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"At the outset, I just wanted to thank you for the absolutely superb job and the herculean effort that you brought to this mediation. In 36 years of practice, this was the most difficult mediation I ever encountered and I thought you handled it to perfection. Thank you so very much again."

- Counsel

Rising Star, ADR category, Pennsylvania Super Lawyers, 2010-2012

Pennsylvania "Lawyers on the Fast Track," Legal

Jed D. Melnick, Esq.

Jed D. Melnick, Esq. has been involved in the mediation and successful resolution of thousands of complex disputes with an aggregate value in the billions of dollars. He has mediated over one thousand disputes, published articles on mediation, founded a nationally ranked dispute resolution journal and taught young mediators. Mr. Melnick serves as a mediator, appointed by Judge Kaplan, in the Lehman ADR Derivative Contract Program. He is the managing partner for Weinstein Melnick LLC, and partners with the Hon. Daniel Weinstein (Ret.) on some of the largest complex commercial disputes, both in the United States and abroad.

Mr. Melnick was selected to the 2010 list of Pennsylvania "Lawyers on the Fast Track," a recognition given to 30 Pennsylvania Lawyers under the age of 40 by Legal Intelligence and the Pennsylvania Law Weekly. Additionally, three years in a row, he was also selected as a Pennsylvania Super Lawyers "Rising Star," the only "Rising Star" in the Alternative Dispute Resolution category in Pennsylvania.

ADR Experience and Qualifications

- Managing partner for Weinstein Melnick LLC; mediates cases with aggregate values of billions of dollars annually and helps to design innovative processes tailored to unique, complex and highly sensitive cases
- Leading settlement efforts and working closely with Alabama District Court Judge Scott Coogler in a three-day mediation in Tuscaloosa, Alabama in *MBUSI v. Cobasys*
- Part of team that settled *Adelphia Communications Corp. v. Deloitte & Touche LLP* (Philadelphia Court of Common Pleas)
- Part of team that settled numerous securities actions arising out of the Lehman Brothers bankruptcy including the Class Action against former Directors and Officers of Lehman, the Underwriters and numerous individual securities and ARS related matters
- Part of team that settled numerous securities actions arising out of the Adelphia bankruptcy, including the Class Action and numerous related actions against the former Directors and Officers, Underwriters, as well as Adelphia's former law firm and auditor
- Worked with a retired Delaware Supreme Court Justice to settle several cases regarding major class action resolutions of sexual assault claims
- Successfully mediated creditor claims against the former chairman of a major international law firm alleging mismanagement leading to the firm's Chapter 11 bankruptcy

Representative Matters

- **Anti-trust Matters** - including Nurse Wage Litigation, *In Re: Air Cargo Antitrust Litigation* (E.D.N.Y.), Muni Derivatives Market Litigation
- **Chinese Securities Litigation**
 - *In Re: China Intelligent Lighting & Electronics, Inc. Securities Litigation*
 - *Gary Redwen, et al. v. Sino Clean Energy, Inc., et al.*
 - *In Re: HQ Sustainable Maritime Indus., Inc. Securities and Derivative Litigation*
 - *In Re: China Medicine Securities Litigation*
 - *China Green Derivative Litigation*
 - *Murdeshwar v. SearchMedia Holdings Limited, f/k/a Ideation Acquisition Corp, et*

Intelligencer and the Pennsylvania Law Weekly, 2010

"Words cannot express my deep admiration and thanks for your extraordinary skills, patience, perseverance and general abilities to bring parties together...it has been my extraordinary privilege to work with you and follow your lead..."

- Counsel

al.

