

# RESOLUTE

DISPUTE RESOLUTION NATIONWIDE

## **GIULIO ZANOLLA, ESQ.** **New York, New York**



Giulio Zanolla is a full-time mediator specializing in the resolution of complex domestic and international civil and commercial disputes. He has served as mediator in several hundreds of cases involving multifaceted legal and business issues and multiple parties and jurisdictions. Counsel and parties rely on his ability to quickly grasp complex legal, factual and technical issues and appreciate his relentless dedication in assisting parties find common ground for resolution.

Mr. Zanolla has mediated disputes concerning contract interpretation and enforcement issues, insurance coverage, securities laws, management liability, M&As and other corporate transactions, intellectual property enforcement, employment claims, antitrust actions, bankruptcy litigation, construction disputes, admiralty and marine contract disputes, product liability and tort actions. The cases mediated involve a broad spectrum of industries and markets, including finance, energy, SAAS and tech, healthcare, manufacturing, construction, communications, professional services, entertainment, and hospitality.

Earlier in his mediation career, Mr. Zanolla has worked extensively alongside prominent commercial mediators, including assisting Hon. Daniel Weinstein (ret.) of JAMS in dozens of highly complex and high-stake mediation matters.

Mr. Zanolla has taught courses and lectured on mediation and ADR at law schools and universities in the US and Europe. He held a position as Adjunct Professor at the City University of New York (CUNY) Law School, and taught and trained student-mediators at the Brooklyn Law School Mediation Clinic and The Benjamin N. Cardozo School of Law. He has been included in the National Mediation Panel of the American Arbitration Association, the Panel of Distinguished Neutrals of the CPR Institute, the Roster of International Mediators at the International Milan Chamber of Arbitration (CAM), the International Panel of Mediators of the Center for Mediation and Law in Moscow as well as several federal and state courts' mediation panels.

His former legal experience includes practicing as a coverage and litigation attorney in the New York office of a national firm representing major insurance carriers in connection with D&O and professional liability policies. Previously, he practiced in Italy advising European companies on contractual, insurance and dispute resolution issues. Earlier in his career he worked at the leading Italian ADR organization on a European Commission sponsored project for the development of commercial ADR across the Mediterranean region.

Mr. Zanolla works in English and Italian. He is available to hold mediations nationwide and globally, both in person and via remote video conferencing.

## **EXPERIENCE AND QUALIFICATIONS**

- Two decades of mediation experience including an extensive range of civil and commercial disputes concerning litigation pending in US and foreign jurisdictions, as well as in domestic and international arbitration proceedings.
- Extensive experience in complex insurance coverage issues arising from first party and third-party claims, including D&O, E&O, EPL, CGL, transactional liability policies, as well as issues relating to multiple insurers and towers of insurance and reinsurance.
- Broad experience concerning contract interpretation and enforcement disputes involving domestic and cross-border transactions.
- Significant experience mediating workplace and employment disputes arising in a wide array of industries and company types.
- Has worked extensively alongside some of the world's preeminent commercial mediators, including co-mediating dozens of highly complex and high stakes matters with Hon. Daniel Weinstein (ret.) of JAMS, and Antonio Piazza, Esq. of Mediated Negotiations.
- Since 2013, has taught and mentored law student-mediators as an Adjunct Professor in the mediation clinic program at Brooklyn Law School and CUNY Law School.

## **SAMPLE OF MEDIATION CASES**

- Mediated a wide range of contractual disputes concerning domestic and cross-border commercial transactions including allegations of breach of contract, breach of covenant of good faith and fair dealing, breach of warranty and fraud. Cases have involved governing law and jurisdictional issues in connection with common law and civil law jurisdictions. Recently mediated an eight figure contractual dispute between a Korean company and a US multinational conglomerate involving intricate technical issues arising from the construction and supply of large industrial equipment for the oil & gas industry.
- Insurance coverage and bad-faith actions in connection with first-party and third-party coverage issues. A recent notable case involved an action pending in NY State Court for over \$100 Million in extracontractual damages arising from the claim handling process in a property damage and business interruption coverage dispute due to an explosion and fire loss at a bio-fuel refinery plant.
- Significant experience mediating breach of fiduciary duties claims, shareholder litigation, and financial disputes, including D&O claims of public and privately held companies and related insurance issues.
- Mediated labor and employment matters including age, race, and gender discrimination actions, harassment claims, retaliation and wrongful termination, restrictive covenants, as well as collective and class action wage and hour litigation matters.
- Mediated a highly sensitive lawyer-client dispute relating to and intertwined with multiple underlying workplace sexual misconduct claims within the cable news industry.
- Mediated trademark and copyright infringement actions and licensing disputes involving corporations in the technology, entertainment, fashion and luxury goods sectors.
- Mediated a dispute concerning a complex, multi-million web application development project involving contractual and business tort issues relating to proprietary technology for a financial services and insurance business.
- Co-mediated a multi-party international construction dispute concerning the development of a \$300 Million wind farm project involving one of the largest manufacturers of wind turbines worldwide.
- Part of the team that mediated claims brought by creditors of an international law firm

- against its former chairman in the firm's Chapter 11 proceedings.
- Part of the team that mediated dozens of shareholders' class actions and financial disputes arising out of the '07-'08 financial crisis.
  - Part of the team that mediated US litigation brought by the trustee of a bankrupt Italian multinational business involved in one of the largest financial frauds in Europe's history.
  - Part of the team that mediated litigation matters arising in the bankruptcy proceedings of a cable television company involved in one of the most extensive and notorious internal corruption scandals of a US public company.
  - Part of the mediation team resolving a highly technically complex patent dispute concerning the development of microchip technology by a preeminent university research institute and a Fortune 100 technology company.

