Matthew H. Adler

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Matt's diverse skill set and more than 30 years of experience make him a go-to attorney for commercial disputes in the U.S. and around the world. His clients turn to him for creative solutions in mediation, counseling, U.S. courtrooms, and arbitration panels.

OVERVIEW

Matt's clients call on him to protect their interests wherever they do business. He handles commercial disputes before international, administrative, and judicial bodies, including federal and state courts, government agencies, and arbitration panels in the U.S. and internationally. He has led trial and arbitration teams on virtually every form of business dispute, including sales of businesses, supply contracts, intellectual property, insurance, real estate, lender liability, restrictive covenants, and sovereign immunity.

Matt began his career at a leading Washington, D.C. law firm in which he represented U.S. commercial interests expropriated by foreign governments. That brought Matt to government service with the U.S. Department of State, where he represented the United States in commercial and military claims against Iran at the Iran-U.S. Claims Tribunal located in The Hague, the Netherlands. He later served as counsel to the Bureau of InterAmerican Affairs, where he worked on Central and South American foreign policy issues.

Matt has written extensively on the development of commercial arbitration law in the United States, especially in the wake of the explosion of U.S. Supreme Court cases on this subject in the past 15 years. He is the author of the law school textbook, *Commercial Arbitration: Cases, Problems and Practice* (Carolina Academic Press, 3d ed.n2026). He has taught arbitration as an adjunct professor at the University of Virginia School of Law, and the University of Michigan Law School, and is presently on the adjunct faculty of the Penn Carey Law School at the University of Pennsylvania.

Matt's scholarship also includes articles and lectures on various commercial aspects of international law, with a special concentration on enforcement of judgments and arbitration awards across borders. He has published on this subject in the U.S. and internationally, including in the Northwestern University School of Law's *Journal of International Law and Business*, *The International & Comparative Law Quarterly*, Georgetown University Law Center's *Law and Policy in International Business*, the *United States-Mexican Law Journal*, and the *Fordham International Law Journal*, and, most recently, in a series of articles in the Center for Dispute Resolution's publication *Alternatives*.

REPRESENTATIVE MATTERS

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International Arbitration

- ICC arbitration between German and Italian members of an international consortium concerning sharing of patent and contract rights (10-day hearing in Paris).
- Hong Kong International Arbitration Commission representation of U.S. company in case concerning impact of U.S. trade regulations on contract and governance obligations (ongoing).
- The first major case to be heard by the New Delhi branch of the London Court of International Arbitration (LCIA-I), concerning a real estate joint venture in India. Multiple hearings in Delhi and London, and successful enforcement proceedings in Dubai.
- An arbitration against the Jordanian government before the World Bank's Centre for the Settlement of Investment Disputes; client won an issue of first impression under ICSID rules.
- An arbitration before the International Chamber of Commerce between an Italian-owned supplier and a French-owned buyer of chlorine anodes.
- An arbitration before the London Court of International Arbitration on behalf of a group of U.S. professional firms against a former Soviet Republic country over privatization fees.
- An arbitration before the Stockholm Chamber of Commerce on behalf of a U.S. buyer of uranium and the Russian government's selling arm, in which client won a liability award involving issues of state responsibility, *force majeure* and a U.S.-Russian nuclear treaty.
- An arbitration before the International Centre for the Settlement of Investment Disputes on behalf of an Israeli national asserting rights pursuant to a Bilateral Investment Treaty.
- An arbitration before the China International Economic and Trade Commission on behalf of a U.S. specialty machine manufacturer.
- An arbitration against the United States government's Overseas Private Investment Corporation (OPIC) on behalf of a Congo-based consortium for losses in insurrection.

U.S. Arbitration

- Ten-day 2018 JAMS hearing between licensor and licensee regarding breach of contract and IP rights (successful award).
- Six-week JAMS hearing in 2018 involving pay day lending industry, with collateral U.S. court proceedings (matter pending).
- AAA proceeding between distributor and project owner, with competing jurisdictional issues (successful award).
- Ad hoc proceeding between leading health care provider and physicians' group; seven-day hearing, settlement before final award.
- Two-week 2016 AAA hearing concerning contract and intellectual property rights in refrigeration industry (settlement following hearing).

