



HON. MELVIN L. SCHWEITZER

Acting Supreme Court Justice, Supreme Court of the State of New York, Appellate Division, First Judicial Department, Commercial Division (Ret.)

The Honorable Melvin L. Schweitzer's remarkable and distinguished legal career includes a decade of service on the New York State bench, six of those years as Acting New York State Supreme Court Justice, First Judicial Department, Commercial Division. He served with distinction on this specialized court, handling all manner of complex commercial cases. Prior to his judicial service, Hon. Schweitzer practiced law for more than 30 years, primarily as a Senior Partner, for a prominent New York law firm, and focused on corporate and securities law, public finance and insurer insolvency.

As a Commercial Division judge, Justice Schweitzer has presided over domestic and multi-national business claims and disputes, including non-jury cases in such areas as banking, contracts, finance transactions, acquisitions, construction, employment, insurance, real estate development, liability, fraud, class actions, lawyer malpractice, corporate governance, letters of credit, breach of contract, trade secrets, mortgage backed securities, unfair competition, manufacturing, rating agencies, jurisdiction and discovery issues, among others.

In 2005, he was first appointed by the Governor and confirmed by the State Senate to serve as a Judge of the New York State Court of Claims where he heard cases against the State of New York, its agencies and certain public authorities involving negligence, medical malpractice against State hospitals, construction, eminent domain and breach of contract matters before being designated to serve on the Commercial Division of the Supreme Court in 2008.

In private practice, Justice Schweitzer represented virtually all of the money center banks as underwriter's counsel in bond offerings for such issuers as the City of New York (including the period of 1975-1982 during the City's fiscal crisis), the State of New York, New York colleges and universities, and other city and state issuers around the country. He acted as principal outside securities counsel for one of the largest advertising companies in the world, and also acted as counsel to the New York Superintendent of Insurance in the liquidation of a major property and casualty insurance company. Additionally, as an advocate in private practice, he participated in formal and informal mediation proceedings involving construction and insurer insolvency disputes.

In 1993, he was appointed by the Governor to the Board of Commissioners of the Port Authority of New York and New Jersey where he served a six-year term after being confirmed by the State Senate. He was Vice Chair of the Authority's Audit Committee and a member of the Finance and Operations committees. Justice Schweitzer was also a member of the Governor's Advisory Panel on New York's Financial Services Industry and Co-Chair of a Task Force on Pension Fund Obligations for the New York City Comptroller.

Justice Schweitzer is a longtime advocate of Alternative Dispute Resolution (ADR) and has an impeccable reputation for his depth and breadth of knowledge in different areas of the law and superb settlement skills. His experience as a judge, combined with time spent in private practice, has given him a broad and deep range of knowledge in numerous areas of the law. Justice Schweitzer is known for his patient, fair and unbiased manner when assisting parties with the settlement of their cases and is well suited to the role of arbitrator/mediator. He is well-respected for his integrity and legal acumen and has gained the respect of both the plaintiff and defense bars.

Judge Schweitzer has extensive experience hearing cases virtually through Zoom where he has arbitrated and mediated numerous disputes in the New York Supreme Court's ADR Program. He has videoconferenced cases where parties were brought together from multiple locations, with hundreds of exhibits, sometimes totaling more than 40,000 pages sharing the screen.

Hon. Melvin Schweitzer is available to arbitrate and mediate cases nationwide.

AREAS of EXPERIENCE:

- Commercial and Corporate
- Financial Services / Securities
- Insurance
- Employment
- Medical Malpractice
- Negligence
- Public Law

LECTURES and PUBLICATIONS

- Author, *Virtual ADR: Life After Lockdown*, republished in DRI, ADR Choices newsletter, 2021
- Author, *Virtual ADR: Life After Lockdown*, Law.com, 2021
- Author, *Creative Mediation: Alleviating Commercial Division Congestion*, New York Law Journal Special ADR Report, 2019
- Speaker/Panel Member, *The Commercial Division: Past, Present and Future*, New York City Bar Association, 2019
- Author, *Retired Judges as Arbitrators: Value Added to an Arbitration?*, published in Resolution Roundtable, Blog of the Dispute Resolution Section of the New York State Bar Association, 2016
- Speaker, *New Rules of the Commercial Division, Supreme Court*, for in-house general counsel, 2016
- Speaker/Panel Member, Commercial Division, Supreme Court, New York City Bar Association, 2011, 2012
- Guest Lecturer, Ethics Class, Columbia University Law School, 2010
- Author, *A Matter of Judgment: Weighing Litigation Public Relations Advice*, New York Law Journal, 2003
- Author, *SEC's New Proxy Proposal*, New York Law Journal, 2003
- Co-Author, *Defending Your Client Should Start Before You Enter the Court*, New York Law Journal, 2001
- Co-Author, *Communications Strategies for Chapter 11*, New York Law Journal, 2001
- Author, *Financing Asia's Future*, New York Law Journal, 1997
- Author, *To Fix Uncle Sam's Budget Do What Homeowners Do*, The Christian Science Monitor, 1995
- Author, *Insurer Insolvencies: Next Mega-Crisis?*, The New York Times, 1990
- Co-Author, *Nominating a President, the Democratic Rules and their Politics*, University of Virginia Journal of Law and Politics, 1984

JUDICIAL EXPERIENCE

- Referee, New York State Supreme Court, 2015
- Acting Supreme Court Justice, Commercial Division, First Department, 2009 – 2014
- Judge, New York State Court of Claims, 2005 – 2014

LEGAL EXPERIENCE

- Counsel, Liddle & Robinson, 2015 – 2017
- M.L. Schweitzer & Associates, P.C., 2000 – 2005
- Consultant, Crisis management issues, Robinson Lerer and Montgomery, 2000-2001
- Associate / Senior Partner, Rogers & Wells, 1969 – 1999
- Member, Board of Commissioners, Port Authority of New York and New Jersey, 1993 – 1999
 - Vice Chair, Audit Committee,
 - Member, Operations and Finance Committees
- Governor’s Advisory Panel, New York’s Financial Services Industry
- Co-Chair, Task Force on Pension Fund Obligations (New York City Comptroller)

PROFESSIONAL LICENSES and ADMISSIONS

- Admitted to the New York State Bar, 1969

PROFESSIONAL AFFILIATIONS and ASSOCIATIONS

- New York City Bar Association
- New York State Bar Association
- Member, Metropolitan Opera Club, 1985 – 2017
- Member, Park Avenue Synagogue, 1976 – Present; Board of Trustees, 2012 – Present; Vice President, 2013 – 2018

EDUCATION

- Fordham University School of Law, Juris Doctor, 1969
 - Loyal League Philanthropies Scholar
 - I. Maurice Wormser Award
 - Member, National Moot Court Team
- New York University, Bachelor of Arts with Honors, 1966