



Mediator Full Profile



Mr. Joel Levine

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United States

Experience Qualification Path

Category 2: American Arbitration Association

Mediation locations

United States - FL, United States - NY, United States - GA, United States - CA, United States - CO

Mediation languages

English

Current position and background

JOEL LEVINE, Esq.

Certified Mediator/Arbitrator

BUSINESS

Cofounder/President/CEO Gibraltar Entertainment, Inc.
1988 - 1997

Managed all business and certain creative aspects of this film and television financing, production and distribution company. Handled or supervised all entertainment, corporate, financing, insurance and personnel work. Structured and negotiated domestic and international financing, distribution, television and video transactions. Produced twelve films including "Mortal Passions," MGM/UA 1989; "Servants of Twilight," Vidmark Entertainment 1990; "Femme Fatale," Republic Pictures 1991; "Lonely Hearts," Live/Carolco 1992; "Trade Off," Viacom Enterprises 1994; and 52 episodes of "Okavango," a family adventure television show shot in Africa, Fox Cable 1995-6.

Licensed projects throughout the world. Credits include films made in partnership with foreign and U.S. investors. Gibraltar films have been invited to the AFI, London, Toronto, Chicago, Santa Barbara, Deauville, and Sundance Film Festivals.



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First Capital Financial Corporation
Principal
1975 - 1983

First Capital raised approximately Three Hundred Million Dollars and acquired approximately Seven Hundred and Fifty Million Dollars of commercial real estate, grew to be one of the largest real estate syndication/financial services companies in the country and was sold to GAMI in 1983. I was involved in all aspects of the business including corporate management, banking, investor and securities firms relations, acquisitions, sales, leasing, construction, development, insurance and coordinated activities with outside professionals. Structured and directed the first Section 351 Roll Up in the real estate industry: combining on a tax-free basis several public real estate limited partnerships with related private corporations to form a single public corporate entity.

LEGAL

Levine & Fieldstone, Founder and Senior Partner, Miami, F

Main mediation practice areas

Corporate, Securities, Real Estate, Construction, Banking, Entertainment, Media, Communications, Antitrust, Professional Associations, Class Actions, Wide Range of Insurance Matters, Intellectual Property, Trademark and Copyright, Computer/Technology, Labor/Employment, Aviation, Civil Rights, Franchise, Bankruptcy, Consumer, Professional Liability, Medical/Legal Malpractice, Estate, Probate, ERISA, Personal Injury, Product Liability, Nursing Home and Managed Health Care, ADA, Government, Environment, Development, Land Use/Zoning, Eminent Domain, International, and other commercial matters

Mediation experience

30 years' legal/business experience. REAL ESTATE: Attorney in New York and Florida. Owner/investor in real estate and Principal-First Capital acquiring a billion dollars of real estate; acquisitions/sale-leaseback; credit/real estate mortgages, syndication/federal tax/development/land use/construction; residential, office, warehouse, shopping center, hotel; title insurance, brokerage/commissions; workouts, multiple property and hundreds of real estate transactions. CORPORATE: As businessman, attorney, real estate principal, and CEO of prolific entertainment company: expertise in business management, operations/problems. Full range of contracts/entity formations/ breakups/financing/securities/mergers/public offerings/joint ventures/licensing/securities firms/advisor, shareholder/joint venture and partnership issues, professional associations, distribution, antitrust, banking, lines of credit, receiverships, work outs. FRANCHISE in multiples industries. TECHNOLOGY, COMPUTER, INTERNET: Proficient in hardware, software, licensing, Internet, outsourcing, intellectual property, and related matters. Discovered bugs in software. Handled computer, contract, confidentiality, and licensing. Decision maker for acquisition/upgrades of hardware, software, networking, systems. ENTERTAINMENT/INTELLECTUAL PROPERTY: Executive Producer of 12 movies and 52 TV episodes; Finance, production, distribution, talent agencies and agreements, music, net profits, art/consignment, merchandising, multi-media, telecommunications, prepaid services; broadcast, licensing, trademark, copyrights, and publishing. INTERNATIONAL: Worldwide joint ventures, distribution, licensing, foreign laws/regulation, trans-border agreements/disputes and currency. EMPLOYMENT: Executive compensation/participation/options, non-competition/non



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disclosure/confidentiality/termination arrangements; disability, discrimination, harassment issues. OTHER: Extensive health care; multiple types of insurance; sports; equine.

Description of mediation style

I am a proactive, creative and tireless mediator. After many years of structuring transactions in the corporate, real estate, banking, financial, entertainment and other commercial fields, I bring a vast array of methods to structure settlements among disputing parties. I've been in so many different situations in so many varied capacities that I readily understand the parties' respective needs and positions and offer many avenues of compromise. I believe it's important for each participant to continue to voice his/her views and I enjoy planting seeds which allow the parties to suggest constructive solutions to their problems. I know many mediators speak of "facilitation" and "party empowerment." While I don't diminish these characterizations, I approach mediation as I did my legal practice and business career--we're here to get something done. Knowing that a successful mediation involves the full participation and consent of disputing parties, I do everything possible, while together and in caucus, to reach a meeting of the minds. I'm often told that I enabled parties to reach resolution which they initially thought impossible.

