

David W. Ichel, Esq.



David Ichel serves as a mediator, arbitrator and special master in complex commercial disputes, as well as a law professor at Duke and University of Miami Law Schools. He retired from Simpson Thacher & Bartlett LLP in New York, where he litigated complex civil cases on both sides of the “v” and advised an international array of corporate, association and individual clients for 37 years from 1978-2015, 29 of those years as a partner.

Ichel teaches Complex Civil Litigation at Duke Law School, where he has taught since 2011, and teaches Large Scale Litigation at University of Miami Law School, where he has taught since 2018. Ichel is the Chair of the Editorial Board of *Judicature* (July 2019-present), the more-than-a-

century-old journal devoted to best practices in judging, issues facing the judiciary and promoting the rule of law.

Areas of Expertise:

- ACCOUNTING / FINANCE
- BANKING / LENDER LIABILITY
- CONTRACTS/FRAUD CLAIMS
- EMPLOYMENT / LABOR
- ENVIRONMENTAL / CERCLA
- FOOD & BEVERAGE
- INSURANCE / REINSURANCE / INSURANCE COMPANY INSOLVENCY
- IP (TRADEMARK & COPYRIGHT)
- LAW FIRM DISPUTES
- MERGERS & ACQUISITIONS
- PHARMACEUTICALS
- PRODUCT LIABILITY / MASS TORT
- SECURITIES / FINANCIAL SERVICES

Mr. Ichel’s specialized expertise includes complex commercial litigation, insurance coverage disputes, insurer insolvency, securities, corporate governance, product liability and mass torts, contract and fraud claims. In his 37 years of law practice, he has had extensive experience across a variety of industries internationally, including the financial services and insurance industries, beer, spirits and wine industries, automobile and motorcycle industries and the pharmaceutical industry.

Ichel is a Fellow of the Chartered Institute of Arbitrators (FCIArb), a member of the American Arbitration Association (AAA) Roster of Commercial Arbitrators and the CPR Institute for Conflict Prevention and Resolution Panel of Distinguished Neutrals, as well as an ARIAS-US certified Arbitrator and Mediator. He is also a member of the USCIB/ICC Panel of Arbitrators. He has served as a president/chair, party appointed arbitrator, and as a sole arbitrator, and has served in administered ICC, JAMS and ICDR arbitrations as well as in ad hoc arbitrations.

Ichel is a member of the American Law Institute (since 1993); the Board of Visitors of Duke Law School (since 2005; Chair 2009-2014); the Advisory Committee of the University of Miami Class Action & Complex Litigation Forum (since 2018); the Board of Mobilization for Justice, Inc. (since 1994; Chair 2000-2002; emeritus 2019-present) and chaired the Product Liability Committee of the New York City Bar Association (2005-2008), which included nationally prominent plaintiff and defense counsel, law professors and judges. He served on the Executive Committee of UJA Federation– Lawyers Division from 1995-2013. He has been admitted to the bars of New York, New Jersey, Washington, DC and numerous United States District Courts, Circuit Courts of Appeal and the Supreme Court of the United States.

Ichel received his BA degree from Duke University, *summa cum laude*, in 1975. He received his JD from Duke Law School in 1978, where he served on the Duke Law Journal.

Sample Mediation Appointments

- Company acquisition disputes (refusal to close, representations and warranties, covenants, financing and inventory valuation issues; private equity acquisitions)
- Insurance coverage disputes
- Lawyer fee allocation dispute following substantial recovery
- Bank RMBS portfolio acquisition representations and warranties and fraud disputes
- International dispute over acquisition agreement for resort properties
- Food processing company dispute with production machinery suppliers and insurer
- Class action against a large financial services company
- Company and executive non-compete and non-solicitation disputes
- Executive employment terminations
- Investor / lender fraud claims
- Joint venture termination claims

Sample Arbitration Appointments

- Numerous insurance coverage disputes (environmental, product recall, storm, property, accident/product liability)
- Insurer dispute with third party administrator
- Am Law 50 Law Firm dispute with former partner
- Pharmaceutical acquisition disputes over sale of company, drug compound, milestones
- International corporate investor fraud and breach of contract claims against bank
- Disputes over liquidation of partnership
- Dispute over business joint venture compensation and IP agreements

Special Master Appointments

- Court appointed Special Master for commercial litigation discovery disputes and settlement mediation