



**RICHARD P. BYRNE, ESQ.**

*Commercial Specialist*

For 3 years in a row, Richard P. Byrne, Esq. has been named one of the Top 3 Mediators in the United States by the Best of the National Law Journal Annual Reader Rankings Survey (2017/#2, 2016/#3, 2015/#3), and for the second straight year, he was named a National Law Journal *2017 Alternative Dispute Resolution Champion*. Mr. Byrne was also voted a Top Ten Mediator by the New York Law Journal Reader Rankings Survey for 3 consecutive years (2016, 2015, 2014), and he was the recipient of the 2014 “Mediator of the Year Award” by the Institute of Jewish Humanities.

A strong proponent of Alternative Dispute Resolution and a Certified Mediator with the United States District Court, Richard P. Byrne brings over 20 years of ADR experience to NAM’s New York Metro panel of neutrals.

Mr. Byrne has been serving as a Mediator since Mediation first came on the horizon as a cost-effective means of resolving litigation and other disputes. He is well-respected professionally and has a reputation for bringing the most contentious disputes to full and final resolution.

He has mediated issues in a variety of specialty areas, including employment discrimination, employment contracts, wage and hour/FLSA claims, construction and commercial disputes, complex personal injury and property damage claims, insurance and reinsurance matters, risk transfer disputes and life, health and disability claims. His legal career of over 30 years brings an added dimension of expertise to the matters over which he presides.

In 2013, Mr. Byrne was selected by Kenneth R. Feinberg, the former Administrator of the September 11th Victim Compensation Fund, to assist in the mediation and resolution of Hurricane Sandy claims. He was also asked to join a sub-panel for the United States District Court to help resolve a backlog of over 1,400 Hurricane Sandy lawsuits. Mr. Byrne has served as a Specialty Editorial Board Member on Alternative Dispute Resolution for the Journal of American Law and is a member of the Mediation panels for both the United States District Court and the United States Bankruptcy Court for the Eastern District of New York. In 2016, Mr. Byrne was appointed to serve on the Advisory Council to the ADR Department of the United States District Court for the Eastern District of New York.

Since 2002, Mr. Byrne has served as Co-Managing Partner of L’Abbate, Balkan, Colavita & Contini, L.L.P. He has been awarded an A-V rating by Martindale-Hubbell, the highest rating available,

based on its peer review process. He also has been recognized by his peers as a New York Metro Super Lawyer on numerous occasions.

Richard P. Byrne is available to hear cases in the New York Metro Area and throughout the United States.



**AREAS of EXPERTISE**

- Commercial
- Construction
- Life, Health and Disability Claims
- Employment Disputes
  - ⦿ Discrimination
  - ⦿ Employment Contracts
  - ⦿ Harassment
  - ⦿ Hostile Work Environment
  - ⦿ Wage and Hours/ FLSA
  - ⦿ Wrongful Termination
- Insurance and Reinsurance
- Labor Law
- Personal Injury/Negligence
- Products Liability
- Property Damage
- Risk Transfer

**LECTURES and WRITINGS**

- Author, Construction Defect Claims – A Mediator’s Perspective, *National Law Journal, Corporate Counsel*, 2016
- Author, Mediator Settlement Recommendations - Be Careful What You Ask For!, *National Law Journal, Corporate Counsel*, 2016
- Speaker/Panel Member, “Mediation Pointers For Claims Professionals”, sponsored by the Chartered Property Casualty Underwriters (CPCU), Atlanta I-Day, 2016
- Speaker/ Panel Member, “Mediating Construction Defect Claims”, 2016
- Author, Don’t Fear The Expert at Mediation, *National Law Journal and Corporate Counsel*, 2016
- Author, Opening Statements In Mediation - Don’t Pass Up The Opportunity, *National Law Journal, Corporate Counsel*, 2016
- Author, Mediation as Catharsis- Legal and Therapeutic, *National Law Journal, Corporate Counsel*, 2016
- Author, Identifying Conditions to Settlement Prior to the Commencement of Negotiations, *National Law Journal, Corporate Counsel*, 2016
- Author, Preparation, Preparation, Preparation - Investing in the Mediation, *National Law Journal, Corporate Counsel*, 2016
- Author, The Pre-Mediation Mediation - When, Where, and Why, *National Law Journal, Corporate Counsel*, 2016
- Speaker/Panel Member, “Best Practices and Tips on Mediation and Arbitration from a Neutral”, 2015
- Speaker/Panel Member, “When and How to Settle...or Fight”, sponsored by the New York State Trial Lawyers Association, 2015
- Author, Removing the Trial Blinders to Achieve Effective Mediation, *National Law Journal, Corporate Counsel*, 2015
- Speaker/Panel Member, “Introduction to Alternative Dispute Resolution”, sponsored by the Brooklyn Bar Association, 2015
- Speaker/Panel Member, “Mediation as a Tool to Resolving Complex E-Discovery Disputes”, sponsored by NAM (National Arbitration and Mediation) and the New York Law Journal, 2015

