



Andrew B. Flake, Esq.

The Flake Law Firm, LLC

Current Employer-Title The Flake Law Firm, LLC -- Managing Member

Profession Arbitrator, Attorney, Mediator, EDR Neutral

Work History Member, The Flake Law Firm, LLC, 2021 - Present.
Partner, Arnall Golden Gregory LLP, 1999 - 2021.

Experience Over twenty years of experience in complex commercial, business, technology, healthcare, intellectual property, and employment matters, representing both plaintiffs and defendants in a wide range of disputes both domestically and internationally, across industries including software, manufacturing, real estate, medical device, professional services, hospital and healthcare, life sciences, pharmaceuticals, network and cloud computing, IT services, technology, data breach and cybersecurity.

Corporate/securities: Investor, member, shareholder rights; corporate governance; business divorce; business valuation; UCC; manufacturing; receiverships and insolvency; breach of commercial contract; domestic and foreign corporate affiliate relationships.

Employment: Breach of employment agreements; executive compensation; termination; harassment and discrimination; breach of fiduciary duty; non-compete and non-solicits; restrictive covenants; corporate opportunities; interference with business relations; business valuation; trade secrets and trade secret misappropriation; confidentiality; breach of fiduciary duty; global mobility.

Healthcare: Physician-practice contracting; healthcare IT and other facility-vendor disputes; medical staff credentialing; provider and facility malpractice claims; HIPAA and patient privacy issues; reimbursement and billing disputes; medical practice ownership/governance disputes

Intellectual Property: Copyright, trademark and patent infringement; corporate startup; invention and invention assignment; Lanham Act (false advertising and trademark infringement); rights of publicity, licensing agreements; trade secrets and confidential information.

Real Estate: Landlord-tenant; purchase and sale; quiet title, including easement and boundary issues; industry experience including retail, multi-family, warehouse, office and industrial

Business torts/competition: Lanham Act and false advertising; RICO; copyright, defamation; rights of publicity; online disparagement; trade secrets and confidential information.

International: Range of cross-border transactions and disputes; letters rogatory and requests for discovery in aid of foreign proceedings; international arbitration; assisting parties in multiple jurisdictions in Europe, the Americas, and Asia

Alternative Dispute Resolution Experience

Neutral in broad range of commercial cases, with emphasis on complex business and technology/IP-related disputes. In addition to arbitrating matters for AAA and mediation practice, regularly assists clients on issues pertaining to commercial arbitration matters, both domestic and international, and range of employment, healthcare, and IP matters.

Served as lead counsel under all of the major sets of domestic and international arbitration rules. In connection with this work, has successfully analyzed, briefed and argued numerous issues pertaining to arbitration, including the scope of arbitrability, arbitrator qualifications, jurisdiction, and issues pertaining to confirmation and enforcement of arbitral awards.

Active, through scholarship and conference efforts, in promoting international arbitration and dispute resolution, including in the Atlanta Society for International Arbitration and on the topic of third-party funding.

Alternative Dispute Resolution Training

ACE22 Case Management; ACE21 Impartiality: Do You Know Where Your Biases Are? 2021; Best Practices for Counsel--Mediating and Arbitrating the Complex Commercial Case, 2021; 13th Annual Arbitration Institute, 2020; ACE20 Cyber Security: A Shared Responsibility, 2020; AAA ACE19 Case Finances: What Arbitrators Need to Know, 2019; AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2018; AAA Arbitration Awards; Safeguarding, Deciding & Writing Awards ACE01, 2018; Arbitration Training (for neutral certification), Henning, 2017; Civil Mediation Training & Practicum, Henning, 2017

Professional Licenses

Professional Associations

Admitted to the Bar: Georgia, 1999.

Officer-at-large, Mediation Committee, International Bar Association (IBA); Dispute Resolution Section, State Bar of Georgia; Board Member, Atlanta International Arbitration Society (AtLAS); Arbitration Committee, IBA; Section of Litigation, American Bar Association; Section of International Law, American Bar Association; Lawyers Club of Atlanta (Past President and Executive Committee Member).

Education

Duke University (LL.M., International and Comparative Law – 1999); Duke University School of Law (JD – 1999); Vanderbilt University (BA, German – 1996).

Publications and Speaking Engagements

Publications:

Contributor and editor, *The Art of Resolution Blog* (www.theartofresolution.net); Contributing author, *Handbook on Third-Party Funding in International Arbitration* (Juris 2017); Faculty member, *Cutting Edge Issues in International Arbitration*, 10th Annual Arbitration Institute, Atlanta, Georgia (2016).

Speaking Engagements:

Speaks and presents on ADR topics clauses across a range of areas, including cross-border litigation, the intersection of law and technology, and ADR.

Awards and Honors The Best Lawyers In America (Commercial Litigation, 2020-present)
AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
Fellow, American Bar Foundation
Fellow, Litigation Counsel of America.

Locations Where Parties Will Not be Charged for Travel Expenses Atlanta, Georgia

Citizenship United States of America
Languages English; German
Locale Atlanta, Georgia, United States of America

Compensation Arbitration: \$450.00/Hr
Mediation: \$450.00/Hr
Cancellation Period: 0 Days