



Mark C. Morril, Esq.
New York, New York



[View Video](#)

Current Employer-Title MorrilADR LLC – Independent Arbitrator and Mediator

Profession Arbitrator and Mediator

Work History MorrilADR, 2012 – Present; Senior Vice President/Deputy General Counsel, Viacom Inc., 1999 – 2012; Senior Vice President/General Counsel Simon & Schuster Inc. (a Viacom Company), 1989 – 1999; Litigation Partner, Kay Collyer & Boose (merged into Davis Wright Tremaine subsequent to tenure), 1985 – 1989; Associate, Paul Weiss Rifkind Wharton & Garrison; Partner, Greenbaum Wolff & Ernst and Hale Russell & Gray; Staff Attorney, Legal Action Center of the City of New York; Law Clerk to Honorable Jack B. Weinstein, United States District Court Eastern District of New York.

Experience Full-time commercial arbitrator and mediator since 2012 in domestic and international matters. Very wide range of subject matter and size of matters, ranging up to matters exceeding \$1 billion in dispute. Experience as sole arbitrator, panel chair, co-arbitrator, emergency arbitrator, through the hearing and final award stages. Experience and expertise in disputes relating to complex commercial contracts, joint ventures, partnerships, construction, IP including copyrights, trademarks, patents; telecommunications, Internet and domain names, distribution and licensing agreements, good faith and fair dealing, insurance, real estate, motion picture/TV financing and production, music licensing, insurance, favored nations pricing; law firm partnerships; fraud; mergers and acquisitions/post-closing adjustments; accounting; oil and gas; pharma; defamation, executive employment; competition law.

Mark C. Morril, Esq.
Neutral ID : 159598

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.

Served for 10 years as General Counsel of Simon & Schuster, then the largest English language publisher in the world, and for 13 years as Deputy General Counsel of ViacomCBS. ViacomCBS's media businesses comprised Paramount Pictures and 170 cable TV channels and multiplatform properties (including MTV, VH1, Nickelodeon, COMEDY CENTRAL and BET), CBS Broadcasting and Radio, CBS Outdoor, Showtime, Simon & Schuster, discontinued industrial operations of Westinghouse, Gulf Western, and Charter Oil.

Served as the company's senior litigator, responsible for ViacomCBS's enterprise-wide disputed matters docket. Extensive business experience as a senior manager at ViacomCBS, on the Executive Committee of Simon & Schuster and as manager of ViacomCBS's worldwide law department.

Experience at ViacomCBS also included transactional, labor and employment (including executive employment), benefits, copyright, trademark, patent, environmental, real estate, privacy, technology, insurance, compliance, regulatory and government affairs matters and legal issues relating to new technologies and the Internet. Involvement in complex negotiations and transactions included Viacom's sale of Simon & Schuster, the acquisitions of Blockbuster and CBS, the IPO of Blockbuster and the later spin-offs of Blockbuster and CBS. Was responsible for management of ViacomCBS's 275 lawyer global law department and ViacomCBS's worldwide outside counsel relationships.

Also managed the liabilities arising from ViacomCBS's extensive Westinghouse, Gulf+Western and Charter Oil discontinued industrial operations, including 138,000 asbestos cases arising from the Westinghouse business, numerous environmental matters arising from the operations of Gulf+Western and very large pollution insurance coverage disputes in the U.S. and London markets.

Extensive litigation and ADR experience as business client and internal lawyer at ViacomCBS included:

- Numerous contract and commercial matters
- Patent cases involving video games and various interactive video uses
- Copyright matters, involving new media copyrights, issues under the Digital Millennium Copyright Act and idea origination cases
- Executive employment, labor and benefits disputes
- Securities law claims
- Derivative actions
- Music performance rights and issues under the ASCAP and BMI consent decrees
- Trademark cases
- Environmental matters
- Antitrust matters involving book pricing, video and home video distribution, cable network distribution and music licensing
- Defamation matters relating to books, cable TV programming and movies
- Asbestos litigation (138,000 cases)
- Internal investigations and compliance

Mark C. Morril, Esq.
Neutral ID : 159598

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.

Focus on case management resulted in significant efficiencies while achieving positive results in the company's disputed matters. Has spoken extensively on case management techniques and effective collaboration between business clients and outside.

Alternative Dispute Resolution Experience

Extensive experience as commercial arbitrator (through hearing and reasoned award stage) and commercial mediator (through resolution stage);

- Special Master in Appellate Division, First Department mediation program, NYS Supreme Court Commercial Division, United States District Courts for the Southern and Eastern Districts of New York
- Involved in a variety of mediations and arbitrations at Viacom as business client and internal lawyer in numerous matters, including disputes involving:
 - Post-closing adjustments in transactions such as purchase price adjustments and earn out disputes in connection with various acquisitions and divestitures
 - Contract and commercial matters
 - Labor and employment, including executive employment disputes and discrimination claims
 - Intellectual property (copyright and patent) and defamation claims
 - Insurance coverage disputes (pollution, general liability, errors and omissions, directors' and officers' liability and business interruption coverages)
 - Environmental disputes

Education

Columbia Law School (JD, James Kent Scholar-1972); Tufts University (BA, magna cum laude-1969).

