



# Mediator Full Profile



## Roger Jacobs

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United States

## Qualified by:

International Institute for Conflict Prevention & Resolution (CPR)

## Mediation locations

United States - NY, United Kingdom

## Mediation languages

English

## Current position and background

Jacobs Center for Justice and Alternative Dispute Resolution - 2011-present.

Arbitration, mediation, investigations and fact finding. Handling disputes in commercial, employment, construction, contracts, business, international, securities, and intellectual property.

Panel Member for American Arbitration Association; Financial Industry Regulatory Authority; International Institute for Conflict Prevention & Resolution; Federal Mediation and Conciliation Service; New York Public Employment Relations Board; New Jersey Public Employment Relations Commission.

Cases referred from Southern District of New York; Eastern District of New York; District of New Jersey; Superior Court of New Jersey; New York Supreme Court Commercial Division.

Fellow, Chartered Institute of Arbitrators; National Academy of Distinguished Neutrals; Judge and Mediator, International Mediation Competition, International Chamber of Commerce, Paris, France.

Jacobs Rosenberg, LLC, Newark, NJ - 2001-2011 (predecessor firms included Jacobs & Koch and Jacobs and Associates, 1985-2001). Managing Partner of law firm focusing on representation of public and private institutions. Practice included litigation in all courts, administrative agencies, and appeals. Handled litigation, general business advice, employee policies, labor and employment issues. Supervised all attorneys and personnel.



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Representative clients include New Jersey Turnpike Authority; Newark Board of Education; Newark Housing Authority; County of Morris; County of Essex; R&R Construction; Fette America; New Jersey Physicians; Mulberry Metal Products; Sovereign Bank

Guggenheimer and Untermeyer, New York, NY - 1979-1984. Associate in Labor department handling National Labor Relations Board, litigation, discrimination claims, and general client advice and counseling.

Hudson County Prosecutors Office - 1977-1979.

Bronx District Attorney - 1976-1977.

## Main mediation practice areas

Commercial, employment, construction, contracts, business, international, securities, and intellectual property.

The IP cases have been varied. One matter in litigation involved the alleged theft of perfume formula as well as related employment and contract claims. There were multiple parties and large corporations as well as individual defendants. The litigation went on for many years and did not settle but went to trial. We worked to identify potential misuse of the formula and monetize the damages but the parties decided not to settle. No damages were awarded after a jury trial. Another interesting case in state court involved the manufacture of lip gloss and how to make and produce it. The matter settled after many discussions between the parties.

In my more than thirty five years in law practice, I represented companies in the fashion industry in New York as well as wine merchants.

## Mediation experience

Mr. Jacobs has been selected hundreds of times as a mediator in a wide variety of disputes involving intellectual property, commercial issues, partnership dissolution, construction, contract interpretation, restrictive covenants, and labor and employment and collective bargaining issues. His activities and accolades in the fields of arbitration and mediation include the following: Listed in Super Lawyers from 2010 through 2016; Adjunct Professor at Fordham School of Law teaching a class on negotiations; Fellow of the Chartered Institute of Arbitrators; Member at the Lagos Court of Arbitration. Roger is a panel member for AAA, CPR, FMCS, New York PERB, New Jersey PERC, and federal courts Eastern District of New York, Southern District of New York, District of New Jersey and the New York Supreme Court Commercial Division. Roger was recently selected as both a mediator and judge for the ICC International Mediation Competition in Paris, France, and has reviewed submissions for the Vis Moot Court Competition in Vienna, Austria.

## Description of mediation style

My style is to engage parties and counsel directly and in advance particularly in complex cases. I look for solutions that parties may not have considered or did not wish to consider. I am generally successful in bringing parties together.



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## Code of professional conduct

IMI Code of Professional Conduct.

## Complaint process

IMI Professional Conduct Assessment Process.

## Professional indemnity insurance

United States Fire Insurance Company

5/1/2016 - 5/01/2017

\$1,000,000 Each claim

\$1,000,000 Policy Aggregate

\$5,000 Deductible Each Claim.

## Feedback digest

Reviewer: Goski Sheryl Mintz ( [sgoski@goskilaw.com](mailto:sgoski@goskilaw.com) )

Latest Update: 2016-08-15 00:03:04

This Feedback Digest is based on 10 feedback in 10 mediations, initially submitted on Monday 15th August 2016.

Mr. Jacobs has consistently been rated at Performance Level 5 by parties for whom he has acted as a mediator. A very high percentage of parties would recommend him as a mediator, a fact borne out by the number of parties willing to use him again. Costs were not an issue for some cases where services were provided by Mr. Jacobs pro bono. There was no objection to cost where Mr. Jacobs charged. Although not all cases settled, it was not deemed to be as a result of Mr. Jacobs' ability as mediator.

