



**Peter H. Woodin, Esq.**

**Peter H. Woodin, Esq.** is a highly skilled dispute resolution professional with extensive experience in the negotiation, mediation, arbitration, and settlement of complex, high stakes, multi-party litigation. He has practiced full time as a mediator and arbitrator since 1993 and has served as court-appointed special master, with responsibilities for settlement efforts and/or discovery oversight, in a variety of federal litigations.

#### **ADR Experience and Qualifications**

- Successfully mediated settlements in a wide range of disputes; representative subject areas include:
  - Business and commercial claims, including breach of contract, misrepresentation, fraud, and many others
  - Insurance coverage, including environmental, products liability, malpractice, and officers and directors
  - Products liability and personal injury, including pharmaceuticals, asbestos, lead paint, and others
  - Employment discrimination
  - Franchisor/franchisee relations
  - Consumer class actions
  - Intellectual property, including copyright, patent, and trade secrets
  - Environmental contamination
  - Trusts and estates
- Served as settlement administrator, court-appointed mediator, and special master in class actions and other complex federal and state litigations

#### **Representative Matters**

- **Special Master/Settlement Administration:** court-appointed special master for settlement and/or discovery in multi-district and other complex litigations involving pharmaceuticals (Baycol, DES and Zyprexa), Agent Orange, employment discrimination, and governmental audits; Deputy Special Master for the distribution of 9/11 funds (see Special Master biography for details)
- **Business/Commercial:** mediator of disputes in numerous business and commercial matters in a wide variety of industries, including post-sale adjustments in mergers and acquisitions in the financial services and home improvement industries; marketing and distribution disputes in the telecommunications, apparel, and music industries; claims arising out of failed partnerships and joint ventures in real estate, oil and gas, and equity trading; and many other areas (see Business/Commercial biography for details)
- **Class Actions:** mediated and/or co-mediated settlements of nationwide class actions involving allegations of: defective laptop computers; sales of counterfeit luxury goods by national retail chain; fraudulent misstatements by bankrupt company's management and accounting firm concerning company's financial status and future prospects; defective home plumbing systems; defective home heating systems; the breach of franchise rights of fast food franchisees; price-fixing in CD sales; infringement of electronic publication rights, and others; mediated settlement of attorney fee claim arising out of settlement of class action brought on behalf of taxicab operators against New York City.
- **Construction:** successful pre-arbitration mediation of construction dispute between general contractor and first and second tier subcontractors involving time and cost overruns in connection with the fabrication and erection of structural steel at large Northeast construction project
- **Employment:** mediator in broker dealer terminations; in actions alleging discrimination on the basis of race, age, and gender; successful co-mediation of discrimination claims by black and Latino police officers against the New York City Police Department (see Employment biography for details)
- **Environmental:** successful mediation of claims asserted by New York City against a private maritime transport company, where the city sought to recover its costs of investigation and

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*"Thank you for your remarkable efforts, and the patience and skill you exhibited in navigating through this process; if it was easy we would have figured it out without your intervention. I've worked with some of the finest mediators in the world and, Peter, you did a hell of a job bringing this one together."*

– General Counsel,  
global professional  
services company

#### **Case Manager**

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remediation in connection with city-owned facilities leased and operated by the transport company; successful mediation of dispute, 7 years in litigation, in which property mortgage holder asserted CERCLA and RCRA claims in an effort to compel more than a dozen manufacturing companies to remediate contaminated property

- **Estate/Probate:** successful mediation of bitterly contested dispute between heirs to an estate in excess of \$70 million, in which litigations had been commenced in two different states, involving claims of waste, conversion, and breach of fiduciary duty; mediated settlement of will contest in which testator bequeathed her entire multimillion dollar estate to charity, and two competing sets of family members challenged probate of the will on different and conflicting grounds.
- **Franchisor/Franchisee:** successful co-mediation of settlement in class action lawsuit in which national fast-food franchisees claimed breach of the franchise agreement by the fast-food franchisor
- **Insurance:** successfully mediated settlements in many insurance matters, with a particular focus on coverage disputes, implicating CGL, D&O, E&O, and professional liability policies among others, and involving claims for environmental damage and remediation costs, maritime shipping losses, personal injuries, property damage, professional malpractice, and many others (see Insurance biography for details)
- **Intellectual Property:** successful mediation of major international DVD patent infringement and licensing dispute; mediated settlement of patent infringement and licensing claims involving the manufacture and sale of hurricane shutters; co-mediator of nationwide class-action settlement involving compensation of up to \$18 million to freelance authors by internet electronic publishers, major newspapers, and periodicals in compensation for the infringement of the freelance authors' electronic publication rights
- **Personal Injury/Torts:** service as both private neutral and court-appointed special master in numerous personal injury and tort matters, many involving multiple parties and implicating complex issues of insurance coverage and allocation of settlement monies among multiple parties; claims have involved injury and/or death from asbestos, tortuous assaults, airplanes, automobiles, bicycles, bottled drinks, apparel, lead paint, pharmaceuticals, and many others (see Personal Injury/Torts biography for details)
- **Professional Liability:** mediated settlement of complex accounting malpractice dispute, arising out of the interplay between reported valuations for customs duties purposes and reported cost basis for capital gains tax purposes, and whether accountants should have advised client re the long-term tax consequences of the elected treatment; successful mediation of claims against real estate broker by unsuccessful buyer, alleging professional liability for conflict of interest and lack of diligence in closing the transaction; mediated settlement of claims asserted by insurance policyholder against several insurance brokerages alleging professional malpractice arising out of allegations that brokers had secured insurance coverage different in scope than that requested by policyholder and described in binder; mediated settlement of medical malpractice claims asserted against hospital in connection with care of elderly patient whose treatment for a fractured hip led to decubitus ulcers and eventual death.
- **Real Estate:** mediated settlement of disputed terms governing the pass-through of real estate tax abatements in long term commercial lease of multi-floor office space in midtown New York City Class A office building

#### **Honors, Memberships, and Professional Activities**

- Member, American Bar Assoc., New York State Bar Assoc., and Assoc. of the Bar of the City of NY, serving on various committees concerning ADR and complex litigation
- Lecturer-in-Law, Columbia Law School, 2004, 2005, 2006
- Speaker and panelist on numerous bar association and other educational programs, including Brooklyn Law School, New York Law School, and Practising Law Institute; has lectured around the country to practitioners and the judiciary on a range of ADR and complex litigation topics

#### **Background and Education**

- Partner and Mediator, The Feinberg Group, LLP, 1993-2004
- Litigation Attorney, Morrison & Foerster, LLP, 1989-1993
- Expert Consultant and Reporter to the Presidential Commission on Catastrophic Nuclear Accidents (co-drafter of the Commission's Final Report to Congress), 1989-1990
- Law Clerk to Judge Jack B. Weinstein, United States District Court, Eastern District of New York, 1988-1989
- J.D., Columbia Law School, 1988 (Stone Scholar, editor of the *Law Review*)
- B.A., Wesleyan University, 1971