



Recognized as a "New York Super Lawyer" by Law & Politics Magazine, 2006 and 2007 and a

"New York Best Lawyer" by Best Lawyers in America, 2006 and 2007

Margaret L. Shaw, Esq. is widely respected for her persistence and creativity in reaching settlement. She has participated in the resolution of well over a thousand disputes nationwide.

A former civil litigator, Ms. Shaw has maintained an active ADR practice for more than twenty-five years. She joined JAMS when ADR Associates, a firm she co-founded, merged with JAMS in 2004.

Ms. Shaw is a Fellow of the College of Labor and Employment Lawyers, an Adjunct Professor of Law at NYU Law School where she teaches ADR and negotiation, and the author of numerous articles on a variety of aspects of the ADR field.

ADR Experience and Qualifications

- Extensive experience mediating, arbitrating, and facilitating disputes in a wide variety of areas including:
 - Business/commercial and contract disputes
 - Class and collective actions
 - Employment disputes: sexual harassment, retaliation; and age, disability, gender, race, and national origin discrimination
 - Securities disputes
 - Intellectual Property
 - Professional Liability
 - Special Master
 - Real Estate
 - Bankruptcy
 - Product Liability
 - Libel
- Designed and implemented systems for resolving disputes in private organizations, public agencies, and in over two dozen federal and state courts
- Trained thousands of professionals, students, and volunteers in law firms and corporations, courts, government, and not-for-profit agencies around the country in mediation and negotiation skills

Representative Matters

Business/Commercial: Numerous mediations and arbitrations of contract claims including claims involving real estate, environmental waste disposal, licensing, and trademark; contract claims in the automobile industry, garment industry, securities industry, the pharmaceutical industry, telecommunications and professional sports; other types of claims including bankruptcy, libel, and products liability.

Class Actions: ERISA class action seeking reallocation of demutualization funds; consumer class action alleging excess charges by lesser of motor vehicles; class action alleging mismanagement of an ERISA-governed retirement plan; many class actions against companies in a variety of industries alleging employment discrimination; many class and collective actions involving wage claims under the Fair Labor Standards Act and its state counterparts.

Employment: Hundreds of matters, including class actions, involving disability, age, race, and gender discrimination and sexual harassment involving public and private sector employees and employers in a wide variety of industries; countless claims involving compensation and other employee benefits; many claims involving entitlements under employment contracts of high level executives; numerous claims alleging breaches of restrictive covenants, including covenants

not to compete, non-solicitation of employees and disclosure of confidential information; scores of claims involving the denial of tenure at colleges and universities; many neutral investigations of claims of sexual harassment, retaliation, and/or ethics violations involving employees in both the public and private sectors.

Securities: Many claims against firms in the securities industry alleging failure to pay bonuses and other alleged compensation guarantees and types of compensation; action based on quantum merit involving third party marketing services to locate investors for a hedge fund; case alleging breach of joint venture agreement involving generation of options trades; claim alleging retaliation for reporting irregularities involving potential SEC and other federal agency regulations; allegations of defamation, breach of contract and breach of fiduciary duty against senior manager of a hedge fund; suit against a departing employee alleged to have taken confidential and proprietary information.

Intellectual Property: Claim of copyright infringement, breach of licensing agreement and misappropriation of trade secrets; claim for damages resulting from alleged failures to perform under exclusive worldwide license for marketing computer programs and from failure to return source code; libel action brought against the writer and publisher of a book; claim by placement agency against a competitor alleging theft of trade secrets.

Professional Liability: Numerous professional malpractice cases including cases against a law firm, an architectural firm, a psychiatrist, a dentist, an accounting firm, the executor of an estate, and a cemetery.

Special Master: Special Master is EEOC v. Astra USA, Inc, settlement of sexual harassment charges, and in EEOC V Verizon, settlement of service credit for leave claims.

Real Estate: Action brought by real estate investors against a former partner alleging project mismanagement and failure to make certain required distributions; dispute between real estate developer and banks involving alleged defaults under a credit agreement and an interest rate protection agreement

Bankruptcy: Series of cases involving preference claims and actions asserted under sections 547 and 550 of the Bankruptcy Code; series of personal injury cases against large retailer in bankruptcy;

Product Liability: Numerous product liability cases involving manufacturer of pharmaceuticals

Libel: Libel action against the writer and publisher of a book.

Honors, Memberships, and Professional Activities

- Fellow, College of Labor and Employment Lawyers, 2003-present
- Distinguished Service Award, Society of Professionals in Dispute Resolution, 1993
- Practical Achievement Award, Center for Public Resources, 1992
- Recent ADR articles authored by Margaret Shaw include:
 - "MEDIATING CLASS ACTIONS," *ADR Handbook for Judges* (Washington, D.C.: American Bar Association, 2004)
 - "ARBITRATORS HOLD SIGNIFICANT POWER OVER DISCOVERY," *National Law Journal*, November, 2006, co-authored with Robert Davidson Esq.

- "THE USE OF BASEBALL ARBITRATION IN THE BUSINESS/COMMERCIAL CONTEXT" *ABA Dispute Resolution Magazine*, 2007, co-authored with Stephen B. Goldberg, Esq.
- "The Secrets of Successful (and Unsuccessful) Mediators Continued: Studies Two and Three," *Negotiation Journal*, vol.23, (October, 2007)

Background and Education

- Mediator, District and Bankruptcy Courts, Southern District of New York, 1992-present
- Litigator, Cravath, Swaine & Moore; Grand & Ostrow, 1972-1980
- J.D., New York University School of Law, 1972
- B.A., Smith College, Northampton, Massachusetts, 1966

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