

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

August 21, 2014

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I. Profession Accrediting Agency or jurisdiction Date of Admissions:

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| Attorney | New York State, Appellate Division, First Department, February 1971 U.S. District Court, Southern District of New York in August, 1978. U.S. District Court, Eastern District of New York in July, 1979. United States Supreme Court in May, 1980 |
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II. Professional Organizations Date of Admission Active/Inactive:

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| Association of the Bar of the State of New York | -Active |
| New York State Bar Association | -Active |
| American Bar Association | -Active |
| Family & Divorce Mediation Council of Greater New York | -Active |
| New York State Divorce Mediation Council | -Active |
| New York State Dispute Resolution Association | -Active |
| Association of Family and Conciliation Courts | -Active |
| Association for Conflict Resolution | -Active |
| Association for Conflict Resolution Greater New York Chapter | -Active |

III. General Professional Experience:

See also V. below

General Background and Experience

1. Former member of Board of Directors, former Chairman of Nominating Committee; former Membership Secretary and former Treasurer; current member of Ethics Committee; Family & Divorce Mediation Council of Greater New York;
2. New York State Council on Divorce Mediation; Member of Board of Directors;
3. Publisher, NYSCDA "Monthly Mailer," New York State Council on Divorce Mediation.
4. Publisher Newsletter of Association for Conflict Resolution - Greater New York Chapter;
5. New York State Bar Association, Former Member and Secretary of New York State Bar Association Special Committee on Group and Prepaid Legal Services; member of various sections;
6. New York University Law School, June 1970 Graduate; Editor of Journal of International Law and Politics (author of published article, "International Aircraft Financing Under the Uniform Commercial Code"); invited to join Annual Survey of American Law and Moot Court Board;
7. Lecturer before various professional and lay groups and author of articles on various topics for attorneys' and mediators' publications;

8. Handled and argued numerous appeals; conducted jury and non-jury trials in numerous cases in various courts in New York State, and pro hac vice in courts in New Jersey, California and Oregon. (See website for citations to several of the reported cases: www.kusklaw.com)

IV. Experience and Familiarity with Bankruptcy Law:

1. Extensive changes in Bankruptcy Law have been enacted, and further study is necessary, including attending CLE courses;
2. "Dealing With Debts in Divorce: Protecting Assets, Credit and Bankruptcy Options," presentation to Family and Divorce Mediation Council of Greater New York, January 9, 1997.

V. Mediation Training:

1. Mediation trainings and mediation assignments, Supreme Court, New York County, Alternative Dispute Resolution Program, since December, 1996, including court sponsored continuing education;
2. Mediation trainings and mediation assignments, U.S. District Courts, Southern and Eastern Districts of New York, since May, 1998, including continuing court sponsored education;
3. Trained in family and divorce mediation, Academy of Family Mediators, May, 1982, including continuing training, sponsored by mediation organizations and programs.

VI. Mediation Experience:

1. Member of Panel of Mediators, Supreme Court, New York County, Commercial and Matrimonial Divisions; and Panel of Neutrals, U.S. District Courts, Southern and Eastern Districts of New York; Bankruptcy Court, Eastern District of New York Mediation Panel. Have been assigned on 20 cases to mediate;
2. Panel of Arbitrators (no longer active), American Arbitration Association;
2. Head of alternative dispute resolution practice and litigation areas at Uncyk, Borenkind & Nadler, LLP, a general practice law firm with a Private Mediation practice;
4. New York University School of Law, guest mediation practitioner In Lawyering Program;
4. Substantial mediation experience in various commercial matters involving substantial sums and multiple parties; received assignments from Eastern District Court, Southern District Court, New York State Supreme Court- New York County; handled private mediation matters referred by other professionals and/or clients.

VII. Areas of Expertise:

Business, tax, contract matters; family law, corporate and other business entities: commercial litigation

See also part VIII. below

VIII. General Pertinent Business or Legal Experience:

Received assignments from courts for complex and substantial matters in which mediation was deemed appropriate. Substantial trial and appeals experience in several jurisdictions (see [website](http://www.kusklaw.com) for partial list of cases: www.kusklaw.com.)

Employment History

1. 1972 to present: member of Uncyk, Borenkind & Nadler, L.L.P. (and predecessor firms); associate 1972 - 1973;
2. 1971-1972: Associate attorney, Weisman, Cellar, Spett, Modlin & Wertheimer (New York City);
3. 1970-1971: Attorney, New York City Corporation Counsel, Appeals Division (Honors Program).

IX. Other Pertinent Information:

Several of the lectures and presentations given are:

1. "Dealing With Debts in Divorce: Protecting Assets, Credit and Bankruptcy Options, Family and Divorce Mediation Council of Greater New York, January 9, 1997;
2. "Mediation of End of life and Long Term Care Issues," Society of Professionals in Dispute Resolution, New York Chapter June 16, 2000, *10th Annual Conference*;
3. "ADR in Flux - Mediation and the Law: Defining the Boundades," Association for Conflict Resolution of Greater New York and International Center for Cooperation and Conflict Resolution joint Conference, *June 15, 2001*;
4. "Mediation and the Law -How They Overlap and How They Should Not," Family & Divorce Mediation Council of Greater New York, December 17, 2001. (Continuing Education series, eligible for Continuing Education credits for attorneys in New York State, certified financial planners and mediators). This was a repeat and update of a presentation at the joint Conference of The New York State Divorce Mediation Council and The Family & Divorce Mediation of Greater New York, May 1995;
5. What Family and Divorce Mediators Should Know About Estate Planning and Trusts and Estates Law," Family & Divorce Mediation Council of Greater New York, March 28, 2000.

X. Fee Structure (Compensation and Expense Reimbursement):

Hourly rate of \$450. Standard expense reimbursement for out-of-pocket expenses.