Code of professional conduct

AAA/ABA/ACR Model Standards of Conduct for Mediators

Complaint process

IMI Professional Conduct Assessment Process

Professional indemnity insurance

Lloyd's London Underwriters
Amount of PI cover \$1Million.

Feedback digest

Reviewer: STAFF AAA/ICDR (imireviewer@adr.org)
Latest Update: 2009-04-20 21:45:36

This Feedback Digest is based on 5 feedbacks in 5 mediations since March 2009.

Parties and counsel who have used Mr. Levine would overwhelmingly use his services again and would, without hesitation, recommend him to others. Typical of the comments reflecting Mr. Levine's acceptability are: (i) I've used Joel as a mediator many times, with excellent results; (ii) Joel is the brightest mediator I've seen. He prepares efficiently, yet thoroughly for every mediation. I have often recommended Joel to others and routinely receive positive feedback following the completion of their mediations; and (iii) Joel is first rate. He is my first choice as a mediator and I enthusiastically recommend him. He is indefatigable and truly cares about helping resolve cases.

Mr. Levine's mediation skills and abilities are rated as highly effective. Typical of feedback received in this regard are: (i) Joel has a knack for knowing exactly how proactive he should be as he brings the parties together. He recognizes the participants' verbal and non verbal queues.



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Additionally, no mediator has the extensive business background as well as legal and ADR experience as Joel, which helps enormously in complex situations. While I always enter mediation with an open state of mind, the only mediator that has ever surprised me by settling a case that I thought could not be settled is Joel; and it has happened on multiple occasions; (ii) His skill in handling nuanced issues is unparalleled, and (iii) Having dealt with numerous mediators in multiple states, I have yet to meet Joel's equal and could not possibly say enough about his skill and expertise.

Mr. Levine is also highly regarded for his ability to effect a positive outcome. For example, one provider of feedback noted his outstanding ability to note strengths and weaknesses of positions. Provides creative suggestions and really makes parties comfortable with the mediation process. Another said he is Well prepared, understands the subject matter and reasonable range of possibilities and willing to suggest effective solutions when parties request.

Costs were widely reported as reasonable in the context of the value of the disputes mediated by Mr. Levine, and in general a very high degree of satisfaction was reported.

No reportable negative comments have been received since Mr. Levine's designation as an IMI Certified Mediator.

Professional affiliations

Member New York and Florida Bars and Federal Courts: U.S. District Courts: Southern and Eastern Districts of New York; Southern and Middle Districts of Florida; U.S. Court of Appeals, Eleventh Circuit; U.S. Supreme Court; United States Court of International Trade (jurisdiction over international trade/import disputes). Diplomat Member: Florida Academy of Professional Mediators; Member: Trial Lawyers Section of Florida Bar; ADR Committee of Trial Lawyers Section of Florida Bar; Entertainment, Arts and Sports Law Section of the Florida Bar; American Arbitration Association, NASD and New York Stock Exchange (FINRA); Member: Writers Guild of America.

Fee rate

Upon request

References

Upon request

Mediation education and training

Very Extensive. List upon Request

Mediation teaching and mentoring

1973, Visiting Professor of Real Estate Finance Law, Seton Hall Law School, Newark, New Jersey.

Critiquer for Mediator Training Certification Programs.



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Mediation publications

Articles: "Defendant's View Of Mediation Inside The Plaintiff's Caucus Room" FOR THE DEFENSE (September 2003) (DRI Magazine);

"Winning at Arbitration" THE ADVOCATE (June 2003) (Trial Lawyers Section of the Florida Bar) (on line at: <http://www.flatls.org/newsletter/TL-0603b.pdf>);

"Winning at Mediation" THE ADVOCATE (July 2002) (Trial Lawyers Section of the Florida Bar) (on line at: <http://www.flatls.org/newsletter/trl-0702.pdf>);

"Obstacles And Solutions To Building A Mediation Practice" American Bar Association Section of Dispute Resolution JUST RESOLUTIONS Newsletter (Winter/Spring 2000), reprinted in more comprehensive form on ABA Web Site: <http://www.abanet.org/dispute/difficulties.html>; Reprinted Oregon Law Journal (November 2001);

"Anatomy of a Mediation Session" SPIDR NEWS (April 2000)(Society of Professionals in Dispute Resolution);

"Transformative Tools (Tool Kit for Transformative Mediation)"

Association for Conflict Resolution (ACR) (on line), ACR Learning Center, (July, 2001);

Law Review Articles: "Buyer's Conduct as Affecting the Extent of Manufacturers' Liability in Warranty" 52 Minnesota Law Review 627; Reprinted in 1 Uniform Commercial Code Law Journal 30; "Implied Warranty of Habitability," 2 University of Connecticut Law Review 61.

Note: This Mediator Profile is intended to offer guidance to users of mediation services about the competency, skills, styles and potential suitability of the IMI Certified Mediator featured above. The Reviewer, the Mediator and IMI are attempting to present fair, balanced and objective information but none are to be held responsible for reliance on the information given. Users of mediation services are encouraged to pursue further research before selecting the IMI Certified Mediator, including contacting references and conducting an interview with the Mediator before making a selection.