



AAA Mediation.org™

## Lisa Renee Pomerantz, Esq.

Bohemia, New York



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**Current Employer-Title** Lisa Renee Pomerantz - Attorney at Law  
Touro University, Jacob D. Fuchsberg Law Center - Adjunct Professor

**Panelist Video** <https://www.adr.org/videoresume?paramName=769540772>

**Profession** Attorney, Mediator, Arbitrator, Settlement Counsel, Trainer, Adjunct Professor

**Work History** Workplace and Employment Mediator, MWI, 2017 - Present; Adjunct Professor, New York Law School, 2020; Adjunct Professor, Touro Law School, 2018 – Present; Sole Practitioner, 2003 – Present; Senior Corporate Counsel, NEC USA Inc. and NEC America Inc., 1987 – 2003; Litigation Associate, Jager Smith & Stetler, 1983 – 1987; Litigation Associate, Widett Slater & Goldman, 1980 – 1983; Law Clerk, U.S. District Judge Joseph H. Young, 1979 – 1980.

**Experience** Over 35 years' legal experience, initially as a trial lawyer, later, for 15 years, handling transactional matters and managing commercial, consumer, employment and intellectual property disputes and litigation throughout North America for NEC, a major computer and telecommunications company. Now in private practice principally advising and representing small and medium sized entrepreneurial companies and non-profits in the financial services, software development, construction, healthcare, human resources, marketing and professional services fields in transactional matters and resolving disputes through negotiation, mediation and arbitration. Adjunct professor at Touro Law School teaching courses on interviewing, negotiating and counseling, arbitration law, and employment law.

Principal areas of focus include:

Commercial and Intellectual Property: Extensive experience in the marketing, licensing, distribution and antitrust law arenas, including matters involving dealerships, franchises, licensees, vendor, outsourcing and other commercial relationships. Resolution of intellectual property issues, including patent, trademark, trade secret and copyright matters and false advertising and unfair competition disputes. As in-house counsel at NEC and outside counsel to business clients, have also resolved numerous consumer disputes and have subject matter knowledge in the consumer, construction,

telecommunication, banking, contract interpretation, FCRA and FDCPA areas.

Corporate: Formation of corporations and limited liability companies, including drafting bylaws, shareholder agreements, and operating agreements. Representation of clients in purchase or sale of businesses. Extensive experience resolving business partnership disputes and issues arising from acquisitions as settlement counsel, mediator and arbitrator.

Workplace, Employment, Consulting and Professional Services: Representation of businesses, consultants, employers and employees in drafting, review and negotiation of agreements and resolution of contractual and statutory disputes arising from employee, consulting, outsourcing, and professional services agreements, including discrimination, FLSA, whistle-blower, confidentiality, non-solicitation and non-compete issues. Mediation and arbitration of workplace, employment, commercial and consumer disputes.

## **Mediator Experience**

Eighteen years of experience as a mediator, resolving disputes between business partners, arising from sale of business, provision of professional services, arising under commercial agreements as well as will contest and personal injury cases. Also mediated insurance coverage and insurance fraud disputes, trademark infringement, FLSA, discrimination, compensation and other employment disputes. Mediated workplace conflicts for MWI in medical and educational settings.

Arbitrator and Mediator, AAA Commercial, Employment and Consumer Panels

Member of the following court mediation panels: EDNY; Queens, Nassau and Suffolk County Commercial Divisions; and Queens County Presumptive ADR Panel

## **Representative Issues Handled as a Mediator**

Resolved workplace issues involving staff conflicts in medical practice and educational contexts; Mediated issues under sale of business, shareholder and LLC operating agreements; Also mediated FLSA, employment discrimination, employment compensation, professional services, contracts, intellectual property, outsourcing, personal injury and insurance coverage disputes.

## **Mediator Style & Process Preferences**

As a mediator, I assist the parties in negotiating a mutually acceptable resolution to their conflict through facilitating their communication and problem solving. I am familiar with and able to use a range of styles, skills and approaches, depending on what the particular dispute and parties call for. I look to help the parties (1) reach a clearer and more complete understanding of their own and the other party's interests and concerns; (2) evaluate more realistically the strengths and weaknesses of each party's position; (3) communicate more effectively with the other party; and (4) develop and advance potential solutions. I mediate matters where I am familiar with the subject matter, can ask more probing questions, and be most helpful to the parties in identifying and crafting a resolution. My approach is to be diplomatic, empathetic and professional and to establish that tone for the mediation. I prepare extensively and encourage the parties to exchange information in advance of and during the mediation, and to approach the process with "an open heart and an open mind."

## **Education**

Boston University (JD-1979); Harvard University (BA, Economics and History, cum laude-1976).

## **Professional Licenses**

Admitted to the Bar: New York (1988), Massachusetts (1980).

## **Professional Associations**

New York State Dispute Resolution Association (Board of Directors 2011-2015); Association for Conflict Resolution (Commercial Section Advisory Council 2010-2018); Suffolk County Bar Association (Alternative Dispute Resolution Committee, and Intellectual Property Committee, Past Co-Chair); Suffolk Academy of Law (Past Officer); Suffolk County Women's Business Enterprise Coalition (Past Chair); New York State Bar Association; Women's Bar Association of the State of New York.

## **Recent Publications & Speaking Engagements**

PUBLICATIONS: Author, "Consumer Arbitration: Pre-Dispute Resolution Clauses and Class Action Waivers", ACRResolution Magazine, Fall 2015; Co-Author, "Overcoming the Arbitration Paradox: Toward a More Collaborative Approach to Commercial Arbitration", ACRResolution Magazine, Winter 2015; Author, "Workplace Violence Prevention: Personal Concerns and Professional Opportunities for Conflict Resolution Practitioners", ACRResolution Magazine, Summer 2014; Author and publisher, "Making the Connection, A Newsletter for Creative and Innovative Enterprises", January, 2006 to date.

SPEAKING ENGAGEMENTS: Representative speaking engagements include: "The Arbitration

Paradox Revisited", December, 2022, Touro Law Review Podcast; "Overcoming Challenges in Virtual Mediations", September, 2021, Association for Conflict Resolution(ACR) Annual Conference; "The Value of Transparency in Mediation", October 2020, ACR Annual Conference; "ADR Clauses in Corporate Agreements: Drafting Considerations in Business Partnerships and Corporate Transactions", May 2020, New York State Bar Association; "Business Partnerships: The Good, The Bad and the Ugly", December 2019, Stony Brook Small Business Development Center; "Representing Your Client in Arbitration", Suffolk County Women's Bar Association, January, 2017; "Drafting Arbitration Clauses in Employment Agreements", AAA webinar, October, 2016; "Neutralizing the Litigator Mentality in Arbitration and Mediation", 2016 ACR Annual Conference; "Ethical Considerations for Arbitrators, Mediators and Advocates", AAA webinar, April, 2016; Drafting and Reviewing Dispute Resolution Clauses in Corporate Agreements", Suffolk County Bar Association, March, 2016; "Making the Most of Real Estate and Commercial ADR", NYSBA, March, 2016; "What's a Neutral to Do? Dealing with Ethical Issues Faced by Party Representatives in Commercial ADR", ACR Annual Conference 2015; Avoiding and Resolving Disputes in the Outsourcing Context", ACR Annual Conference 2014; "

**Locations Where Parties Will Not be Charged for Travel Expenses** No travel expenses charged within New York City metropolitan area

**Mediation Rate** \$350 Per Hour

**Languages** English

**Citizenship** United States of America

**Locale** Bohemia, NY

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.