

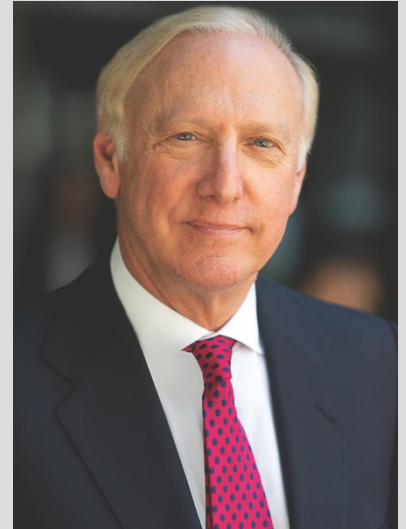
Mark C. Zauderer, a prominent New York trial and appellate lawyer, has represented major corporations, prominent individuals, and a Presidential cabinet secretary in significant business, financial and commercial litigation in federal and state courts throughout the United States. Subject matters have included contracts, business torts, securities, real estate, legal malpractice, shareholder rights, limited partnerships, defamation and fiduciary relationships in business, law firm and estate matters.

Mr. Zauderer frequently serves as an arbitrator and private mediator of significant disputes and is a member of the national roster of commercial arbitrators of the American Arbitration Association and its International Centre for Dispute Resolution. He is a past President of the Federal Bar Council and is a member of the Board of Editors of the New York Law Journal.

In 2003, Mr. Zauderer was appointed by Chief Judge Judith S. Kaye as Chair of New York's Commission on the Jury, a blue ribbon panel of lawyers and judges charged with finding ways to improve New York's jury system. He also served as a member of the Chief Judge's Commercial Courts Task Force, which implemented the establishment of the New York State Court System's Commercial Division and as member of the Office of Court Administration's Program on the Profession and the Courts, which drafted New York's current sanctions rules. Mr. Zauderer is a past chair of the 2000 member Commercial and Federal Litigation Section of the New York State Bar Association, served as a delegate to its House of Delegates, as a member of the Special Committee on Cameras in the Courts, and chaired the Association's Steering Committee on Commerce and Industry. He also served as a member of the Committee on the Judiciary, the Committee on Professional Responsibility, and the Committee on State Courts of Superior Jurisdiction of the Association of the Bar of the City of New York. Zauderer currently serves as a member of the Governor's Judicial Screening Committee for the Appellate Division, First Department and a member of the Chief Administrative Judge's Advisory Committee on Civil Practice. In 2016, Mr. Zauderer delivered the commencement address at Touro Law School and was awarded an honorary doctor of law as well.

In 2012, Mr. Zauderer was appointed by Chief Judge Jonathan Lippman as a member of the Task Force on Commercial Litigation in the 21st Century. In 2013, he was appointed by Chief Judge Lippman as a member of the permanent Advisory Committee of the Commercial Division. In 2015, Mr. Zauderer was appointed a Member of the Chief Judge's Commission on Statewide Attorney Discipline, which made recommendations for the revisions of New York's attorney discipline system. In 2015, he was honored by the New York Law Journal with its award for "Lawyers Who Lead By Example" for his contributions to public service.

In 2004, Mr. Zauderer served as a member of a four person delegation to the Chief Justice of the Supreme Court of the Organization of Eastern Caribbean States to advise on the establishment of a commercial court. Mr. Zauderer is listed in Who's Who in the World, Who's Who America, New York Super Lawyers and New York Magazine's "The New York Areas Best Lawyers". In 2007, he was



Practice Areas

- Commercial Litigation
- Professional Liability
Defense
- Partnership Disputes
- Securities Litigation
- Real Estate Litigation

Education

- New York University School
of Law (J.D., 1971)
- Union College (B.A., 1967),
distinction/departmental
honors



awarded the Eliphalet Nott Medal for distinction in field by the Union College Board of Trustees.

Mr. Zauderer frequently comments on legal issues in the print and television media and lectures on litigation related issues. He has been the subject of nine half-hour interviews on the PBS television program, "The Open Mind" including:

- "The Jury System on Trial"
- "Forcing Lawyers to Retire"
- "The Law, Fitting a Profession Into The Business Model"
- "A Newer Look At Cameras in the Courts"
- "On Lawyers, Judges and Justice in America"
- "The Legal Brain-Scape: Neuroscience and the Law"
- "A New York Times Editorial, 5/7/2012: The Cautionary Tale of Dewey & LeBoeuf"
- "In The Name of the Law ..."
- "Mandatory Judicial Retirement".

