

ALAN R. FRIDKIN, ESQ.

Life, Health, Disability and ERISA Specialist

Alan Fridkin has spent his career specializing in litigation management. Prior to becoming a full-time mediator and arbitrator with NAM in 2007, Mr. Fridkin was a well-known and highly respected in-house counsel to a major life insurer. In this capacity, he was charged with overseeing highly complex cases involving exposure well into the six and seven figure range. As a litigator, he was responsible for over 3000 lawsuits and more than forty (40) trials in forty-nine (49) States. He handled three cases that went before the U.S. Supreme Court, more than a dozen heard at the Federal Courts of Appeal, and cases before eight (8) state courts of highest appeal.

Some of Mr. Fridkin's areas of expertise include the following: ERISA and non-ERISA individual and group pension, life, health, annuity, long term disability, long term care claims and contract disputes; disputes against and among insurance agents, brokers and registered representatives and their clients, including but not limited to, sales practices, "unfair" competition, alleged negligence, errors and omissions, alleged violations of "non-compete" clauses, defamation and interference with business relationship claims; and customer suits and complaints involving insurance sales practices (individual and class actions), registered investment products from insurance companies, such as mutual funds, variable annuities and variable life insurance and the sale of these and non-endorsed products that may engender exposure for "unsuitable" sales, "selling away" and other alleged violations of Securities laws and NASD/FINRA Regulations. Regarded as an expert in these fields, Mr. Fridkin's efforts have generated a large and expanding body of federal and state case law and regulations.

Mr. Fridkin has also been regularly involved in the investigation, administrative adjudication, mediation and litigation of employment disputes during his corporate and naval careers. This includes the successful resolution of age, sex, racial, disability and religious discrimination claims and complaints and suits arising out of employee, broker and agent misconduct, negligence and alleged wrongful termination. He has also successfully managed trials of employment and agency cases in fifteen (15) or more states.

In his role as a commercial real estate attorney in the first five years of his corporate practice (hotel, shopping center, office building and apartment financing and commercial leases), Mr. Fridkin garnered valuable legal and practical expertise which led to assignments involving substantial private placement securities, lender liability, real estate and commercial landlord-tenant disputes and environmental liability disputes throughout his corporate career.

As a mediator and arbitrator Mr. Fridkin has quickly gained the respect and confidence of both the plaintiff and defense bars. For the past sixteen (16) years, he settled approximately 90% of his 300+ mediations, bringing these disputes to a mutually satisfactory and private conclusion. More recently, he has helped facilitate the resolution of 21 out of 22 complex cases as a mediator. The financial savings and customer goodwill engendered in such matters have been substantial.

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

- Bankruptcy
- Business/Commercial
- Construction
- Corporate Law
- Employment
- ERISA
- Insurance
- Lender Liability
- Life, Health & Disability
- Maritime
- Professional Liability
- Property
- Real Estate/Landlord-Tenant
- Securities

PROFESSIONAL BACKGROUND

- Vice President/Associate General Counsel, Mass Mutual Life Insurance Company (1970-2006)
- U.S. Naval Reserve (1967-1992)

PROFESSIONAL LICENSES

- Massachusetts State Bar
- United States District Court Massachusetts

PROFESSIONAL MEMBERSHIPS

- Society of Corporate Insurance Litigators (SCIL)
- Defense Research Institute (DRI)

EDUCATION

- Cornell University School of Law School, J.D. (1970)
- Cornell University, A.B. (1965)

LECTURES & SPEAKING ENGAGEMENTS

- Panelist, *Settling & Mediating the Disability Insurance Action: Strategies for Success*, 10th Annual National Advanced Forum on Resolving Disability and Insurance Claims Litigation (2007).
- Expert Panelist, *Mediation Techniques for Achieving an Expedient & Appropriate Resolution*, 11th Annual National Advanced Forum on Litigating Disability and Insurance Claims (2008).