Comments included the following:

'Extremely knowledgeable about employment law, strong people skills, able to settle down and calm clients', this respondent also indicated that Mr. Jacobs has been an adversary on other matters. Respondent stated that Mr. Jacobs focused issues and facilitated settlement and that without his assistance it probably would not have resolved for another year.

Other comments include 'patience and continued follow up' after the in person mediation', 'case would not have settled without his help'. Other descriptions of Mr. Jacobs include, 'ability to speak bluntly to difficult people'; 'analyzed the practicalities of the litigation process'; and described him as having 'gravitas and great credibility'. He has been said to be able to evaluate both sides strengths and weaknesses. Matters that were handled included putative class actions, commercial contract actions, actions involving trade secrets, civil rights and other single employment disputes. He was described as being able to 'bridge the gap' by understanding the parties' different interests. He was also described as having done a 'fantastic job' of bringing parties who disliked each other to an understanding. He was described as good at 'locking the parties into concrete ranges of settlement'.

Many of Mr. Jacobs' mediations resulted in settlement. No reportable negative comments have



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arisen in the evaluations that were presented to this reviewer.

## Professional affiliations

American Bar Association (Labor and Employment Section); New Jersey State Bar Association (Labor and Employment Section, Executive Committee); NJ Lawyer Newspaper (Past Editorial Board); New York State Bar Association; New Jersey Association of Professional Mediators; National Academy of Distinguished Neutrals.

## Fee rate

\$650.00/hour or per diem arrangement with parties and counsel.

## Mediation education and training

AAA The New Emergency Relief Arbitration Rules - The Death Knell for Court-Ordered Injunctions Pending Arbitration?, 2016; AAA Top Techniques for Improving Arbitration Case Management Efficiency, 2015; AAA Labor Arbitrator II Workshop, 2014; AAA "Exceeded Powers": Recent Trends in Challenging Arbitrator Authority, 2014; FINRA Dispute Resolution: Chairperson Training, 2014; Superior Court of New Jersey Annual Mediator Conference, 2014; NAA Arbitration in the Federal Sector Training, 2014; AAA Storm Sandy Mediation Program: Lessons Learned, 2014; ABA Tips on Achieving Cost-Effective Arbitrations-For Lawyers and Neutrals, 2014; AAA Exceeded Powers: Recent Trends in Cases Challenging Arbitrator Authority, 2014; NYSBA Securities Arbitration & Mediation (NYC), 2014; ABA Section of Dispute Resolution 16th Annual Spring Conference, 2014; ABA Award Writing-Avoiding Vacature (and Looking Good), 2013; Rule 1:40-12(c) Arbitration Continuing Education Hunterdon County, 2013; NY City Bar Securities Arbitration & Mediation Hot Topics 2013; NJAPM Advanced Civil Mediation Training Seminar, 2013; AAA Labor Arbitrator I, 2012; AAA Managing the Arbitration Process for Efficiency & Economy Following the Preliminary Hearing, 2012; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2012, 2011; AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2011; Superior Court of New Jersey, Statewide Mediation CLE Training, yearly 2006-2014; St. John's School of Law First, Second, Third, and Fourth Annual Securities Dispute Resolution Triathlon, 2009-2013; 3rd Annual Section of Labor and Employment Law Conference; FMCS, 28th Arbitration Symposium-2007, 34th Arbitration Symposium-2013, 35th Arbitration Symposium-2014.

## Mediation teaching and mentoring

Adjunct Professor of Law, Fordham Law School, New York, New York (1989-2003).

## Mediation publications

COMPARED AND CONTRASTED: SKEPTICISM AND PROMISE IN THE MAJOR PROVIDERS' APPELLATE ARBITRATION PROCEDURES, 33 Alternatives to the High Cost of Litigation 2 (February 2015).

EXAMINING THE ELUSIVENESS OF FINALITY IN ARBITRATION, AND THE NEW AVENUES OF APPEAL, 33 Alternatives to the High Cost of Litigation 1 (January 2015).

FITS AND STARTS FOR MANDATORY ARBITRATION, 29 Hof. Lab. & Emp. L.J. 547 (Spring 2012)



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SUPREME COURT TIPS AGAINST INDIVIDUAL RIGHTS - AGAIN, 27 Hofstra Lab & Emp. L.J. 267 (2010).

Alternatives,CPR, September 2016; Perspectives on Mediation and recurring problems facing the mediator

**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.**