Metro Region. She is also a member of the labor and employment law sections of the ABA, NJ and NY Bar Associations, NJ LERA (past president) and the Sidney Reitman Employment Law American Inn of Court. Publications include *Discipline and Discharge in Arbitration, Second Edition* (Norman Brand and Melissa Biren, BNA, 2008). Ms. Biren speaks regularly at professional conferences and has been a lecturer at the Scheinman Institute Labor Arbitration Development Program and a faculty member for AAA.

Ms. Biren is admitted to practice law in New York, New Jersey and Connecticut. Prior to becoming an arbitrator and mediator, she served as General Counsel, as well as labor, employment and litigation counsel, to international companies including Brink's Incorporated/The Pittston Company, GAB Robins/SGS North America and American Standard Global Plumbing Business, and as an associate at Willkie Farr & Gallagher and Parker Chapin Flattau & Klimpl. She received her JD, magna cum laude, from Albany Law School, where she was a member of the Albany Law Review. She received her BA from Harpur College – SUNY Binghamton.



## SAMUEL ESTREICHER



Of Counsel

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Samuel Estreicher is of counsel in the New York office, where his practice focuses on the wide range of issues affecting employers and their employees, including designing ADR systems, conducting internal company investigations, advising clients in OFCCP, EEO, wage-hour and NLRA audits and representing clients in individual and class action EEO and wage and hour litigation and arbitration. Cross-border issues are also a specialty. Sam's appellate practice includes victory in the Supreme Court in the *Circuit City v. Adams* litigation, broadening the availability of employment arbitration; victory in the Second Circuit overturning an interest arbitration award in *The Daily News* litigation; and amicus representation (in the Supreme Court) of Chrysler Corp., Ford Motors, General Motors, the Cato Institute, the Center for Public Resources, the U.S. Chamber of Commerce, the Society for Human Resources Management, the National Association of Manufacturers, the Black Alliance for Educational Options, the American Jewish Committee, and the Council for Employment Law Equity. He has also directed the NYU School of Law's Supreme Court Clinic, serving as co-counsel for the prisoner in *Giles v. California*, an important self-incrimination clause case.

One of the leading authorities in labor and employment law, Sam is also the Dwight D. Opperman Professor of Law at New York University Law School and is the Chief Reporter of the American Law Institute's *Restatement Third of Employment Law*. He has published several books, including leading casebooks in labor law and employment discrimination and employment law; edited conference volumes on sexual harassment, employment ADR processes, and cross-global labor and employment law; and authored more than 150 articles in professional and academic journals. Additionally, Sam has led more than 100 workshops for federal and state judges, U.S. Department of Labor lawyers, EEOC lawyers, court law clerks, employment mediators and practitioners generally. Sam has received numerous awards recognizing his expertise, including the Labor and Employment Relations Association's prestigious Susan C. Eaton Outstanding Scholar-Practitioner Award, and was also named one of the nation's "Top 50 Most Powerful Employment Attorneys" by *Human Resources Executive* magazine.

### SELECTED PUBLICATIONS

"Arbitration Agreements Waiving FLSA Collective Actions," *New York Law Journal*, Nov. 8, 2013 (co-author)

"Recent Employment Law Updates for New York Employers," *SRZ Client Alert*, Oct. 24, 2013 (co-author)

### SELECTED SPEAKING ENGAGEMENTS

"The Year in Review," PLI Employment Law Institute, New York, October 2013

Moderator, NYU "Stop and Frisk": The Legal and Policy Issues, New York, October 2013

### MEMBERSHIPS

American Bar Association

Former Secretary of the Labor and Employment Law Section

### PRACTICES

- Employment & Employee Benefits

Association of the Bar for the City of New York  
Former Chair of the Committee on Labor and Employment Law  
American Arbitration Association  
American Law Institute

#### **OTHER DISTINCTIONS**

- Dwight D. Opperman Professor of Law, New York University School of Law
- Director, Center for Labor and Employment Law, New York University School of Law
- Co-Director, Opperman Institute of Judicial Administration, New York University School of Law
- Susan C. Eaton Outstanding Scholar-Practitioner Award, Labor and Employment Relations Association (2010)
- Recognized as one of "The Nation's '50 Most Powerful Employment Attorneys,'" *Human Resources Executive* magazine
- Chief Reporter, *Restatement Third of Employment Law*, American Law Institute
- 2012 Samuel M. Kaynard Award for Excellence in the Fields of Labor and Employment Law, Hofstra University School of Law
- Member, Administrative Tribunal, Asian Development Bank
- Fellow, College of Labor and Employment Lawyers
- Member, Arbitration/Mediation Panels of the American Arbitration Association and Center for Public Resources

#### **BAR ADMISSIONS**

- New York
- Washington, D.C.