- Author, ESI, E-Discovery Plans and the Mediator - Facing the Future of Electronic Discovery, *New York Law Journal*, 2015
- Speaker/Panel Member, "Risk Transfer", 2015
- Speaker/Panel Member, "An Expedited Way to Resolve Coverage Disputes: The Use of Mandatory ADR Clauses in Insurance Policies", sponsored by the Claims and Litigation Management Alliance (CLM), Insurance Bad Faith and Coverage Conference, 2014
- Author, Priority of Insurance Coverage – Who Holds the Trump Card?, *New York Law Journal*, 2014
- Author, Pre-Claim Liability Transfer - Avoiding the Pound of the Cure, *New York Law Journal*, 2014
- Speaker/Panel Member, "Achieving Optimal Risk Mitigation Through Effective Risk Transfer", sponsored by NAM (National Arbitration and Mediation) and the New York Law Journal, 2014

## HONORS and AWARDS

- Ranked the #2 Mediator in the United States by the 2017 National Law Journal Reader Rankings Survey
- Ranked the #3 Mediator in the United States by the 2016 National Law Journal Reader Rankings Survey
- Ranked the #3 Mediator in the United States by the 2015 National Law Journal Reader Rankings Survey
- National Law Journal, *2017 Alternative Dispute Resolution Champion*
- National Law Journal, *2016 Alternative Dispute Resolution Champion*
- New York Law Journal Reader Rankings Survey 2016 - Top Ten - Best Individual Mediator Category
- New York Law Journal Reader Rankings Survey 2015 - Top Ten - Best Individual Mediator Category
- 2015 Legal Leaders in Construction Law, American Lawyer Media and Martindale-Hubbell
- AV Rating, Martindale-Hubbell Peer Review Ratings System
- New York Law Journal Reader Rankings Survey 2014 - Top Ten - Best Individual Mediator Category
- Mediator of the Year Award, Institute of Jewish Humanities 2014
- New York Metro Super Lawyer Peer Rating
- Member and Editor of the Law Review, New York Law School
- Member and Editor of the Journal of International and Comparative Law, New York Law School

## LEGAL EXPERIENCE

- Co-Managing Partner, L'Abbate, Balkan, Colavita & Contini, L.L.P. (2002)
- Senior Partner, L'Abbate, Balkan, Colavita & Contini, L.L.P. (1999)
- Partner, L'Abbate, Balkan, Colavita & Contini, L.L.P. (1990)
- Associate, L'Abbate, Balkan, Colavita & Contini, L.L.P. (1985)
- Associate, Wilson, Elser, Moskowitz, Edelman & Dicker (1982-1985)

## PROFESSIONAL LICENSES

- United States District Court, Western District of New York (2015)
- United States District Court, Northern District of New York (2009)
- United States District Court, Eastern District of New York (1989)

- United States District Court, Southern District of New York (1984)
- Courts of the State of New York (1983)

## **PANELS and CERTIFICATION**

- FLSA Mediation Training, Eastern District of New York
- United States District Court, Eastern District of New York, Certified Mediator
- United States District Court, Eastern District of New York, Mediation Panel
- United States Bankruptcy Court, Eastern District of New York, Mediation Panel

## **MEMBERSHIPS and PROFESSIONAL AFFILIATIONS**

- Counsel on Litigation Management, ADR subcommittee, Member
- Nassau County Bar Association, ADR subcommittee, Member

## **EDUCATION**

- New York Law School, J.D., Magna Cum Laude, 1982
- Saint Peter's College, B.A., History, Magna Cum Laude, 1979