



D. Andrew Byrne, Esq.  
Andrew Byrne & Associates, P.A.

**Panelist Video**

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**Current Employer-Title**

Andrew Byrne & Associates, P.A. – Shareholder

**Profession**

Attorney, Mediator and Arbitrator, Admitted to Practice in New York, Florida, Illinois and Tennessee

**Work History**

Founding Shareholder, Andrew Byrne & Associates P.A., 2014 – Present; Shareholder, Bryant Miller Olive P.A., 2012 – 2014; Partner and Chair of Litigation Practice Group, Becker & Poliakoff P.A. (New York & Miami), 2009 – 2012; Partner, Phillips Nizer LLP, 2007 – 2009; Partner, Cooper & Byrne PLLC, 1996 – 2007; Partner, Pennington & Haben P.A., 1991 – 1996; Partner, McNeese & Arthur P.C., 1989 – 1991; Associate, Martin Tate Morrow & Marston P.C., 1985 – 1989.

**Employment Practice Experience**

Board Certified in Labor & Employment Law by the Florida Bar. Practicing lawyer since 1985, devoting approximately 50% of practice to representing clients, both plaintiff and defendant, as advocate, advisor, mediator, investigator and/or arbitrator in the full range of Labor, Employment and Civil Rights laws. Specific experience includes all types of discrimination, harassment and retaliation claims under Title VII and related state laws, New York Labor Laws, Florida Civil Rights Act (FCRA), Florida Whistleblower Act, Americans with Disabilities Act (ADA), disability and accommodation claims, 42 U.S.C. sections 1981, 1983 and 1985, Civil Rights Actions, wrongful death, excessive force, deliberate indifference, violation of civil rights, Family and Medical Leave Act (FMLA), ERISA, pension, breach of fiduciary duty, medical and disability benefits, National Labor Relations Act (NLRA) and (NLRB), unfair labor practices, collective bargaining, PERC, Worker Adjustment and Retraining Notification Act (WARN), Age Discrimination in Employment Act (ADEA), constitutional employment law, common law employment claims, sexual harassment, sex, gender, pregnancy, sexual orientation, religious, national origin, race and color discrimination, unemployment, wrongful discharge, retaliation, overtime, minimum wage, worker compensation, Fair Labor Standards Act (FLSA), wage and hour, class and collective actions, OSHA, workplace privacy and drug testing statutes, USERRA, Fair Credit Reporting Act, and Employee Polygraph Protection Act. Experience also includes the full range of common law and statutory claims based on non-solicitation, non-competition and non-disclosure restrictive covenants, as well as breach of fiduciary duty claims.

**Experience**

Labor & Employment Law Experience

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*Neutral ID : 159461*

since 1985, devoting approximately 50% of practice to representing clients, both plaintiff and defendant, as advocate, advisor, mediator, investigator and/or arbitrator in the full range of Labor, Employment and Civil Rights laws. Specific experience includes all types of discrimination, harassment and retaliation claims under Title VII and related state laws, New York Labor Laws, Florida Civil Rights Act (FCRA), Florida Whistleblower Act, Americans with Disabilities Act (ADA), disability and accommodation claims, 42 U.S.C. sections 1981, 1983 and 1985, Civil Rights Actions, wrongful death, excessive force, deliberate indifference, violation of civil rights, Family and Medical Leave Act (FMLA), ERISA, pension, breach of fiduciary duty, medical and disability benefits, National Labor Relations Act (NLRA) and (NLRB), unfair labor practices, collective bargaining, PERC, Worker Adjustment and Retraining Notification Act (WARN), Age Discrimination in Employment Act (ADEA), constitutional employment law, common law employment claims, sexual harassment, sex, gender, pregnancy, sexual orientation, religious, national origin, race and color discrimination, unemployment, wrongful discharge, retaliation, overtime, minimum wage, worker compensation, Fair Labor Standards Act (FLSA), wage and hour, class and collective actions, OSHA, workplace privacy and drug testing statutes, USERRA, Fair Credit Reporting Act, and Employee Polygraph Protection Act.