#### **COURT ADMISSIONS**

- Various federal courts, including U.S. Supreme Court

#### **EDUCATION**

- Columbia University Law School, J.D., 1975
  - Editor-in-chief, *Columbia Law Review*
- Cornell University, M.S., Labor Relations, 1974
  - Herbert H. Lehman Fellow
- Columbia College, A.B., 1970
  - Joseph Pulitzer Fund Scholar

#### **PRIOR EXPERIENCE**

Director, Supreme Court Clinic, New York University School of Law  
Law Clerk to Justice Lewis F. Powell, Jr., U.S. Supreme Court  
Law Clerk to Harold Leventhal, U.S. Court of Appeals for the District of Columbia Circuit





LAURENCE S. MOY is a partner with Outten & Golden LLP (“O&G”) and has been practicing law almost exclusively in the area of representing individuals in employment matters since 1985. He co-chairs O&G’s Securities and Financial Services Industry practice group, and enjoys representing clients and groups of clients in these highly specialized fields.

Mr. Moy has extensive experience in arbitration before FINRA, the NASD, the NYSE, and the AAA, as well as trials, appeals, and other litigation experience before federal and state courts concerning employment and general commercial litigation disputes. For each year since 2006, he has been selected by his peers as one of the New York Area’s Best Lawyers, as featured in New York Magazine, and as one of New York’s Super Lawyers – Manhattan Edition. The Asian American Business Development Center has also named Mr. Moy as one of the 2007 Outstanding 50 Asian Americans in Business. In 2010, Mr. Moy was elected as a Fellow to the College of Labor & Employment Lawyers.

Mr. Moy has been lead trial attorney on a number of successful litigation cases brought on behalf of individual clients. In perhaps the largest arbitration result obtained in an employment case, Mr. Moy led a trial team, together with partners Wayne Outten and Tammy Marzigliano, in a complex, international arbitration case, which concluded with a two-week trial/hearing. On behalf of their clients, the team won an arbitration award against a major financial institution exceeding \$70 million.

In another matter, after more than a year of proceedings, Mr. Moy and Mr. Outten led a trial team in a two-week trial in a vigorously contested arbitration case against financial services giant Deutsche Bank, winning \$18.9 million in damages, interest, and expenses. This American Arbitration Association award represents one of the largest arbitration awards in an employment case.

In addition to litigation, Mr. Moy actively handles many transactional and negotiation matters. Mr. Moy has successfully mediated and otherwise negotiated many matters both within and outside of the employment context. These negotiations have included the review and preparation of employment contracts and compensation guarantees, as well as severance agreements and other exit arrangements for executives and other professionals.

Before joining O&G, Mr. Moy was a partner with the firm of Liddle & Robinson, L.L.P., a highly regarded trial and litigation firm. He has been selected for a number of projects, panels, and committees involved in educating arbitrators, mediators, administrators, major employers, and other lawyers concerning the arbitration and litigation of employment disputes.

In 2007 and 2008, Mr. Moy served on the FINRA Employment Arbitration Task Force. The Task Force -- comprised of the President of FINRA Dispute Resolution, other FINRA officers and staff, arbitrators, and counsel representatives for employer members and employee members -- considered ways in which the Code of Arbitration Procedure for Industry Disputes should be tailored to best deal with employee and brokerage firm disputes.

In 1999, Mr. Moy was appointed to the Judiciary Committee of The Association of the Bar of the City of New York, and served on that committee through 2002. The Judiciary Committee evaluates the qualifications of judicial candidates and candidates for other offices (such as the Office of the District Attorney for the five counties of NYC) connected with the administration of justice. He is also the author of numerous publications and a respected contributor to legal textbooks. In addition, Mr. Moy is the co-author (with Arthur "Babe" Cranfield, a former World Champion pool player) of two well-recognized books on the subject of pool and billiards, *The Straight Pool Bible* and *Essential Pool*, both published by The Lyons Press.

