

JOAN M. SECOFSKY
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MAY 16, 2012

I.	<u>PROFESSION</u>	<u>JURISDICTION</u>	<u>DATE OF ADMISSION</u>
	Attorney	New York State and Federal Courts (Eastern District, Southern District and Second Circuit)	June 26, 1974

II.	<u>PROFESSIONAL ORGANIZATIONS</u>	<u>DATE OF ADMISSION</u>	<u>ACTIVE/INACTIVE</u>
	United States District Court for the Southern District of New York Mediation Panel	2011	Active
	Supreme Court, State of New York, County of New York, Commercial Division Mediation Panel	2012	Active
	American Arbitration Association	2005	Active
	New York City Chapter of Women in E-Discovery	2010	Active
	Vassar College – NYC Vassar Club	1975	Active
	Association of the Bar of The City of New York		Inactive
	American Bar Association		Inactive
	New York City Women’s Bar Association		Inactive

III. GENERAL PROFESSIONAL EXPERIENCE:

1973-1983 Attorney, *Skadden, Arps, Slate, Meagher & Flom*. Engaged in general corporate and securities litigation and antitrust litigation and counseling, particularly in the tender offer and proxy fight context. Defended a massive post-tender Federal Trade Commission divestiture proceeding in the retail food industry. Part of the team representing Justin Colin in his chapter 11 bankruptcy proceeding pending in the Southern District of New York. Successfully defended gypsum wallboard manufacturer in the criminal conspiracy case against the industry.

1983-1987 Attorney, *Snow, Becker, Krauss, P.C.* Engaged in general corporate and securities litigation and corporate advice. Successfully defended officers and directors in a securities class action arising from the introduction of the first home computer. Represented the largest manufacturer of burglar and fire alarms in all aspects of its business, including relationships with

suppliers, customers and competitors; bankruptcy issues and litigation; and corporate and products liability litigation.

- 1987-1991 Attorney, *Proskauer, LLP*. Successfully defended a leading car rental company in a class action alleging deceptive car rental practices. Engaged in general corporate, real estate and securities litigation and arbitrations.
- 1991-2000 Senior Counsel, *The Bank of New York*. Litigated in New York and supervised litigation throughout the world. Secretary to Bank anti-money laundering committee. Supervised 15 person department that handled third party process served on Bank (subpoenas, document demands, etc). Provided legal advice to Bank's internal security department, and participated in several major internal investigations.
- 2001-2002 Administrative Law Judge, New York City Department of Environmental Protection. Presided over hearings.
- 2002-2007 Attorney, *Janvey, Gordon, Herlands, Randolph & Cox LLP*. Engaged in general corporate and securities litigation and corporate advice.
- 2007-present Attorney, *Diamond McCarthy LLP*. Engaged in general corporate and securities litigation and bankruptcy advice and litigation. Defended Wall Street specialists against charges brought by New York Stock Exchange and Securities Exchange Commission. Represented major creditors in the Lehman Brothers bankruptcy, pending in the Southern District of New York. Part of team representing Sheila M. Gowan, chapter 11 Trustee of Dreier LLP bankruptcy, pending in the Southern District of New York.

IV. EXPERIENCE AND FAMILIARITY WITH BANKRUPTCY LAW:

Counseled clients on bankruptcy-related issues, particularly preferences, and defended adversary proceedings for almost 40 years. Since 2008, represented Sheila M. Gowan, chapter 11 trustee of Dreier LLP, pending in the Southern District of New York. Represented creditors in the Lehman Brothers bankruptcy, pending in the Southern District of New York. Part of the team representing Justin Colin (1980-1983) at the time the largest individual chapter 11 bankruptcy in the Southern District of New York.

V. MEDIATION TRAINING:

- Certified Mediator since 2011 under Part 146 of the Rules of the Chief Administrator of the New York State Unified Court System;
- Southern District of New York Mediation Training, November 2011.

VI. MEDIATION EXPERIENCE:

- Represented clients (both plaintiffs and defendants) in mediations in New York federal and state courts;
- Conducted mediations as member of Mediation Panel, Southern District of New York;

- Will commence conducting mediations in the Commercial Division, Supreme Court, New York County commencing July 2012.

VII. AREA OF EXPERTISE:

See above. All areas of bankruptcy, commercial (including employee relations) and securities litigation.

VIII. GENERAL PERTINENT BUSINESS OR LEGAL EXPERIENCE:

See above. Member of Panel of Arbitrators (1) American Arbitration Association, and (2) FINRA Dispute Resolution.

IX. OTHER PERTINENT INFORMATION:

In addition to the above, extensive arbitration training and experience.

X. FEE STRUCTURE (COMPENSATION AND EXPENSE REIMBURSEMENT):

\$300 an hour plus reimbursement of actual expenses.

XI. PRO BONO PREFERENCE:

Brooklyn.