

## James P. S. Leshaw – Resume

Jim is a respected ADR professional with more than 30 years of experience as a mediator, arbitrator and commercial lawyer handling complex domestic and international business disputes, transactions and resolutions throughout the United States, Latin America, the Caribbean and Europe. Jim was named Miami “Lawyer of the Year” in each of 2016, 2017, 2018 and 2021 for Arbitration and 2017 Miami “Lawyer of the Year” for Bankruptcy Litigation by *Best Lawyers in America*. Based on interviews from his peers, he has been ranked “Tier 1” by *The Best Lawyers in America* in four categories: “Mediation,” “Arbitration,” “Bankruptcy” and “Bankruptcy Litigation.” Jim has spent most of his career providing practical business advice to clients ranging from Fortune 500 companies and private equity firms to small and mid-sized domestic and international businesses, family offices and high net worth individuals.



Jim is a former member of the Board of Directors of Avianca Holdings S.A. (NYSE: AVH), the Colombian based airline holding company, where he served on its three member Executive Committee as well as its Audit Committee, Corporate Governance and Nomination Committee, Human Resources and Compensation Committee, Independent Equity Committee and Restructuring Committee.

## Dispute Resolution Experience

In the mediation, arbitration and dispute resolution field, Jim has handled a wide variety of business disputes including numerous domestic and international contract disputes; aviation (aircraft financings, MROs, FBOs, indirect air carriers and freight forwarders); banking law and commercial finance (domestic and international financings); general business law (corporations, partnerships, LLCs and trusts), shareholder and partnership agreements and disputes; venture capital and private equity; communications and telecom (wireless, landline, pre-paid, CLEC); mergers & acquisitions; real estate (sales, leases, acquisitions, financings, restructurings, title issues); securities issues (issuance, fraud, 10b-5, FOREX, derivatives, swaps, liquidity agreements); immigration (EB-5 programs); insurance (coverage issues, title policies, commercial policies, homebuilder policies, bad faith); e-commerce; high tech; franchise issues; energy (oil, gas, alternative energy, transportation and distribution); entertainment (music and film, artist/label disputes, distribution agreements, talent and licensing); fraud and Ponzi schemes; bankruptcy, solvency and insolvency disputes; ground transportation (auto dealerships and trucking); healthcare (health care providers, home health, ALFs, retirement communities, PPOs and medical research); International (commercial litigation, acquisitions, contracts and restructurings throughout Latin America, Caribbean, Canada and Europe); intellectual property (sale, licenses and infringement of intellectual property including patent, trademark and copyright); maritime (cruise lines, cargo operations, freight forwarders, arrests, maritime liens, general average, providers of necessaries, collisions and allisions); labor and employment (WARN Act and union issues).

## Attorney Experience

As an attorney, Jim has led litigation teams in connection with high stakes complex, domestic and international business litigation throughout the United States and Latin America and has handled billions of dollars of mergers, acquisitions and asset purchases, financings, bankruptcies, workouts, reorganizations, restructurings and other cross-border business transactions across the United States, Europe, Latin America and the Caribbean. He has also advised clients in connection with wealth accumulation, preservation and international tax strategies and family succession issues.

## Awards and Recognition

Named Miami “Lawyer of the Year” in each of 2016, 2017, 2018 and 2021 for Arbitration and 2017 Miami “Lawyer of the Year” for Bankruptcy Litigation by “*The Best Lawyers in America*,” Listed, “*The Best Lawyers in America*,” under Mediation, Arbitration, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (every year since 2007); Listed, “*Chambers USA Guide* (every year since 2008); Member, Winning Team, U.S. News – “*Best Lawyers* “Law Firm of the Year” in Bankruptcy & Creditor Debtor Rights/Insolvency & Reorganization Law and Litigation – Bankruptcy, 2013; Listed, “*Super Lawyers* magazine, “*Florida Super Lawyers* (every year since 2006); Member, Winning Team, Chambers USA Awards for Excellence, Corporate & Finance – Law Firm of the Year (Florida based), 2010; Member, Winning Team, Chambers Latin America Inaugural Awards for Excellence, Focus on Latin America – Law Firm of the Year (Florida based) 2009; Listed, *Florida Trend Magazine*, “Legal Elite,” Bankruptcy Law (every year since 2004); Listed, *The Deal*, “Top Bankruptcy M&A Lawyers;” Listed, *South Florida Legal Guide*, “Top Lawyers in South Florida;” Rated, AV® Preeminent™ 5.0 out of 5.0.