Professional Licenses

Admitted to the Bar: New York (1985); U.S. District Court: Southern and Eastern Districts of New York; U.S. Court of Appeals, Second Circuit; U.S. Supreme Court.

Professional Associations

Association of the Bar of the City of New York;
Current: Chair, Council on the Profession
Prior: Vice President; Executive Committee, Chair; Executive Committee Liaison to Committees on Arbitration, ADR and International Commercial Disputes; Chair, Task Force on New Lawyers in a Changing Profession; Chair, Committee on Professional and Judicial Ethics.

Chief Litigation Counsel Association (past Chair); Corporate Counsel International Arbitration Group; Institute for Transnational Arbitration (Advisory Board); American Bar Association (Dispute Resolution, Intellectual Property Law and Litigation Sections; Fellow); New York State Bar Association (Dispute Resolution Section); Federal Bar Council.

Recent Publications & Speaking Engagements

ADR SPEAKING ENGAGEMENTS:
Atlanta International Arbitration Center - Mediating International Commercial and Investment Disputes (October 2016)

Mark C. Morril, Esq.
Neutral ID : 159598

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.

Fordham International Arbitration Conference - Arbitration Goes Digital (October 2016)

Debevoise, New York International Arbitration Center and Chartered Institute of Arbitrators (CI Arb) - Red Flag Alert: Data Security in Arbitration (May 2016)

Center for Prevention and Resolution of Disputes (CPR) - Addressing the Reasons Parties and Counsel Avoid Using Dispute Resolution (February 2016)

ICC and United States Council for International Business (USCIB) - Cost Decisions: An Effective Case Management Tool for Parties and Tribunals (January 2016)

ICC - Effective Dispute Management for Better Business (corporate counsel panel) (Paris, November 2015)

ABA Arbitration Webinar Series - The Award, Remedies and Post Award Process (Moderator, November 2015)

31st Annual Joint Colloquium of the AAA/ICDR, ICC and ICSID - The Corporate World and International Dispute Resolution (Moderator, November 2014)

ICC and University of Florence - International Commercial Arbitration Summer Seminar (program faculty, July 2014)

Annual Americas Workshop of the Institute for Transnational Arbitration, Brazilian Arbitration Committee and the Arbitration and Mediation Center of the Brazil-Canada Chamber of Commerce - Practice and Strategy in the Final Stages of Arbitration (September 2013)

ABA Section of Dispute Resolution - Panel on Myth Busting: Arbitration Perceptions, Realities and Ramifications (April 2012)

ABA Annual Meeting - Myth Busting Panel (August 2012)

Institute for Transnational Arbitration (ITA) - Panel on Corporate Counsel and Arbitrator Perspectives (moderator, June 2012)

Invitational Discussion Forum (co-moderator)

LITIGATION AND CASE MANAGEMENT RELATED SPEAKING ENGAGEMENTS:

New York County Lawyers Association: Panel on The Client's Perspective of Business Litigation (May 2012)

New York State Bar Association Corporate Counsel Institute: Panel on Litigation

Mark C. Morril, Esq.
Neutral ID : 159598

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.

Management (October 2011)

Sandpiper Partners Leading Law Departments Summit: Panel on Techniques for Saving Money, Improving Efficiency and Adding Value (February 2011)

New York State Bar Association Commercial and Federal Litigation Section Annual Meeting: Panel on How Inside and Outside Litigation Counsel Can Add Value and Reduce Costs for Corporate Clients (January 2011)

Sandpiper Partners Leading Law Firms Conference - Panel on Resetting the Agenda with Corporate Clients (October 2011)

Panel on Making The Short List in 2011 and Staying on It (November 2010)

AmLaw Litigation Summit: Panel on Data Driven Triage for Painful Lawsuits: Insights for Corporate Legal Departments on Risk, Predictability and Cost Control (October 2010)

New York State Commercial Division Judges: In-House Counsel Panel (June 2010)

Conference of Chief Judges - Mid-Atlantic Conference on Business Courts: Panel on Qualifications and Training Business Court Judges (Delaware, October 2008)

PUBLICATIONS:

Legal Background Paper: Party Autonomy Reigns Supreme: Arbitration and Class Actions in the High Courts October 2012 Term (Washington Legal Foundation 2013)

Developing Legal Careers and Delivering Justice in the 21st Century - Report of the Task Force on New Lawyers in a Changing Profession (NYC Bar 2013).

**Citizenship
Languages**

United States of America
English

Compensation

Hearing:	\$950.00/Hr
Study:	\$950.00/Hr
Travel:	\$475.00/Hr
Cancellation:	\$950.00/Hr
Cancellation Period:	30 Days
Comment:	1. Cancellation policy: 50% of scheduled hearing days charged at 8 hours per day if cancelled 15-30 days before the first hearing day; 100% of scheduled hearing days at 8 hours per day if cancelled within 14 days before first hearing day

Mark C. Morril, Esq.
Neutral ID : 159598

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.

2.Travel time charged at 50% of rate unless actually working on the matter or other billable work

Mark C. Morril, Esq.
Neutral ID : 159598

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.