Mr. Moy is a graduate of Cornell University (B.S. 1982) and Cornell Law School (J.D. 1985). He is admitted to the bars of the State of New York, the United States District Court for the Southern, Eastern and Northern Districts of New York, and the United States Court of Appeals for the Second Circuit.





American Arbitration Association

*Dispute Resolution Services Worldwide*

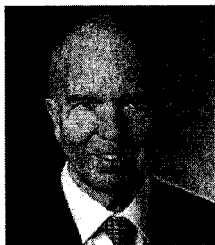
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[newhallc@adr.org](mailto:newhallc@adr.org)

Christine is the Senior Vice President of the Labor/Employment/Elections Division at the American Arbitration Association. She is also Senior Vice President of the Neutral Services Department and Education Services and has been a Senior Vice President at the AAA since 2001. Christine has also held various positions at the AAA over her 25 year career in Alternative Dispute Resolution. She is a member of the New England Chapter of Association of Conflict Resolution and works closely with groups involved in dispute resolution such as the National Academy of Arbitrators and LERA.

Christine participates as a trainer for the AAA and as a speaker on regional and national events on arbitration and mediation. Christine co-chairs the AAA national Labor/Management Advisory Task Force and works with various universities and colleges, such as Cornell/Scheinman Institute on research and educational initiatives to develop the next generation of arbitrators and mediators. She also works closely with various advisory and national groups to promote the use of ADR in all industries.



*Theodore O. Rogers, Jr.*



**Partner, New York**

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Add to Address Book

Sending an e-mail through this website does not create an attorney-client relationship. You should not send us any information through this website that you would want treated confidentially.

Theodore Rogers joined Sullivan & Cromwell in 1979 and has been a partner since 1987. His litigation activities center on two areas: labor and employment law and estates litigation. He is a graduate of Harvard College (B.A., magna cum laude, 1976) and Harvard Law School (J.D., cum laude, 1979).

As managing partner of the Firm's Labor and Employment Law Group, Mr. Rogers represents employers with respect to all manner of labor and employment issues.

Mr. Rogers was named the 2014 New York City "Employment Law Management Lawyer of the Year" and the 2012 "New York City Labor Law – Management Lawyer of the Year" by *The Best Lawyers in America*. For each of the past six years, he has been named one of the 100 leading management attorneys in the country by the publication *Human Resource Executive* in conjunction with *Lawdragon*, and is one of six lawyers in the United States named Best of the Best 2012 internationally by Legal Media Group. He is also ranked in the top tier in New York among defendant-side employment lawyers in *Chambers USA: America's Leading Lawyers for Business* (2003-2013).

In his Estates Litigation practice, Mr. Rogers has litigated a broad range of cases, including will contests, trust accountings, and issues of fiduciary responsibility. Among other cases, he was lead trial and appellate counsel in a case that resulted in a significant decision by New York's highest court on trustee fiduciary obligations that has come to be relied upon by lower courts.

Mr. Rogers recently served as a member of the Advisory Committee to the U.S. District Court for the Southern District of New York's Pilot Project Regarding Case Management Techniques for Complex Civil Cases. Mr. Rogers is a contributing author to BNA's *Workplace Harassment Law* (2012), is a co-author of West Publishing Co.'s *Employment Litigation in New York* (1996) and *Employment Law Deskbook for Human Resources Professionals* (2001), and serves as a lecturer on employment law topics to many groups, including the Practising Law Institute's annual Employment Law Institute and the Federal Judicial Center's Workshop on Employment Law for Federal Judges. Among the topics on which Mr. Rogers has recently written and lectured are Sarbanes-Oxley Act whistle-blower claims, electronic discovery, employment class actions, restrictive covenants, harassment law, arbitration and ethics.

Mr. Rogers is a fellow of the College of Labor and Employment Lawyers and is a member of the American Law Institute, the Executive Committee of the New York State Bar Association's Labor and Employment Law Section and the Advisory Board of the Center for Labor and Employment Law of New York University School of Law, and has served on the Labor and Employment Law Committee of the New York City Bar Association.

**Practices**

Estates and Personal

Litigation

Labor and Employment Litigation

**News**

Best Lawyers Names Seven S&C

Partners Lawyers of the Year

**Publications**

Ted Rogers and Christina Andersen

Co-Author Article on Current Legal

Landscape of Electronic Discovery

**Events & Speaking**

**Engagements**

Labor and Employment Lawyer

Conference

**Education**

1979, Harvard Law School, J.D.

