

# SECURITIES MEDIATOR

## **BRIAN G. MOONEY, ESQ.**



Florida Supreme Court Certified Mediator

Principal, The Mooney Firm, PLLC

More Than 30 Years of Securities Litigation Experience

FINRA, NFA and AAA Arbitrator

Evaluative Mediator

Mediated over 1,000 Securities Litigation Matters

Chaired Dozens of Securities Arbitrations

Super Lawyers 2016-2020

AV-Rated Martindale Hubbell

### **SECURITIES FIRMS THAT HAVE RETAINED ME FOR MEDIATION SERVICES**

Raymond James & Associates, Inc.  
SunTrust Bank  
Robert W. Baird & Co., Inc.  
Jefferson Pilot Securities Corp.  
AXA Equitable Financial Services, LLC  
Ameriprise Financial  
Edward Jones  
TD Ameritrade

Merrill Lynch  
Charles Schwab & Co., Inc.  
New England Financial  
Questar Capital Corp.  
Metropolitan Life  
Morgan Stanley  
Wells Fargo  
Oriental Financial Group

### **LAW FIRMS THAT HAVE RETAINED ME FOR MEDIATION SERVICES**

Faegre Baker Daniels – MN & IA  
Saul Ewing – Philadelphia, PA  
Fowler White – Tampa, FL  
Sutherland, Asbill & Brennan – Atlanta, GA  
Rumberger, Kirk & Caldwell – FL & AL  
Baritz & Colman – Boca Raton, FL  
Snyderburn, Rishoi & Swann – Maitland, FL  
Vedder Price – New York, NY  
Sallah Astarita & Cox – Boca Raton, FL  
Freeman Mathis & Gary – Hermosa Beach, CA  
Bressler, Amery & Ross, P.C. – FL & NJ  
The Law Offices of John E. Lawlor, Esq. – New York, NY  
Schwed Kahle Kress – Various Locations, FL  
Keesal, Young & Logan. – Los Angeles, CA  
Wiand Guerra King P.A. – Tampa, FL

Gray Robinson – Various Locations, FL  
Duane Morris, LLP – New York, NY  
Stradley Ronon Stevens & Young – Philadelphia, PA  
Fowler White Burnett – Miami, FL  
Greenberg Traurig – Various Locations, FL  
Marshall Dennehey – FL & PA  
Todd Ratner PLC – Richmond, VA  
Lubiner & Schmidt – Cranford, NJ  
Epstein Becker Green – New York, NY  
Winget, Spadafora & Schwartzberg – NY, FL, TX & CO  
Kaufman Dolowich Voluvk & Gonzo – FL & IL  
Jackson Lewis – Orlando, FL  
Murphy and Anderson – Jacksonville, FL  
Proskauer Rose – New York, NY  
Orrick – Washington, D.C.

## **BRIAN G. MOONEY, ESQUIRE**

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### **FINRA MEDIATOR PROFILE**

*I obtained my bachelor's degree from the University of Notre Dame in 1985 where I majored in both accounting and philosophy. In 1988 I received my J.D. from the University of Florida College of Law. That same year I was admitted to the Florida Bar and the Federal Bar for the Middle District of Florida.*

*My first employment as an attorney was as an associate at Butler, Burnette and Pappas in Tampa, Florida. My responsibilities included all aspects of litigation, from trial work through appellate practice. In 1989, Butler, Burnette and Pappas became involved in the securities litigation practice and that is where I first developed an interest in such practice.*

*Upon leaving Butler, Burnette and Pappas in 1990, I co-founded the firm of Mooney and Riley, P.A. in Tampa, Florida. Our practice included Securities Litigation, Estate Planning, and Personal Injury Litigation. Mooney and Riley dissolved in 1992 and I continued to practice as Brian G. Mooney, P.A. until 1995. In June of 1995, I co-founded the Tampa, Florida law firm of Almerico & Mooney. Almerico & Mooney's practice included Estate Planning, Personal Injury Litigation, and Securities Litigation. In 2017 I founded The Mooney Firm where I practice exclusively in the areas of mediation and arbitration. I have mediated over 1,000 cases in 36 states, Puerto Rico and the District of Columbia.*

*My experience in Securities Litigation is extensive. I have mediated hundreds of securities arbitration cases with a settlement rate that hovers around ninety percent. I have also mediated cases involving SEC civil enforcement and SEC receivership clawbacks. I have been an arbitrator for the NASD/FINRA since 1990. I have chaired over twenty-five arbitrations to award and been involved with numerous other cases that have settled prior to the rendering of a final award. I have arbitrated cases involving fraud on the market, suitability, churning, fraud, unauthorized discretion, misrepresentations and/or omissions, civil RICO, civil theft, specific causes of action under Florida Statutes Section 517, and many other causes of action. I have seen Claimants that are individuals, couples, unrelated parties, trusts retirement plan trustees, estates, investment groups, corporations, etc. I have seen Respondents that are brokerage houses, brokers, managers, clearing houses, unlicensed individuals, corporation, etc. I have also been on numerous panels for the NFA, chairing most of those as well. My extensive experience in arbitration has given me keen insight into how a panel considers the various theories and arguments of both the Claimant and Respondent. It also lends insight into probable final awards.*

*I have represented numerous customers against brokerage houses, with causes of action involving all of those mentioned above. The vast majority of those cases have been in the NASD/FINRA forum of arbitration. Thus, I have specific knowledge concerning both Claimant and Respondent strategies in securities arbitrations. I am a former member of PIABA, resigning to concentrate more on securities litigation mediation.*

*I have also represented brokers with regard to their license with the NASD, The Florida Comptrollers office and the SEC. The NASD, through their seminar set up specifically for securities litigation mediation, provided my initial mediation training. I have also completed the mediation training required for Florida supreme court certified mediators.*

*I am a member of the Florida Bar Association Alternative Dispute Resolution, Trial Lawyers, Real Property and Trust Law. I am a member of the American Bar Association Dispute Resolution, Litigation and Real Property, Trust Estate Law. I am also certified by the Florida Supreme Court as a Florida Circuit Court mediator.*