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Representative Arbitrations – Phil Cutler

***Agricultural Cooperatives
and Regulated Commodities***

Chair of private 3-arbitrator panel in 6-figure dispute between agricultural cooperative and joint venture partner over interpretation of commodity purchase contract/LLC agreement (1 week of hearing time).

Communications

Chair of 3-arbitrator AAA panel in 7-figure breach of contract/contract reformation dispute (radio broadcasting Airtime Purchase & Sale Agreement) (2 weeks of hearing time).....sole AAA arbitrator in 6-figure dispute between programmer and radio station owners involving Time Brokerage Agreement (4 days of hearing time).....sole AAA arbitrator in 7-figure dispute between wireless communications company and support vendor concerning quality of services provided (settled on eve of hearing).

Construction

Sole private arbitrator in 6-figure dispute between structural mover and developer concerning responsibility for construction delays and extras (7 days hearing time).....sole AAA arbitrator in 6-figure dispute between customer and yacht-builder concerning interior construction cost over-runs (5 days hearing time).....sole private arbitrator in 6-figure dispute between homeowner and contractor concerning remodeling project (4 days hearing time).

Consumer Protection

Sole arbitrator in dispute between telephone directory publisher and advertiser.

Contracts

Sole AAA arbitrator in “show dog” breeding rights dispute (2 days hearing time).....sole AAA arbitrator in dispute between seller of

sailing yacht and purchaser (4 days hearing time).

Corporations

Sole arbitrator in dispute between shareholders in closely held corporation concerning corporation's right to repurchase shares.

Distributor Termination

Sole arbitrator in 8-figure dispute between manufacturer of aircraft parts and distributor concerning breach/termination of distributor agreement (7 days of hearing time).

Franchising

Sole arbitrator in 7-figure AAA case involving encroachment and wrongful termination claims by Mexican franchisee against U.S. franchisor (1 week of hearing time in Phase I (encroachment issues), wrongful termination claims settled before Phase II hearings).....member of 3-arbitrator AAA panel in 7-figure Washington Franchise Investment Protection Act dispute (janitorial services industry) (1 week of hearing time).

Licensing

Chair of 3-arbitrator AAA panel in 8-figure dispute between licensor and licensee (three weeks of hearing time projected, case settled after protracted pre-hearing).

Securities

Member of 3-arbitrator AAA panel in \$55m client claim against investment advisor (4 weeks of hearing time).....chair or member of several 3-arbitrator NASD panels in a number of 6- to 8-figure securities industry disputes involving fraud/misrepresentation, unauthorized trades, churning, and other violations of federal and state securities laws.....sole arbitrator in several other NASD broker/customer securities disputes.

Sports

Chair of 3-arbitrator AAA panel in athletes' challenge of U.S. Olympics Committee ruling finding no impermissible discrimination in national governing body's rules under Ted Stevens Olympics and Amateur Sports Act, 36 U.S.C. §220522(a)(8) (3 days hearing time) and sole arbitrator in athletes' challenge of

national governing body's rules for teams
qualifying for 2002 Winter Olympics tryouts.

UCC/Sales

Chair of 3-arbitrator AAA panel in 7-figure
breach of warranty case involving specialized
farm machinery (8 days of hearing time).

Revised August 3, 2004