1976, Harvard University, A.B.

**Bar Admissions**

New York





John E. Sands

**Title**

Arbitrator & Mediator

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(973) 226-6553

**Areas Of Practice**

Since 1972 John E. Sands has arbitrated and mediated over 4,000 labor-management, employee benefit, trustee deadlock, withdrawal liability, and employment law disputes. A member of the National Academy of Arbitrators since 1977, he has chaired its New York-New Jersey Region. He has been the Impartial Arbitrator of the National Hockey League/NHL Players Association and International, American, and East Coast Hockey League/Professional Hockey Players Association contracts, of Major League Baseball salary disputes, of National Football League injury disputes, and of disputes between the United States Olympic Committee and athletes. He has also served as permanent arbitrator in a number of industries, including railroads, construction, airlines, maritime, longshore, retail sales, trucking, manufacturing, health care, higher education, and others in both the public and private sectors. Mr. Sands has mediated and arbitrated complex litigations involving a wide range of employment, commercial, discrimination and sexual harassment issues. He also provides alternative dispute resolution strategies, services and consultation to businesses, unions, institutions and law firms.

**Education**

A.B. Princeton University

J.D. Yale Law School

**Professional Experience**

Professor of Law, Albany Law School of Union University (1973-83)

General Counsel, New York City Mayor's Office of Labor Relations (1970-73)

Partner, Schulman Abarbanel Perkel & McEvoy (1965-70)

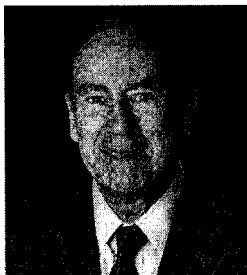
Mr. Sands is a widely-published author, and he has lectured throughout the United States and Canada to both lawyers and lay people on law and dispute resolution. His biographical entries have included Who's Who in America, in the East, in Labor, and in American Law. He is a former Trustee of The Turtle Back Zoo and of Temple Sharey Tefilo-Israel, was an All-American fencer at Princeton, and earned a black belt in Tae Kwon Do.



## **Professional Affiliations**

Sands has chaired the Labor and Employment Law Sections of three organizations: New York State Bar Association (1986-87), Association of the Bar of the City of New York (1981-84), and Association of American Law Schools (1976). He also chaired the International Foundation of Employee Benefit Plans' American Arbitration Committee that drafted the American Arbitration Association's revised Multiemployer Pension Plan Arbitration Rules for Withdrawal Liability Disputes (effective September 1, 1986). From 1981-83 he was honored as the AAA's J. Noble Braden Arbitrator. He is a member of the Board of Governors of the College of Labor and Employment Lawyers, a Fellow of the American College of Employee Benefit Counsel, a Mediator for the International Court of Arbitration for Sport, and a former Co-Chair of the ABA Labor and Employment Law Section's Committee on ADR in Labor and Employment Law.





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**Evan J. Spelfogel**

Member of the Firm

ESpelfogel@ebglaw.com

**EVAN J. SPELFOGEL** is a Member of Epstein Becker & Green, P.C., in the labor, employment, and employee benefits practices. Based in the firm's New York office, he represents management and benefit providers in all areas of employment law, labor, and employee relations.

Mr. Spelfogel's experience includes the following:

- Representing management in all aspects of employment law, including age, sex, race, religion, national origin and disability discrimination before the EEOC and deferral agencies, and in state and federal courts
- Counseling clients and litigating concerning FLSA and state wage and overtime, Davis-Bacon Act and prevailing rate matters; affirmative action plans; human resource audits; employee handbooks and policies; drug and alcohol programs; wrongful discharge claims; breach of employment, confidentiality and noncompete contracts; National Labor Relations and Railway Labor Act matters; union avoidance strategies, organizational campaigns and decertification proceedings; strikes and picketing; union negotiations and arbitration; safety laws and regulations; workplace violence, negligent hiring and/or retention; independent contractor vs. employee issues; due diligence in acquisitions and mergers; and employee benefits/ERISA/fiduciary and MPPAA withdrawal liability matters
- Conducting grievance and arbitration hearings, advising on the creation and implementation of non-union alternative dispute resolution procedures (ADR) and the mediation and arbitration of statutory employment discrimination claims.

After graduating from Harvard College and the Columbia University Law School, Mr. Spelfogel served five years with the United States Department of Labor, Office of the Solicitor and the National Labor Relations Board in Washington, D.C., Boston, and New York.

