

JAMES R. HUBBARD – MEDIATOR

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Education and Bar Admissions:

J.D. 1971, Georgetown University Law Center (Editor, Georgetown Law Journal);

B.A. 1967, University of North Carolina at Chapel Hill (*cum laude*).

1971 Florida; 1972 District of Columbia; 1985 North Carolina; 2004 New York.

Admitted to practice before United States District Courts for the Eastern, Middle, and Western Districts of North Carolina; the Southern and Eastern Districts of New York; the Southern and Middle Districts of Florida; the United States Court of Appeals for the Second, Fourth, Fifth, and Eleventh Circuits; and the United States Supreme Court.

Professional Experience:

Law Clerk to Circuit Judge David W. Dyer, United States Court of Appeals for the Fifth Circuit, 1971-1972; Assistant United States Attorney, E.D. Va. (Alexandria) (1975-1978); Partner, Beckham & McAliley, P.A. (Miami, FL) (1978-1984); Partner, Allman, Spry, Humphreys, Leggett & Howington, P.A. (Winston-Salem, NC) (1985-1992); Partner, Ricci, Hubbard & Leopold, P.A. (West Palm Beach, FL) (1991-2003); Partner, Liddle & Robinson, LLP (New York, New York) (2004 – 2018);

Jim Hubbard is a highly regarded trial lawyer with four decades of experience in a wide variety of civil litigation and arbitration cases with leading trial firms in North Carolina, Florida, and New York. His first chair litigation experience includes over 100 jury trials. As a result of his litigation experience, he has been elected a Fellow of the American College of Trial Lawyers, where he serves on its Committee for the Teaching of Trial and Appellate Advocacy.

A substantial part of his practice is now devoted to the mediation of cases filed in state or federal court in North Carolina. Jim is a certified North Carolina Superior Court mediator, and a member of the federal mediator panels for the Eastern, Middle, and Western Districts of North Carolina. His mediation practice is enhanced by his experience in the litigation of complex employment, commercial, and tort cases, and by his experience representing clients in hundreds of arbitrations and mediations.

His litigation experience includes Title VII and ADEA employment discrimination cases, sexual harassment and wrongful termination cases, and class actions. He has extensive experience in the litigation of breach of contract and product liability cases, as well as motor vehicle negligence cases, including wrongful death claims, and coverage issues arising from life insurance and disability insurance policies. He has substantial experience in the litigation of environmental and land use disputes. Jim and his partners won a landmark decision from the Florida Supreme Court, after ten years of litigation, preserving Florida's ownership of sovereignty lands – lands beneath navigable rivers and lakes -- from claims to the private ownership of these river and lake beds and the mineral deposits beneath them.

In addition to his trial and appellate experience in state and federal courts, Jim has frequently appeared as lead counsel in arbitration matters involving securities and employment law disputes before the Financial Industry Regulatory Authority (FINRA), the AAA, and other leading arbitration forums.

He has significant experience in the litigation of issues related to the preservation of electronic evidence, and punitive damages. He served as lead trial counsel in *Zubulake v. UBS*, which resulted in a \$29,273,190 jury verdict, including \$20,000,000 in punitive damages, in the Southern District of New York for an institutional securities saleswoman on claims for gender discrimination and retaliation under state and federal law. The verdict in *Zubulake* also is widely noted for its seminal decisions setting forth the electronic evidence preservation obligations of litigants in federal cases.

North Carolina Bar Association (Dispute Resolution Section); Martindale-Hubbell Law Directory (AV Preeminent); MDNC Federal Bar Association.

Mediator Rates: Mr. Hubbard's fees for mediation are \$250.00 per hour, with 2.5 and 5-hour minimums for half and full day mediations (\$350.00 per hour for wrongful death, catastrophic injury, professional negligence, business tort, and employment discrimination cases); an administrative fee of \$250.00 is charged in all cases; all fees are apportioned equally among the parties in the case.

Scheduling: Please call Mr. Hubbard or his assistant to schedule mediation dates directly.