

ARBITRATION & MEDIATION SERVICES

Lightfoot delivers cost-effective and efficient alternative dispute resolution services.

Not all cases have to go to trial. For some clients involved in a dispute, the right solution might be a settlement reached between parties through arbitration or mediation. Lightfoot has substantial experience in resolving disputes through alternative dispute resolution (ADR) services such as arbitration and mediation.

Clients choose ADR for many reasons, and not always just to avoid litigation. Mediation, for example, allows both parties to be heard and then work together toward a mutually acceptable resolution. We are prepared to help resolve cases on reasonable terms that allow our clients to manage risk in a way that fits their business goals. Mediation is particularly helpful when parties want to maintain a business relationship after the dispute is resolved. Arbitration has the advantage of resembling a trial in many ways, including obtaining a binding decision by an independent third party, called a neutral, who acts much like a judge.

In addition to representing clients during ADR proceedings, several members of the firm have served as arbitration and mediation neutrals.

Other members of Lightfoot's team have spent a significant portion of their long legal careers serving as mediators and arbitrators in a wide variety of disputes.

EXPERIENCE

- Obtaining a successful result in an arbitration proceeding brought by a former officer, director and general counsel of a large soft drink bottling company in which the claimant sought in excess of \$80 million in damages against the company. After a two-week long arbitration, the arbitrator not only ruled in the company's favor as to all of the claims brought by the claimant, but also awarded the company more than \$9 million as to its counterclaims.
- Prevailing on behalf of a global insurance company when the Alabama Supreme Court unanimously sided with our client and compelled a plaintiff to arbitration. The plaintiff sued our client under an insurance policy issued to her by our client's subsidiary. The policy contained an arbitration clause, but our client was not a party to the policy. Previously, we moved the circuit court to compel arbitration, but the lower court refused. The state's high court ruled that our client was entitled to compel arbitration, even though it was not a signatory to the contract.
- Arbitrating numerous matters ranging from a dispute over an exclusive marketing agreement for aggregates, to a hurricane protection project in New Orleans, to the renovation of an historic hotel in Richmond, Virginia, and to co-generation power projects in New York and California.
- Obtaining a unanimous Alabama Supreme Court decision affirming a circuit court's order compelling the state of Alabama to arbitrate a dispute over the amount owed to the state by tobacco product manufacturers.
- Mediating a dispute involving an oil and gas project where adjoining landowners claimed waste and depletion of their mineral rights.