## Previous Employment

Chair, Florida Business Reorganization & Financial Restructuring Practice, Greenberg Traurig, Miami, Florida (1991-2013); Associate, Skadden, Arps, Slate, Meagher & Flom, New York (1989-1991).

## Education

J.D., New York University School of Law (1989); B.A. Political Science and Religion, Tufts University (1986).

## Articles, Publications & Lectures

Written articles and lectured on multiple mediation and arbitration topics (A Case for the Expanded Use of Mediation in Bankruptcy; How to Tank a Mediation without Even Trying; Supreme Court Holds that Class Action Waivers Are Enforceable; Supreme Court Punts on Issue of Arbitrability but Provides Guidance on Judicial Review of Arbitration Awards; Attorney Work Product Privilege Rather Than Mediation Privilege Protects Documents From Discovery; and Supreme Court Holds that Only Arbitrator and Not State Court Can Make Determination That Contract With Arbitration Clause Is “Null and Void

Against Public Policy”); articles on international legal issues (Impact of Sarbanes Oxley on Latin American Based Companies, Cross-Border Insolvency; Latin American Insolvency Regimes; A Guide to US Bankruptcy for Latin American Businesses; A Guide to Preferences and Fraudulent Transfers for Latin American Businesses; Bankruptcy Topics (Trading Claims in Bankruptcy; Avoidance And Recovery Of Preferential and Fraudulent Transfers; Constitutional and Jurisdictional Issues in Bankruptcy; Acquiring Troubled Companies – A Comparison of the Bankruptcy and Non-Bankruptcy Alternatives; Claim Subordination; Allowance of Claims in Bankruptcy; Estimation of Claims in Bankruptcy; Ethics regarding Asset Protection; Bankruptcy Evidence issues; Asset Protection in Florida; U.S. Trade Marks in Bankruptcy); Intellectual Property Issues; and Entertainment Law Issues.

Jim has also written magazine articles on his experience traveling by boat throughout Cuba.

## **Mediation and Arbitration Panels, Court Admissions and Licenses**

Admitted to practice law in all State and Federal courts in Florida; all State courts in New York; United States District Courts for the Southern and Eastern Districts of New York; United States Courts of Appeal for the Second, Third and Eleventh Circuits.

Member of the American Arbitration Association’s Commercial, Large Complex Case, Construction and Mediation Panels; Member of CPR Institute’s Complex Commercial, Financial, Municipal Bankruptcy and Real Estate Panels. Experience with VIAC (Vienna International Arbitration Centre). Experienced Mediator; Roster of Mediators for the United States Bankruptcy Courts for the Southern District of Florida, the Southern District of New York and the District of Delaware.

United States Coast Guard 100 Ton Master License.

## **Not For Profit Boards and Other Appointments**

Founding Chair and current Co-Chair of Arbitration Committee of Florida Bar’s International Law Section.

Former Member, Board of Directors, Stiltsville Trust, Inc.; Former Secretary and Member of Board of Governors of Key Biscayne Yacht Club; Former Member, Board of Directors, Marjory Stoneman Douglas Biscayne Nature Center; Former Youth Sailing Director, Key Biscayne Yacht Club; Former Member, Board of Directors, Florida Historical Society; Former Member, Board of Directors, Volvo Ocean Race Miami, Inc.; Former Member, Board of Directors, Soldiers’ Sailors’, Marines, Coast Guard & Airmen’s Club, Inc. (NYC).

United States Coast Guard 100 Ton Master License