- **Contract Disputes** - including *Exelon Generation Company, LLC v. General Atomic Technologies Corp., Sunoco, Inc. v. Epsilon* and matters involving GM and Mercedes Benz
- **Coverage Litigation** - including *In Re: UnumProvident Corp., Aon, SCOR, American Business Financial Systems, Inc.*
- **Employment Litigation** - including the lead role mediating numerous matters as a federal mediator and panel member for the EEOC, including matters for Sunoco, Pitney Bowes, as well as numerous city and state agencies and authorities
- **Entertainment**
 - Successful mediation of a bankruptcy dispute involving a digital motion picture studio and financing and regulatory interests
 - Settled fraud claims in a matter between a group of private equity promoters and a film financing venture
 - Mediated and settled a legal malpractice matter involving a major music label and its counsel on an underlying copyright claim
- **ERISA Litigation** - including *Fiduciary Counselors, Inc. v. Magnuson, In Re: Ferro Corporation ERISA Litigation*
- **False Claims Act and Qui Tam** - Mediated cases with FCA, *qui tam*, whistleblower and related claims at issue. Handled complex insurance coverage matters involving FCA, *qui tam*, whistleblower and related claims. These disputes have involved, among others: (1) national advertising companies; (2) issues involving military contracts; (3) national polling agency and; (4) contracts involving a wide variety of government agencies including but not limited to FEMA, the U.S. Mint and the State Department
- **Maritime** - Successful mediation of an insurance coverage dispute involving a maritime insurance policy
- **Mergers and Acquisitions**
 - *In Re: El Paso (Kinder Morgan acquisition) Corporation Shareholder Litigation*
 - *In Re: CNX Gas Corporation Shareholders Litigation*
- **Securities Class Actions** - involving Adelphia, Enron, Lehman Brothers Directors and other major NYSE and NASDAQ corporations including:
 - *In Re: Sadia S.A. Securities Litigation*
 - *In Re: Tronox, Inc. Securities Litigation*
 - *Shapiro v. Matrixx Initiatives, Inc.*
 - *In Re: Transkaryotic Therapies, Inc. Securities Litigation*
 - *In Re: SCOR Holding AG Securities Litigation*
 - *In Re: Taro Pharmaceutical Industries Securities Litigation*
- **Subprime Litigation** - including New Century, ABFS, Lehman Brothers and extensive experience mediating issues coming out of the Subprime meltdown including Auction Rate Securities, Mortgage Backed Securities, Credit Default Swaps, Securities Class Actions, related insurance coverage issues and bankruptcy issues
 - Mediated complex class action multi-party \$100 million dollar settlement in the New Century "sub-prime" bankruptcy
- **Other Matters**
 - Mediated dispute between a top nuclear physicist and premier defense contractor
 - Mediated settlement of ERISA class action pending against Comcast Corp. that helped pave the way for the NBC and Comcast merger
 - Served as mediator in complex multi-party dispute involving alleged "mare lease" tax shelters and numerous defendants
 - Successfully mediated dispute between founding members of a company, investment hedge funds and acquiring company after a merger
 - Working with Hon. Daniel Weinstein (Ret.), mediated numerous aspects of the Adelphia Bankruptcy including the class actions against the Investment Banks, Auditor and Directors and Officers of Adelphia, Adelphia Recovery Trust (ART) settlement with the Auditor for \$167.5 million, the ART settlement with the Wall Street Investment Banks for \$175 million and numerous other cases involving the Directors and Officers and Auditor

Honors, Memberships, and Professional Activities

- Recognized as an **"ADR Champion"**, *National Law Journal*, 2016

- Selected as a Pennsylvania Super Lawyers "Rising Star" for 2010, 2011 and 2012, by Law & Politics magazine and Philadelphia Magazine
- Extensive bench and jury trial experience in the Major Trials Unit at the Defenders Association of Philadelphia, as well as civil litigation experience in state and federal Court
- Member, Philadelphia and Pennsylvania Bar Associations
- Pro-bono panel mediator for the Equal Employment Opportunity Commission – successfully mediated numerous employment related matters from Philadelphia, New Jersey and Delaware
- Special Master/Judge Pro-Tem, Philadelphia Common Pleas Appellate Mediation Program