Mr. Spelfogel has served as an adjunct professor at Baruch College of the City College of New York, and as a lecturer in labor law at St. John's University, and at annual labor and employment institutes of New York University, Southern Methodist University, Boston University, and the University of Washington. He has written, edited and published numerous articles, books and book chapters on a broad range of issues, including wage and hour collective actions, comparable worth and pay equity, employment discrimination, wrongful discharge, retiree health care, plant closings and reductions in work force, e-mail and workplace privacy,

union picketing and handbilling on private property, NLRB representation and unfair labor practice proceedings, the interaction of ERISA, the ADA and the NLRA, pregnancy disability, sexual harassment and alternative dispute resolution.

A Former Chair of the New York State Bar Association's (NYSBA) Labor & Employment Law Section, Mr. Spelfogel continues to serve on its Executive Committee. He's also a member of the Executive Committee of the NYSBA's Dispute Resolution Section.

Mr. Spelfogel was elected to the College of Labor and Employment Lawyers as a Fellow, the highest recognition by one's colleagues of sustained outstanding performance in the profession, exemplifying integrity, dedication, and excellence. He is currently listed in *The Best Lawyers in America; New York Super Lawyers - Metro Edition; PLC Which Lawyer? Yearbook; Who's Who in America; Who's Who in American Education; Who's Who in Industry and Finance; Who's Who Legal: The International Who's Who of Management Labour & Employment Lawyers; and Who's Who in the World.*

## **PRACTICES**

### Labor and Employment

- ADA and Disability Law
- Employee Benefits/ERISA-Related Litigation
- Employment Litigation
- Employment Training, Practices and Procedures
- Labor Management Relations
- Occupational Safety and Health (OSHA)
- Wage and Hour

## **EDUCATION**

J.D., Columbia University School of Law, 1959

A.B., Harvard University, 1956

## **BAR ADMISSIONS**

Massachusetts

New York

## **COURT ADMISSIONS**

Supreme Court of the United States

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court, District of Colorado

U.S. District Court, District of Massachusetts

U.S. District Court, District of Ohio

U.S. District Court, Eastern District of New York

U.S. District Court, Northern District of New York

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

## **MEMBERSHIPS**

American Arbitration Association, National Panel of Labor Arbitrators

American Bar Association: Charter Member, Dispute Resolution Section  
American Bar Association: past Council Member, Section of Labor and  
Employment Law  
American Bar Association: Section Delegate, ABA House of Delegates  
New York City Bar Association, Labor and Employment, Employee Benefits and  
Enhance Diversity Committees  
New York State Bar Association: Charter Member, Dispute Resolution Section  
New York State Bar Association: Co-Founder, Past Chair, Section of Labor and  
Employment Law  
New York State Bar Association: Executive Committee Member, Section of Labor  
and Employment Law  
New York State Bar Association: Section Delegate to the NYSBA House of  
Delegates  
New York State Bar Association: Special Committee on the New York State Bar  
Examination

#### ATTORNEY ADVERTISING

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**EPSTEIN BECKER & GREEN, P.C.**



BIOGRAPHICAL SKETCH: DARNLEY D. STEWART

Darnley D. Stewart  
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T: 212-500-5106  
F: 212-414-0347

Darnley D. Stewart is a partner at the New York law firm of Giskan Solotaroff Anderson & Stewart LLP. Ms. Stewart has prosecuted high impact cases against a number of large companies, including Ford Motor Company, Gerber, Coastal Corporation, First Union Bank, National Car Rental, General Motors, Nissan, Toyota, and Bank of America. In connection with her work on *Coleman, et al. v. General Motors Acceptance Corporation*, Ms. Stewart was named as a finalist for “Trial Lawyer of the Year” in 2004 by the Trial Lawyers for Public Justice. She is a member of the Class and Collective Action Committee of the National Employment Lawyers Association and serves as President of the Executive Board of the New York affiliate (NELA/NY) of that organization. She is also a member of the Technology in the Law and Workplace Committee of the American Bar Association’s Labor and Employment Section and serves on the Board of Workplace Fairness. Ms. Stewart lectures regularly on employment issues, and has frequently commented in the media, including the *Wall Street Journal*, the *New York Times*, National Public Radio and the Today show, regarding issues raised in a variety of employment discrimination cases.