## **PROFESSIONAL BACKGROUND**

- Panel Member, Resolute Systems, LLC, 2019-Present
- Principal, Zanolla Mediation, 2015-Present
- Of Counsel, Thompson LLP, 2015-2022
- Adjunct Professor, CUNY Law School, 2016-2020
- Mediator, Weinstein Melnick LLC, 2013-2015
- Supervising Attorney, Mediation Clinic, Brooklyn Law School, 2013-2017
- Attorney, Lewis Brisbois Bisgaard & Smith LLP, 2011-2013
- Assistant Mediator to Judge Daniel H. Weinstein (JAMS), 2007-2011
- Visiting Research Scholar, Benjamin N. Cardozo School of Law, 2009
- Independent Legal Consultant (USA/ITA), 2006-2010
- International Project Officer, ADR Center SpA (Rome, ITA), 2005-2006
- Associate Attorney, Studio Legale DeBenedittis (Gorizia, ITA), 2003-2005

## **EDUCATION**

- LL.M., Benjamin N. Cardozo School of Law, Concentration in ADR, 2010
- Post-graduate Diploma in International Business Transactions and ADR, Univ. of Rome Sapienza, Hamline Univ. School of Law, ADR Center SpA, (Rome, ITA), 2005
- J.D., Faculty of Law of the University of Parma (Italy), thesis dissertation: "A comparative analysis of arbitration legislation in Italy and the U.K.," 2003

## **BAR ADMISSION**

- New York State Bar
- Admitted to practice in the Federal Courts for the SDNY and EDNY

## **HONORS, AWARDS, PROFESSIONAL AFFILIATIONS**

- Weinstein JAMS International Fellow
- Panelist, Resolute Systems LLC
- Member, Roster of International Mediators at the International Milan Arbitration Chamber
- Member, Panel of Distinguished Neutrals of the International CPR Institute
- Panelist, American Arbitration Association (former)
- Faculty, Claims College, CLM Alliance (former)
- Faculty, Litigation Management Institute, CLM Alliance (former)

- Member, NY State Bar Association, Dispute Resolution and International Law Sections
- Member of The Mediation Clinic at the Benjamin N. Cardozo School of Law (2009-2010)
- Dean's Merit Scholarship recipient, Benjamin N. Cardozo School of Law (2009)

## **PRESENTATIONS**

- Reading the Tea Leaves - Ensuring the Fruitful Mediation of Disputed Claims, RIMS 2019 Conference, Boston, MA, April 30, 2019.
- Effective Use of Mediation for Claims Resolution, Claims & Litigation Management Alliance Annual Conference, Orlando, FLA, March 13-15, 2019.
- Resolution Strategies & ADR, Litigation Management Institute (LMI), Claims & Litigation Management Alliance, Chicago, IL, Oct. 18-21, 2018.
- School of Claims Mediation, Claims College, Claims & Litigation Management Alliance, 2015, 2016, 2017 and 2018.
- There is More Than One Way to Mediate: Considerations for Improving Mediation Results, Management & Professional Liability Conference, Claims & Litigation Management Alliance, Boston, MA, June 21, 2018.
- Strategies for a Successful Mediation, Business Insurance Retail Restaurant & Hospitality Conference, Claims & Litigation Management Alliance, Dallas, TX, Feb. 9, 2018.
- Mediation in Business Disputes, organized by Fordham Law School, Sinkrom Corp. and Squire Patton Boggs LLP, New York, NY, Feb. 11, 2016.
- Small Business and Small Investor Dispute Resolution, ACR-GNY Annual Conference, Cardozo Law School, New York, NY, June 6, 2015.
- Transactional Analysis & Mediation, ABA Dispute Resolution Section Annual Conference, Miami, FLA, March 2014.

## **PUBLICATIONS**

- Co-author with John McCarrick, Esq., "Maximizing Mandated Mediation in D&O Coverage Disputes", The D&O Diary (dandodiary.com), Jan. 23, 2019.
- Co-author with Peter Halprin, Esq., "How to Avoid Making Your Next Mediation a Waste of Time", NYSBA Inside, Fall 2018, Vol.36, N.1.
- Author, "Five Mediation Myths, Debunked", Dispute Resolution Journal Volume 71 Issue 4, 2016 published by Juris Net LLC.
- Author, "The New Italian Mediation Law: Experimenting With a 'Soft' Approach to Mandatory Mediation", JAMS Foundation Newsletter, Fall 2015, also republished on the CPR ADR Blog in Feb. 2016.
- Author (Book chapter), "The Variegated Landscape of Mediation, a comparative study in Europe and the World" BOOM-LEMMA/ELEVEN, 2014.

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