

## Arbitration Biography

Leah Murray Albert, 35 years as an attorney and ADR neutral, has had hands-on experience with matters involving virtually every field of civil law, including accounting, acquisitions, civil rights, class actions, computers, condominiums, construction, consumer protection statutes, contracts, copyright, corporations, defamation, employment, engineering, entertainment, environmental remediation, ethics laws, EEOC, ERISA, executive compensation, fraud, franchising, government contracts, healthcare, high tech, hospitals, insurance, intellectual property, investments, labor laws, malpractice, partnerships, patents, personal injury, probate, product liability, professional liability, real estate, religious observance, securities, tax law, telecommunications, trademarks, trade secrets, trucking, trust and estates, and unfair competition.

Ms. Albert is also a part of the vanguard of on-line dispute resolution with many years of service as an on-line neutral in the b to b and consumer space.

Ms. Albert has served as sole arbitrator or member (usually chair) of tripartite panels in a wide variety of institutional and ad hoc cases applying FINRA, American Arbitration Association, administered and non-administered rules.

## Representative Arbitrations

- **International Contracts.** Multiple parties brought breach of contract actions involving an international franchise operation. Multiple sub-franchisees defaulted, alleging sub-franchisor was in default to its franchisor thus terminating their obligation to the sub-franchisor.
- **Acquisition.** Claim by insurance producer that he owned his book of business and was thus entitled to compensation when his employer was acquired by another company.
- **Consumer.** Claims heard in the following areas: tax and accounting services; high-tech; on-line investment advice; exotic motor cars, breach of warranty, time-shares. Have years of experience with pro-se parties.
- **Employment.** Claims against employers under Title IX for racial, gender, religious, discrimination; violation of the Americans with Disabilities Act; reverse discrimination and other grounds. Industries included: retail, technology, warehousing, telecommunications, food and beverage, insurance, mortgage brokers, automotive manufacturing, “big-box” hardware stores, trucking, agriculture, grain storage and investment providers.
- **Executive Compensation.** Claims of alleged breach of contract for failure to promote and award higher tier compensation in telecommunications industry.
- **Fiduciary Duties:** Was the arbitrator for *Rachal v. Reitz*, 403 S.W.3d 840 (Tex. 2013), a seminal case out of Texas which held that arbitration clauses in trust documents may be enforced regarding claims by beneficiaries against trustees.
- **Government Contracts:** Recently heard dispute between municipality and contractor regarding breach of contract.
- **Franchises.** Claims and counterclaims arising out of terminations of franchises.
- **Labor.** Arbitrated a dispute between a fire department’s union and investment provider.

- **Non-competes.** Enforceability of non-competes involving executives in multiple industries such the insurance industry, the financial services industry and the beautician industry.
- **Real Estate/Construction.** Claims of multiple breaches of contract in the context of a housing development built on defective soil. Also, arbitrated boundary disputes, commercial leases and real estate held in trust. Also, environmental remediation.
- **Large and Complex Arbitrations:** Recently completed a several month-long arbitration with over fifty-claimants who sued a large Insurance Company involving allegations of failure to supervise and failure to implement a back-up strategy when a financial representative with a complex option strategy requiring daily trades was terminated.
- **Investments:** Have arbitrated hundreds of disputes involving complex investments such as straddles, puts, calls, margin, shorts, hedge funds, stocks, bonds, mutual funds, ETF's and SMA's. Assets have been held in trust, in joint tenancy, in IRA's in 401(k)s, public pension plans and in private foundations. A recent case involved a trustee who sued a broker for investing in non-publicly traded REITs on behalf of beneficiary who has Alzheimer's Disease.
- **Higher Education:** Were representations made during the recruitment process promising gainful employment actionable when disclaimers of same were included in sales literature.

## Practice Areas

- Arbitration
- Business/Commercial
- Construction
- Employment
- Engineering and Construction
- Environmental
- Federal Law
- Financial Markets
- Governmental/Public Agency
- Health Care
- Insurance (Life Insurance, Property and Casualty,)
- Intellectual Property
- International & Cross-Border
- On-Line Dispute Resolution
- Personal Injury/Torts
- Professional Liability
- Real Property
- Trust and Estates
- Wills and Probate

## ADR Training and Education

ACE21 Impartiality: Do You Know Where Your Biases Are? 2021; ACE20 Cyber Security: A Shared Responsibility, 2020; AAA ACE19 Case Finances: What Arbitrators Need to Know, 2019; ADS 02 Pro Se - Managing Cases with Self-Represented Parties, 2018; Arbitrator Performance and Demeanor ~ Meeting Participant Expectations, 2018; AAA Arbitrator Subpoenas: Are They Worth the Paper They're Printed On?, 2017; AAA eDiscovery - Arbitration in a Digital World ACE12, 2016; AAA Managing Arbitrations Following the Preliminary Hearing ACE07, 2015; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards ACE01, 2015; AAA Managing the Arbitration Process for Efficiency & Economy Following the Preliminary Hearing, 2012; AAA Dealing With Delay Tactics in Arbitration ACE04, 2007; AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2006; AAA Commercial Arbitrator II: Advanced Case Management Issues, 2005; Arbitrator Update 2003; SquareTrade, Mediation Training, 2003; AAA Arbitrator I Training-Fundamentals of the Arbitration Process, 2002; Oregon Mediation.com, Mediation Training, 1995.

## Education

Washington University (JD, Law Quarterly-1984); Emory University (BA, Economics/Labor Economics-1981)

## Venue

St. Louis, Missouri

Ms. Albert enjoys hearing disputes in any forum convenient to the parties and is happy to travel.