



Gerald E. Rosen

, Retired Chief Judge, US District Court for the Eastern District of Michigan

Mediator Arbitrator Court-Appointed Neutral (Referee/Special Master)

Case Manager

Amanda Foster

90 So. Seventh St. Ste. 3875

Minneapolis, MN 55402

T: 612-332-8225

Gerald E. Rosen, Retired Chief Judge, US District Court for the Eastern District of Michigan, joined JAMS in 2017 following nearly 27 years of distinguished service on the federal bench. Since coming to JAMS, the Judge's practice has focused on mediation, arbitration, and neutral evaluation of complex business/commercial disputes, complex domestic and international intellectual property disputes, Multi-District Litigation (MDL) and class action matters, False Claims Act litigation, as well as anti-trust and consumer cases. While on the bench, Judge Rosen had wide experience in facilitating settlements. Notably, he served as the Chief Judicial Mediator for the Detroit Bankruptcy case—the largest, most complex municipal bankruptcy in our nation's history—which resulted in an agreed upon, consensual plan of adjustment in just 17 months. Prior to taking the bench, Judge Rosen was a Senior Partner at the law firm of Miller, Canfield, Paddock and Stone where he was a trial lawyer specializing in commercial, employment and constitutional litigation.

ADR Experience and Qualifications

Mr. Rosen has extensive experience in the resolution of complex disputes in the following areas:

- Antitrust
- Bankruptcy (Municipal)
- Business/Commercial
- Class Action/Mass Tort
- Consumer Matters
- Employment/FMLA
- False Claims Act (FCA) Matters
- Civil Rights/§1983
- Intellectual Property
- Real Property
- Securities

- Special Master/Discovery Referee

Representative Matters

- **Antitrust & Competition**
 - *Cason-Merenda v. Detroit Medical Center*, No. 06-15601 (Nurse wage case)
 - *In re Northwest Airlines Corp., et al.*, Antitrust Litigation, No. 96-74711 (Hidden-city ticketing case)
- **Arbitration**
 - *Quixtar Inc. v. Brady*, No. 08-14346, and *Amway Global v. Woodward*, No. 09-12946 (Addressing arbitrability of disputes and confirmation of arbitrator's award)
- **Bankruptcy**
 - *In re: City of Detroit* (Chapter 9 municipal bankruptcy)
 - *United States v. City of Detroit* (Detroit water and sewer case) (Mediated settlements)
- **Civil Rights**
 - *Cheolas v. City of Harper Woods*, No. 06-11885 (Police raid of party with underage drinking)
 - *Flagg v. City of Detroit*, No. 05-74253 (Tamara Greene case)
- **Class Action & Mass Tort**
 - *Tankersley v. Ameritech Publishing, Inc.* (FLSA collective action and Rule 23 class action)
 - *Marquis v. Tecumseh Products Co.*, No. 99-75971 (Class action alleging sexual harassment at manufacturing plant)
 - *In re Rio Hair Naturalizer Products*, MDL 1055 (Multi-district product liability action)
- **Employment Law**
 - *Redd v. Brotherhood of Maintenance of Way Employees Division of International Brotherhood of Teamsters*, No. 08-11457 (ERISA)
- **Intellectual Property**
 - *I.E.E. International Electronics & Engineering, S.A. v. TK Holdings Inc.*, No. 10-13487 (Vehicle occupant sensors patent)
 - *Lear Automotive Dearborn, Inc. v. Johnson Controls, Inc.*, No. 04-73461 (Remote-control garage door opener patent)
- **Real Property**
 - *United States v. Certain Land Situated in the City of Detroit* (Detroit International Bridge land condemnation case)
- **Securities**
 - *In re General Motors Corp. Securities and Derivative Litigation*, MDL No. 06-1749
 - *In re Collins & Aikman Corp. Securities Litigation*, No. 03-71173
 - *In re: Delphi Corporation Securities, Derivative & "ERISA" Litigation*, MDL 1725 (Multi-district securities fraud/ERISA action)

Honors, Memberships, and Professional Activities

Completed Virtual ADR training conducted by the JAMS Institute, the training arm of JAMS.

