

THEODORE K. CHENG

66 Cartwright Drive, Princeton Junction, NJ 08550
(917) 459-3669 (cell) · tcheng@theocheng
www.theocheng.com; www.linkedin.com/in/theocheng

ADR OFFICE OF THEO CHENG LLC, Princeton Junction, NJ

01/18-present

Independent, full-time arbitrator and mediator focusing on commercial/business, intellectual property, technology, entertainment, and labor/employment disputes.

- American Arbitration Association (Arbitrator and Mediator) 06/14-present
- CPR Institute (Arbitrator and Mediator) 04/16-present
- Eastern District of New York Mediation Panel 12/14-present
- District of New Jersey Mediation Panel 10/16-present
- Financial Industry Regulatory Authority (Arbitrator) 12/17-present
- New York City Civil Court (Arbitrator) 12/09-present
- Resolute Systems, LLC (Arbitrator and Mediator) 2/11-present
- Second Circuit Mediation Panel 11/16-present
- Southern District of New York Mediation Panel 09/11-present

LEGAL EXPERIENCE

Former intellectual property and commercial litigation partner with over 20 years of experience counseling senior management and in-house counsel on litigation strategy and dispute resolution in industries as varied as high-tech, telecommunications, entertainment, consumer products, food and hospitality, retail, and financial services.

- Fox Horan & Camerini LLP, New York, NY 06/13-12/17
- Yoon & Kim LLP, New York, NY 02/11-06/13
- Proskauer Rose LLP, New York, NY 07/07-12/10
- Loeb & Loeb LLP, New York, NY 01/06-06/07
- Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York, NY 09/99-09/00; 10/01-01/06
- Orrick, Herrington & Sutcliffe LLP, New York, NY 09/97-09/98

Representative matters:

- Tried patent damages case over infringing animal vaccine resulting in favorable jury verdict
- Tried unpaid wages case resulting in \$226,600 compensatory and punitive damages jury verdict
- Tried fraud and breach of contract claims resulting in \$2.4 million damages jury verdict
- Tried arbitration between broker-dealers over a compensation dispute on co-brokered IPOs
- Litigated copyright infringement actions brought by classes of songwriters and music publishers against unlicensed Internet file-sharing companies Grokster, Napster, Aimster, and Audiogalaxy

BUSINESS EXPERIENCE

Marketing and sales of life insurance and annuity products through phone support and product/software field training. Assisted in new product development and created/produced marketing and sales materials.

- MetLife Brokerage, Princeton, NJ (Marketing Consultant) 09/93-08/94
- MetLife Insurance Company, New York, NY (Management Associate) 09/91-08/93

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, J.D., 1997

Moot Court Board, Editor-in-Chief

Honors: Moot Court Board Prize; Order of Barristers Award; Norman S. Ostrow Award; David Friedman Memorial Award; Delaware State Bar Association Louis L. Redding Fellowship

Activities: Unemployment Action Center; NYU Public Service Auction

HARVARD UNIVERSITY, A.B. *cum laude* Chemistry and Physics, 1991

Honors: Dean's List; Harvard College Scholarships

Activities: Varsity Lightweight Crew (Coxswain); Intramural Crew (Coach and Coxswain); Harvard-Radcliffe Oppertunes (Assistant Musical Director)

CLERKSHIPS

THE HON. JULIO M. FUENTES, U.S. Court of Appeals for the Third Circuit, Newark, NJ 10/00-10/01
THE HON. RONALD L. BUCKWALTER, U.S. District Court, E.D. Pa., Philadelphia, PA 09/98-09/99

HONORS/AWARDS

2019 National Academy of Distinguished Neutrals
2017 *National Law Journal* ADR Champion
2015 Harvardwood Heroes Grant Recipient
2013 American Arbitration Association A. Leon Higginbotham, Jr. Fellowship
New York State Bar Association Empire State Counsel Program Honoree (2008-2013)
2007 National Asian Pacific American Bar Association Best Lawyers Under 40 Award

SELECTED APPOINTMENTS

Adjunct Professor, Fordham University School of Law Fall 2018
American Arbitration Association (Director and Council Member) 05/15-present
New Jersey Supreme Court Arbitration Advisory Committee 09/14-06/17
New Jersey Supreme Court Committee on Complementary Dispute Resolution 09/14-06/17
New York and Kings County District Attorney's Offices (Special Assistant District Attorney) 02/98-05/12
New York State Commission on Increasing Diversity in the State Government Workforce (Chair) 04/07-12/12
New York State Insurance Fund (Commissioner) 06/10-12/10
S.D.N.Y. Mediator Advisory Committee 09/13-7/15
Storytelling Arts, Inc. (Princeton, NJ) (Secretary and Trustee) 04/13-present

SELECTED PUBLICATIONS

"Preparation is the Key to a Successful and Rewarding Mediation," *NY Litigator* (Spring 2019)
"When Experts Come From Different Planets: Finding the Difference Driving Seemingly Irreconcilable Expert Evidence in Arbitration," *NY Litigator* (Fall 2018)
"Sometimes Less is More (and Vice Versa): A Primer on Pleading Practice in Arbitration," *NY Litigator* (Spring 2018)
"Providing for Neutrals with Industry, Legal, and Business Expertise," *NYSBA EASL Journal* (Fall/Winter 2018)

SELECTED SPEAKING ENGAGEMENTS

Panelist, "Smarter, Faster and Cheaper Litigation and Arbitration for Technology Disputes," Smarter, Faster, Cheaper Technology Dispute Resolution Conference (Nov 14, 2018)
Faculty, ABA Advanced Mediation and Advocacy Skills Training Institute (Oct 25-26, 2018)
Panelist, "What in the World Was I Thinking? Unconscious Bias in Arbitration, Mediation and Settlement Negotiations," Federal Bar Council Fall Retreat (Oct 21, 2018)
Panelist, "Best Practices in Mediation: Lessons From the Masters," Camden County Bar Ass'n (May 14, 2018)

SELECTED PROFESSIONAL AFFILIATIONS

American Bar Association
American Intellectual Property Law Association
Association of Conflict Resolution – Greater New York Chapter (Director, 2016-2019)
The Copyright Society of the U.S.A. (Secretary, 2018-2020; Trustee, 2016-2019; Co-Chair, N.Y. Chapter, 2015-2017)
Federal Bar Association
Justice Marie L. Garibaldi American Inn of Court for ADR (President, 2018-2021, Secretary/Treasurer, 2017-2019)
New Jersey State Bar Association (Director, Dispute Resolution Section, 2016-2019)
New York State Bar Association (Chair, Dispute Resolution Section, 2019-2020)

BAR ADMISSIONS

District of Columbia (inactive), New Jersey, New York
Supreme Court of the United States
U.S. Courts of Appeals: Second, Third, Sixth, Seventh, Ninth, and Federal Circuits
U.S. District Courts: E.D.N.Y., N.D.N.Y., S.D.N.Y., D.N.J., W.D. Mich.