

The Solovay Practice

(ADR International)



Norman Solovay

Educational and Early Legal Background:

Cornell University, B.A.

Lieutenant, US Army, Legal Officer (Korean War)

Columbia Law School, LL.B. (Harlan Fiske Stone Scholar, Law Review Editor)

Associate: Rosenman, Goldmark, Colin & Kaye

Law Secretary (Justice Charles D. Breitler)

Norman is the principal organizer of ADR International. As its name indicates, this practice grows out of Norman's present primary focus on alternative dispute resolution (ADR). Accordingly, he views his present inclusion in the National Trial Lawyers Association's list of 100 best New York Trial Lawyers as amusingly at odds with his view of himself as a "reformed litigator" with a still growing reputation for resolving domestic and international disputes out of court. But he does acknowledge that his former litigation career is what opened the door to his present ADR practice.

Norman's continued listing as a noted trial lawyer is attributable to the many years he spent as head of the litigation department of a well-known law firm whose major client was Allen & Company, with the Onassis interests as a minor one. There, he handled a wide variety of Allen-related litigations ranging from antitrust and securities actions against Allen and companies it had financed through business and personal divorces for company executives, as well as various others that continued to come in through side doors, such as defending: a \$1,000,000 + collection action against Aristotle Onassis; the libel action against Mary McCarthy brought by Lillian Hellman; an action by a prior agent against Willie Randolph attempting to bar his free agency; and the attempted take-over of the Ronson Lighter Company by an Italian company controlled by the subsequently jailed Michael Sindona. However, his senior partner's position as Chair of the American Arbitration Association (AAA) was, in Norman's opinion, the door opener because it led to his frequent service as counsel to parties in domestic and international arbitrations; to his appointment as an arbitrator for the AAA; and to his being invited by Matthew Bender to write the first of his three ADR books. That book dealt exclusively with arbitration and ostensibly promoted its use. But because Norman had served as counsel to one of the parties in a frequently cited precedent setting international arbitration — one of the longest running and most expensive handled until then by the New York office of the AAA — the book's introductory chapter included strong warnings about the potential costs and dangers of arbitration. Although arbitration's slide into a litigation mold is now recognized with arbitration sometimes sarcastically being called "the new litigation," such warnings were not customary back then.

Although Norman's next ADR book (again published by Matthew Bender) also covered mediation, his intensive training and service as a mediator did not begin until his third book (published by the NY Law Journal Press), entitled "ADR and the Internet: Untangling the Web". By then, however, he had served as a mediator in dozens of randomly assigned and varied cases for the US District Court in New York City as well

as for various private commercial, entertainment, family and trust and estates disputes. As with most ADR practitioners, mediation became Norman's normal first choice for resolving disputes quickly and economically and his proficiency as a mediator was most recently recognized by his election to membership in the selective National Academy of Distinguished Neutrals. In addition, however, he has become well known as an early proponent and practitioner of various other now increasingly popular settlement techniques, including med-arb, collaborative law, and settlement counsel, for disputes where classic mediation may not be suitable.

By various bar association programs and articles Norman had begun promoting the use of these alternative techniques and pointing to their potentially useful interplay with each well before their present expanded popularity. This led to increasing recognition among ADR practitioners including his appointment as the first Chair of the New York State Bar Association Dispute Resolution Section's Collaborative Law Committee as well as of its very recently formed Negotiation Committee and his election at the beginning of 2012 as President of the Global Collaborative Law Council.

Moreover, he similarly attributes his appointment as Chair of the newly formed US Branch of the Indo-American Chamber of Commerce (IACC), to his pressing for the expanded use of ADR abroad and, in so doing, being an early advocate of using med-arb — now increasingly popular but then viewed by most mediators with hostility — as a cost saving replacement for expensive international arbitrations.