- Widely published on a wide range of topics including, civil procedure, evidence, due process, criminal law, labor law and legal advertising, including:
 - Co-Author, *Federal Civil Trials and Evidence*, The Rutter Group Practice Guide, 1999-Present
 - Co-Author, *Federal Employment Litigation*, The Rutter Group Practice Guide, 2006-2016
 - Co-Author, *Michigan Civil Trials and Evidence*, The Rutter Group Michigan Practice Guide, 2008-2016
 - Contributing Editor, *Federal Civil Procedure Before Trial*, The Rutter Group Practice Guide, 2008-2016
- Michiganian of the Year, *The Detroit News*, 2015
- Co-Chair, Judicial Evaluation Committee for the U.S. District Court for the Eastern District of Michigan, 1983-1988
- Adjunct Professor, Evidence:
 - University of Michigan Law School, 2008

- Wayne State University Law School, 1992-Present
- University of Detroit-Mercy Law School, 1994-1996
- Thomas M. Cooley Law School, 2004-2013
- U.S. Representative, United States Department of State's Rule of Law Program in Moscow, Russia; Tbilisi, Georgia; Beijing, China; Cairo, Egypt, Hebrew University (Jerusalem); and Malta
- Judicial Consultant, United States Departments of State and Justice missions to Thailand and the Ukraine
- Member, Sixth Circuit Judicial Council, 2009-2015
- Member, Board of Directors, Federal Judges Association, 1996-2002
- Member on the Board of Directors of several charitable organizations, including: Focus: HOPE; the Detroit Symphony Orchestra; the Community Foundation of Southeastern Michigan and the Michigan Chapter of the Federalist Society
- Member, Board of Advisors, George Washington University Law School, 2005-Present
- Member, U.S. Judicial Conference, Committee on Criminal Law, 1995-2001
- Founding Member, Michigan Intellectual Property Inn of Court

Selected Articles About the Detroit Bankruptcy

- *Howes: Detroit Bankruptcy Kudos Widely Shared*, Detroit News, February 26, 2015.
- *Detroit Bankruptcy Shows Mediation Can Get the Job Done*, Detroit Free Press, January 18, 2015.
- *Detroit Bankruptcy Pros Write Off Millions in Fees*, Detroit Free Press, December 11, 2014.
- *How Detroit Was Reborn*, Detroit Free Press, Special Section, November 9, 2014.
- *Judge, A Mediator in Bankruptcy, Sees Hope for Detroit*, Detroit Free Press, November 9, 2014.
- *Finding \$816 Million, and Fast, to Save Detroit*, The New York Times, November 7, 2014.
- *Judge Rosen's Tough Tack on Creditors Helped Speed Detroit Bankruptcy Case*, Crain's Detroit Business, November 6, 2014.
- *Mediator in Detroit Bankruptcy Walks Fine Line Between City, Creditors*, The Wall Street Journal, February 14, 2014.
- *How Mediation Has Put Detroit Bankruptcy on the Road to Resolution*, Detroit Free Press, February 2, 2014.
- *Detroit Emerges From Nation's Largest Municipal Bankruptcy*, Los Angeles Times, November 10, 2014.

Background and Education

- United States District Judge, Eastern District of Michigan (Detroit), 1990-2017
 - Chief Judge, 2009-2015
 - Judge by Designation, United States Court of Appeals for the Sixth Circuit, Repeated Appointments
- Senior Partner, Miller, Canfield, Paddock and Stone, specializing in commercial, employment, real property, and constitutional litigation, 1979-1990
- J.D., George Washington University Law School, 1979
- Legislative Assistant, United States Senate, Sen. Robert P. Griffin (R-MI), 1974-1979
- B.A., Senior Fellow, Political Science Kalamazoo College, 1973

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