



Carole Katz Alternative Dispute Resolution, *Principal (2012-present)*

Mediator, Arbitrator and Case Evaluator. Uses decades of litigation and business experience to help businesses and people resolve disputes in less time, at a lower cost, and through processes that give parties and their lawyers more control over the outcome.

- Class, collective and individual employment cases, including: discrimination, harassment, retaliation, and whistleblower claims; wage and hour suits (misclassification as independent contractor or exempt employee, overtime, off-the-clock, rest/meal breaks); executive compensation and contract breach disputes; Fair Credit Reporting Act cases; benefits claims under ERISA; wrongful discharge claims; and trade secret/restrictive covenant cases.
- Commercial or business disputes, such as business tort, breach of contract, successor liability, breach of fiduciary duty, fraud claims, and other related common law and statutory claims.
- Education suits (ADA, Rehabilitation Act, IDEA, Title IX) asserted by parents and/or students.
- Professional liability claims.

Selected Panel Memberships

- U.S. District Court for the Western District of Pennsylvania:
 - Mediator and Early Neutral Evaluator
 - Bankruptcy Court Mediator
 - eDiscovery Special Master and eMediator
- American Arbitration Association, Mediator and Arbitrator
 - Large Complex Case Panel
 - Employment Panel
 - Commercial Panel
- FINRA Dispute Resolution, Mediator and Arbitrator (Chairperson roster)
- U.S. Equal Employment Opportunity Commission, Pro Bono Mediator

Industries. Extensive experience in a broad range of industries too numerous to list. Specific information about industry experience or references from clients in a particular industry will be provided on request.

Prior Legal and Business Executive Experience

FedEx Ground Package System, Inc., Moon Township, PA
Vice President, Litigation (2006–2012)

Responsible for Litigation and Risk Management dockets of over 500 cases, including commercial, employment, insurance coverage and personal injury cases. Led staff of approximately 40. Built talented, diverse teams in both Litigation and Risk Management.

Litigation

- Managed entire docket, including: contract, business tort and other commercial cases; class and mass independent contractor model challenges; class, collective, and individual employment actions; and insurance coverage disputes.
- Developed litigation and negotiation strategies, assessed and valued cases, led negotiations in complex cases that carried significant financial implications, and oversaw trials.

Risk Management

- Responsible for overseeing all public liability and property damage claims (including over 300 in active litigation), workers' compensation claims, and general insurance and risk management advice. Assessed, valued, and provided settlement authority for all serious and catastrophic personal injury cases. Oversaw mediation and trial strategies in high dollar personal injury cases.
- Initiated, designed, and oversaw turn-around of Risk Management group. Subsequent results were consistently favorable to plan.

Officer

- Assumed leadership role in developing strategies to mitigate and avoid legal exposure.
- Participated actively on cross-functional strategic teams.
- Chaired Pro Bono Committee launching FedEx Ground's Pro Bono Initiative, recognized by the Allegheny County Bar Foundation with the 2011 Organization Pro Bono Award.

Morgan Lewis

Partner & Manager, Pittsburgh Labor & Employment Group (2002–2006)

- Expanded the office's labor, employment, restrictive covenant and trade secret practices.
- Led team of approximately ten professionals, including six attorneys.
- Tried three cases, all to victories.
- Member, Advisory Committee, U.S. District Court for the Western District of PA for ADR (2005-06).

Reed Smith

Partner (1994–2002); Associate (1985-1994); Summer Associate (1983-1984)

- Obtained successful results through trials, settlements and summary judgments.
- Served in various administrative roles including: Head of Restrictive Covenant/Trade Secret Group; Member of Legal Personnel, New Associates and Summer Associates Committees.

Education

Columbia University School of Law, J.D., 1985

Kenyon College, B.A., 1981 (Phi Beta Kappa, Summa Cum Laude, Honors)

Formal Training

Mediation

Strauss Institute for Dispute Resolution, Advanced Mediation: Skills and Techniques, June 2017

The Center for Dispute Settlement, Advanced Mediation Techniques, May 2015

Mediation, Inc., Advanced Mediation Seminar, July 2015

Mediation Council of Western PA, Advanced Mediation Workshop, November 2015

Harvard Negotiation Institute, Mediating Disputes Program, Fall 2012

Arbitration

FINRA, Arbitrator Panel Training

American Arbitration Association, many courses (complete list on AAA Resume) including:

- Arbitrator Performance and Demeanor – Meeting Participant Expectations (2018)
- Principled Deliberations Decision-Making Skills for Arbitrators (2017)
- Dispositive Motions in Arbitration: Best Practices (2015)
- Arbitration Awards: Safeguarding, Deciding & Writing Awards (2014)
- Dealing with the *Pro Se* Party in Mediation and Arbitration (2014)
- Arbitration Best Practices & Fundamentals (2013)

Speaking and Panel Engagements

- Mediation in the Time of COVID-19, Allegheny County Bar Ass'n Webinar (May 2020)
- Mediation Strategies That Work – The Savvy Advocate's Guide, PBI (Mar. 2019)
- Diffusing Bad Faith Mediation Threats, Mediation Council of Western PA Roundtable (Feb. 2018)
- The Best Mediation I Ever Had: Making the Most of Mediation, PBI Employment Law West (Nov. 2017)
- How to Win Your Mediation: Preparation & Pitfalls, Academy Federal Practice Program (Dec. 2015)
- Deception in Mediation: What Crosses the Ethical Line, PBI Employment Law West (Nov. 2015)
- Getting Passed Impasse, Mediation Council of Western PA Roundtable (Apr. 2015)
- Class Actions and FLSA Collective Actions: Overview, Differences, and Third Circuit Developments, Allegheny County Bar Association Federal Court Section (Nov. 2014)
- Top Ten Do's (and Don'ts) for Mediation Counsel (presented several times at various law firms)
- Behind the Curtains – What Plaintiff's and Defense Counsel Want to Know About How Businesses Strategize for Mediation, PBI Employment Law West (Nov. 2013)
- Advocacy in the Mediation of a Commercial Case, PBI (Aug. 2013)

Professional Recognitions

Martindale-Hubbell, AV (preeminent) peer rating (rated 5.0 out of 5)

Chambers USA: America's Leading Lawyers for Business, while in private practice

Pennsylvania Super Lawyers, while in private practice

Professional Memberships

American Bar Association: Member, Dispute Resolution, Litigation, and Labor & Employment Sections

Mediation Council of Western Pennsylvania: Secretary

Pennsylvania Council of Mediators: Member

Academy of Trial Lawyers of Allegheny County: Former Chair, Membership Committee; Former Member of Board of Governors

Allegheny County Bar Assn: Former Chair, Federal Court Section; Member, Labor and Employment Law Section, and Alternative Dispute Resolution Committee

Allegheny County Bar Foundation: Fellow

Community Involvement

Jewish Community Center

- Board Member (2003-present)
- Officer (2007-present)
- Rogal-Ruslander Leadership Award (2013)

Big Brothers Big Sisters, Big Sister (2013-2019)

High School Mock Trial Competition, Coach for The Neighborhood Academy (2013-15)

Be A 6th Grade Mentor Program, Mentor (2012)

Leadership Pittsburgh XIII, Graduate, 1997