Representative Cases

- Trials of complex partnership disputes.
- Representation of major national and international companies in complex business disputes at trial and on appeal.
- Defense co-counsel in a suit brought by Eliot Spitzer, who was at the time the attorney general of New York state, against the former chief of the New York Stock Exchange, Richard Grasso, to recover Grasso's allegedly improper \$187.5 million pay package. All claims against Grasso were eventually dismissed.
- Obtaining a dismissal of a \$500 million malpractice suit against the international law firm of Chadbourne & Parke.
- Representation of a group of 57 former partners from the failed law firm of Dewey & LeBoeuf LLP in a highly publicized bankruptcy proceeding seeking to claw back pay and other benefits from the former partners.
- An appointment as referee with all the powers of the New York Supreme Court, to adjudicate all disputes between the partners of the national law firm Napoli Bern, and to oversee the dissolution of the firm and transition of its 24,000 clients.
- Representation of former Clinton administration cabinet member Ronald Brown, at the time the United States Secretary of Commerce, in a lawsuit brought against him and the major television networks by former presidential candidate Eugene McCarthy. McCarthy alleged that Brown, former chair of the Democratic National Committee, had improperly excluded him and others from the televised 1992 presidential debates. The claims against Brown were dismissed.
- Defense of antitrust and securities class actions.
- The successful appeal of a seminal case defining the extent of the extraterritorial application of the U.S. Securities Laws. *Itoba Ltd. v. Lep Group PLC*, 54 F.3d 118 (2d Cir. 1995), *denied*, 516 U.S. 1044 (1996).
- SEC investigations, including representation of a major university in connection with an insider trading investigation.
- Acting as lead trial counsel in significant real estate disputes involving such issues as restrictive covenants, claims arising out of diversion of water, claims of competing purchasers, real estate brokerage disputes, and easements.
- Representation of major companies and individuals in Federal and State government investigations.



- Representation of major law firms in complex litigations and trials involving breach of fiduciary claims by former partners, and in significant malpractice matters.
- Court appointment as special referee.
- Service as arbitrator and as a private and court-appointed mediator in major business disputes.
- Current service as a director of the New York International Arbitration Center and as member of the National Roster of AAA Commercial Arbitrators.

Admissions

- New York (1972)
- U.S. Supreme Court (1993)
- U.S. Court of Appeals, Second Circuit (1975)
- U.S. Court of Appeals, Federal Circuit (1979)
- U.S. District Court, Southern District of New York (1975)
- U.S. District Court, Eastern District of New York (1975)

Memberships

- Chair, The Commission on the Jury, 2003-2005
- Federal Bar Council, President, 2006-2008; President-Elect, 2004-2006; Trustee, 1998—, Treasurer, 2000—, and Chair, 2001—, Program Committee
- Member, Governor's Judicial Screening Committee for the Appellate Division, First Department, 2006—
- Member, Chief Judge's Commercial Division Advisory Council, 2013—
- Member, Board of Editors, New York Law Journal, 2006—
- New York State Bar Association (Chair: Commercial and Federal Litigation Section, 1996-1997; Chair, Committee on Complex Civil Litigation; Member, Executive Committee, Commercial and Federal Litigation Section, 1991—; Steering Committee on Commerce and Industry, 2001; Delegate, House of Delegates, 1997-1998; Member, Special Committee on Cameras in New York Courts, 2000); Chair, Special Committee on Age Discrimination in the Profession, 2006—2007
- New York Bar Foundation (Life Fellow)
- The Association of the Bar of the City of New York (Committees on: State Courts of Superior Jurisdiction, 1983-1987; Professional Discipline, 1987-1988; Committee on Judiciary, 1988-1991)
- Member, Practising Law Institute Litigation Advisory Committee, 1992—
- Member, Office of Court Administration's Program on the Profession and the Courts, Part 130 Subcommittee, 1996-98
- Member, Union College Trustee Board of Advisors, 1993-1999
- Member, Advisory Committee on Civil Practice to the Chief Administrative Judge of the New York State Courts, 1992—
- Member, Chief Judge's Task Force on Commercial Courts, 1995—
- Member, New York Commission on Statewide Attorney Discipline, 2015