Publications

- Author, "Lost Opportunities in Mediation," Westlaw Journal Securities Litigation & Regulation, Vol 19, Issue 4, June 2013
- Author, Editor and Moderator, "The Role of Mediation and Insurance in Bet the Company Litigation," *Cardozo J. Conflict Resol.*, Vol 14.2, 2013
- Co-Author with John Wilkinson, Vivien Shelanski, and Robin Gise, "Mediation Starts from the First Phone Call: Practice Points and Helpful Hints for Lawyers Going to Mediation," Forthcoming *Cardozo J. Conflict Resol.*, Vol 11, Number 2, 2010
- Author, Substantive Introduction to "The Mediation of Securities Class Action Suits, A Panel Discussion Hosted by the Benjamin N. Cardozo School of Law," *Cardozo J. Conflict Resol.*, Vol. 9, Number 2, Spring 2008
- Co-Author with Judge Weinstein and Michael Young, "The Role of Damages Issues – Post-Dura- In The Mediation Of Securities Class Actions," *Mealey's Emerging Securities Litigation*, Vol. 6, #3, September 2007
- Contributed to "A Time to Cut Costs" by Gregory A. Markel, Chairman of the Cadwalader Wickersham & Taft Litigation Department, article found on Lawdragon.com

Presentations

Mr. Melnick is frequently invited to speak and act as a panelist on issues related to the mediation of Complex Commercial Litigation. A sampling of his speaking engagements is below:

- Panelist, "Current Issues in D&O Liability & Insurance 2016," The New York City Bar, May 11, 2016
- Speaker at "Negotiation-Best Practices" Bridge-the-Gap II for Newly Admitted New York Attorneys 2015, August 12, 2015
- Panelist on a 2015 ACCEC Panel called "Successfully Resolving Cases: Mediation and London Arbitration Tips from the Experts," May 22, 2015
- Panelist on a 2015 CLM Bermuda Chapter Educational Event, March 5, 2015
- Panelist on a 2015 PLUS D&O Symposium, "The Post-Halliburton World: Securities Class Action Update", February 4, 2015
- Panelist on a webinar hosted by Advisen - Insurance Intelligence, "Advison Webinar: Quarterly D&O Claims Trends: Q3 2014", October 16, 2014
- Speaker at American Conference Institute, D&O Liability, Mediation and Settlement Negotiation of D&O Claims: "Attaining a Favorable Result for Your Client or Company", New York City, October 21, 2013
- Speaker at Wiley Rein Professional Liability Insurance Seminar, "Mediator's Perspective on The Role of Insurance in Mediation", New York City, October 17, 2013
- "Mediating Complex Disputes with Increasingly Sophisticated Parties" Philadelphia, September 20, 2012
- "Mediating Complex Disputes with Increasingly Sophisticated Parties" CLM Annual National Conference, San Diego, March 29, 2012
- "The Role of Mediation and Insurance in Bet the Company Litigation" Benjamin N. Cardozo School of Law, February 9, 2012
- "Developments in Securities Class Actions and Derivative Litigation", Bermuda, January 26, 2012
- "Insurance Coverage and Arbitrations and Mediations", New York City, September 13,

2011

- Introduced Panel Discussion, "The Mediation of Securities Class Action Suits" hosted at Cardozo Law School that included panelists, Judge Weinstein, Max Berger, Sam Rudman, Alan Salpeter, Greg Markel, Michael Goodstein, Michael Young and Mary Jo Berry
- Panelist, "Advanced Mediation for Lawyers: Practice Pointers and Timely Tips," Conflict Resolution at Work Symposium, Benjamin N. Cardozo School of Law, 2009
- Invited Guest Faculty, Representation in Mediation Seminar, Benjamin N. Cardozo School of Law, 2009
- Invited speaker for the 10th Anniversary Symposium of the Cardozo Journal of Conflict Resolution, Fall 2008

Background and Education

- Founder and first Editor-in-Chief, *Cardozo Journal of Conflict Resolution*
- While in law school, part of the team from the Center for Court Innovation that founded and built the Crown Heights Community Mediation Center in Crown Heights Brooklyn in part to address the conflicts between the orthodox Jewish community and the Caribbean and African American communities after the Crown Heights riots
- Adjunct Faculty, University of Pennsylvania School of Law Mediation Clinic, 2006-2007
- J.D., Benjamin N. Cardozo School of Law, 1999
- B.A., Grinnell College, 1994