### Business and Commercial Law Experience

Board Certified as expert in Business Litigation by the Florida Bar. Practicing lawyer since 1985, devoting approximately 50% of practice to representing clients, plaintiff and defendant, as advocate, advisor, mediator, investigator, and/or arbitrator in the full range of commercial and business law disputes. Experience litigating Contract disputes of all types, specific contracts litigated include loan agreements, construction, real estate sales, employment, independent contractor, warranty, consumer product and services, insurance policies, and commission agreements; Experience in Banking law disputes, specific areas litigated include depositor agreements, account disputes, commercial paper, lender liability and bank regulation; Experience litigating Securities Law disputes. Specific areas include 10b-5, Securities Act, suitability, churning and fiduciary breach, securities fraud, account agreements, blue sky laws, and prospectus disclosure. Experience litigating RICO, business fraud, unfair competition and deceptive acts and practices claims of all types, specific areas litigated include RICO, anti-trust, price-fixing, infringement, trademark and trade name, Lanham Act, common law business torts, negligent and fraudulent misrepresentation, and drug patents. Experience litigating Administrative and Regulatory law claims of all types, specific areas include professional licensing and discipline, business permit and licensing, federal, state and local tax disputes, bankruptcy creditor claims, dischargeability, bid protests, administrative regulatory claims, and public records. Experience litigating Probate, Trusts & Estates disputes of all types, specific areas litigated include will contests, undue influence and testamentary capacity.

### **Alternative Dispute Resolution Experience**

Certified by Florida Supreme Court as Circuit Civil Mediator. Mediated extensively since approximately 1999. Cases were concentrated in Labor & Employment disputes, as well as Commercial & Business disputes, including both class and collective actions. Arbitrator since 2007. Currently serving on both

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The AAA provides arbitrators to parties on cases administered by the AAA under its various Rules, which delegate authority to the AAA on various issues, including arbitrator appointment and challenges, general oversight, and billing. Arbitrations that proceed without AAA administration are not considered "AAA arbitrations," even if the parties were to select an arbitrator who is on the AAA's Roster.

Employment Disputes and Commercial Disputes panels with AAA.

**Alternative Dispute Resolution Training**

ACE21 Impartiality: Do You Know Where Your Biases Are? 2021; AAA - Best Practices for Arbitrators in Expedited/Fast Track Arbitrations, 2021; ACE 20 - Cyber Security: A Shared Responsibility, 2019; AAA ACE 19 Case Finances: What Arbitrators Need to Know, 2019; AAA/ICDR/AAA Mediation.org Panel Conference, 2019; ACE 18 - Arbitrator Performance and Demeanor ~ Meeting Participant Expectations, 2018; AAA Arbitrator's Conducting Legal Research - Good Idea or Bad?, Motion Practice Under AAA Rules – What You Need to Know, 2017; Ethics 101: Arbitrators, Mediators, Attorneys, 2016; AAA/ICDR/Mediation.org Panel Conference, 2016; AAA Ethics 101: Arbitrators, Mediators, Attorneys, 2016; AAA Arbitrating a Difficult Discharge Case, 2015; AAA, Controlling Chaos in Mediation: Navigating the Behavioral Paradigm, 2014; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2013; AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2012.

**Professional Licenses**

Admitted to Bar: Illinois (2018), New York (2007), Florida (1991), Tennessee (1985); U.S. District Court: Eastern and Southern Districts of New York, Northern, Middle and Southern Districts of Florida, Western District of Tennessee, Northern District of Mississippi, Eastern and Western Districts of Arkansas; U.S. Courts of Appeal: 11th and 5th Circuits; U.S. Supreme Court.

**Professional Associations**

American Bar Association; The Florida Bar; American Inns of Court.

**Education**

National Institute for Trial Advocacy (1987); Vanderbilt University School of Law (JD-1985); University of Memphis (BBA, magna cum laude, Beta Gamma Sigma and Golden Key-1982).

**Awards and Honors**

Martindale-Hubbell 10 year AV rating Award, 2012  
United States Small Business Administration Advisory Council 1992-1995  
Director, Group IV, Dade County Bar Association 2013-2014  
Supreme Court of Florida - Circuit Civil Mediator Certification 2014 to Present  
Florida Bar Board Certification - Labor & Employment Law 2011 to Present  
Florida Bar Board Certification - Business Litigation 2011 to Present.

**Citizenship Languages Locale**

United States of America  
English  
Miami, Florida, United States of America

**Compensation**

Hearing:	\$300.00/Hr
Study:	\$300.00/Hr
Cancellation Period:	0 Days
Comment:	Will travel, No charge for travel expenses or travel time.

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