Norman's growing ADR reputation had also led to his being asked several years ago to chair the ADR practice of a well-known New York law firm. Although he agreed to do so at the time, he, like many of his ADR colleagues, has now realized the wisdom of establishing his own firm. His continued friendly ties with former partners plus new contacts enable him to continue to accept and supervise a broader range of matters than before — both large and small — while, at the same time, enabling him to focus on and expand his ADR based separate practice. While aspects of that practice are still being finalized and fuller announcements about them will be forthcoming very shortly, brief advance descriptions of some of the most potentially interesting areas are set forth below:

Mediation-Plus-More.com

Mediation has become the increasingly preferred choice for replacing both litigation and arbitration wherever feasible. Traditional litigation is increasingly expensive, prolonged and of uncertain outcome, while arbitration appears to be sliding further into a litigation mold. Mediation, even if not necessarily appropriate for the resolution of all disputes, is a sensible and cost-efficient technique for the resolution of many if not most of them.

The rapid expansion of mediation has, however, raised concerns about such matters as mediator quality including whether substantive knowledge about specific matters in dispute should be required of mediators. Mediation-Plus-More is an umbrella organization, offering disputants a highly talented group of lawyer-mediators, whose diverse experience, proven judgment and substantive knowledge enhances the potential for creative resolution of even intractable appearing disputes.

Our mediator members are highly regarded specialists in specific substantive areas such as complex domestic and international business transactions, employment law, divorce, trusts and estates, intellectual property. All have enjoyed outstanding professional, business and/or public service careers which can afford valuable insights into the resolution of the frequently subtle issues underlying many complex domestic and international disputes.

Our group was initially organized by Norman Solovay and Mark Maged, who also appear on its list of mediators. Norman is a long-time advocate for and authority on the expanded use of mediation with special emphasis on international disputes; Mark has had a distinguished career in finance and business, following thirteen years of practice in corporate and business law as a member of a prominent New York City law firm. Both were convinced of the desirability of offering disputing parties the ability to choose mediators possessing specialized expertise, experience and resolution capabilities rarely found in former judges or even in many stand-alone generalist mediator practitioners. The distinguished membership roster of Mediaton-Plus-More is a reflection of that conviction.

Global Collaborative Law Council

Norman was elected at the beginning of 2012 to serve as President of this organization which originated in Texas but has grown to include members all over the country and abroad. Norman was chosen to advance its mission which is as follows:

- Promote the use of the collaborative process for resolving civil disputes in various areas of law
- Train lawyers and other professionals in the use of the process
- Educate the public as to the benefits of the Process
- Preserve the integrity of the collaborative dispute resolution process

Global Collaborative Law Council »

U.S. Branch Indo-American Chamber of Commerce (IACC-US)

The IACC, with approximately 3,000 members throughout the USA and India, is the largest bilateral Indian organization of its kind with members ranging from large multinationals to smaller businesses and individuals with its primary purpose being to promote Indo-American business trade and economic relations. Norman Solovay, the first elected Chair of the US Branch, is dedicated to achieving those purposes in the following ways:

- To further the development of commerce and the setting up of industries between India and the United States
- To promote the mutual interests of India and the United States and generally to encourage and facilitate the transaction of business between them in both directions
- To aid and promote the establishment of Companies based on collaboration between parties in India and the United States
- To collect and disseminate statistics and relevant information and to undertake and carry out and/or assist and collaborate in carrying out research and/or study pertaining to the commercial and industrial relations between India and the United States
- To promote and protect the trade, commerce and manufactures of its members and in particular the trade, commerce and manufactures of Indo-American collaboration companies ;
- To establish a forum for discussion and deliberation of matters and problems relating to the mutual interests of Members, by organizing seminars, conferences and meetings in India and the United States

To make representations to Government in regard to legislative and other measures affecting trade, commerce and manufactures of its Members and the establishment of Indo-American collaboration companies

To work closely and with the guidance of the incorporators, the Indo-American Chamber of Commerce registered in India (hereinafter referred to as IACC India) in achieving the above purposes.

Indo-American Chamber of Commerce »

While further details about ADR International and its practice areas will be forthcoming shortly, inquiries of all sorts continue to be invited and welcome.

Website Still Under Construction

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