U.S. Commercial Disputes

- Represented New Jersey shareholders in a dispute with majority owners of a close corporation.
- Represented a leading U.S. health care company in a dispute with pharmaceutical company.
- Representing a U.S. private equity firm in disputes regarding purchases of business, and in separate litigation regarding bonus payments.
- Representing a leading U.S. health care provider in multiple cases against payors and in separate litigation against joint venture partners.
- *Moran v. DaVita*, D.N.J., No. 06-5620, March 23, 2009 (summary judgment dismissal of contract and employment claims).
- *El-Hennawy v. DaVita*, Kings County, NY (2005 summary judgment in $155 million defamation claim).

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- *Whitesell Enterprises v. Brandywine Realty Trust*, Camden County NJ Equity Division, No. C-71-99 (affirmed New Jersey Appellate Division 2004) (summary judgment for defendant on plaintiff's claims of liability and defendant's counterclaims in case of first impression under New Jersey law on unilateral and mutual mistake in contract).
- *Brandywine Realty Trust v. Grubb & Ellis*, Bergen County, NJ, No. BER-L-7828-99, (2000 summary judgment for plaintiff in commercial real estate broker commission case).
- *LT Propco LLC v. Westfield Garden State Plaza Ltd*., A-2529-09T1 (affirmed New Jersey Appellate Division 2010) (motion to dismiss for major developer sued by sub-tenant).

Transborder Commercial Disputes

- Representation of a buyer (London, England court) (pending).
- Arbitration proceedings in India concerning international disputes in a real estate joint venture.
- Representation of an Italian biotech company in licensing and contract disputes with U.S. licensees (California and Pennsylvania courts, and Geneva [ICC] arbitration) (pending).
- Leading a London-based litigation concerning the breach of an international purchase agreement.
- Lawsuit against the United States on behalf of all Chilean grape growers and exporters arising out of a trade embargo against Chile.
- Lawsuit against former East German joint venture partners with a U.S. bearing manufacturer.
- Representation of the Council of Europe in contract disputes.
- Lawsuit seeking to enjoin Venezuelan proceedings against a large U.S. construction company.
- A sovereign immunity case against the government of Russia.

AWARDS

- *Best Lawyers in America*®: International Arbitration – Commercial (2027)
- *Legal 500 United States*: Dispute Resolution: International Arbitration (2026)
- *Pennsylvania Super Lawyers* (2004-2008, 2010-2023)

TOP AREAS OF FOCUS

- International Arbitration
- Litigation + Trial

ALL AREAS OF FOCUS

- Automotive
- Business Litigation
- Class Action
- Insurance + Reinsurance
- International
- International Arbitration
- Litigation + Trial
- Noncompete + Trade Secrets

PROFESSIONAL EXPERIENCE

- Attorney-advisor: U.S. Department of State (Washington, D.C.), 1986-1989

EDUCATION AND CERTIFICATIONS

EDUCATION

- Columbia Law School, J.D., 1983
- Cornell University, B.S., 1980

BAR ADMISSIONS

- Pennsylvania
- New Jersey

COURT ADMISSIONS

- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, District of Columbia
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- District of Columbia Court of Appeals

SPEAKING ENGAGEMENTS

- Speaker, "Drafting Effective Arbitration Clauses Agreements," Troutman Pepper Locke International Arbitration Forum, May 14, 2026.
- Speaker, "International Law Society: International Q&A with Profs Adler and Marley," University of Michigan, February 15, 2024.
- Speaker, "Making Budget: Why Is International Arbitration So Expensive, and How Can You Keep Costs Down ," The Art of International Arbitration CLE: Practical Advice in International Arbitration, November 2, 2023.
- Panelist, "Discovery From Dishonest Defendants," Arbitration & Fraud in Russia & CIS, April 13, 2021.
- Co-presenter, "The Art of International Arbitration," Pepper Hamilton/ICC Webinar, October 11, 2019.
- Speaker, U.S.-India Strategic Partnership Forum, Interactive Discussion With Cyril Shroff, Managing Partner at Cyril Amarchand Mangaldas, June 4, 2019.
- Speaker, ABA Section of Dispute Resolution's 12th Annual Arbitration Training Institute, May 16-17, 2019.
- Speaker, Wyche, P.A. Ethics Roundtable CLE Webinar, February 13, 2019.
- Speaker, "Arbitral Awards: The Good, The Bad and The Ugly," Dublin International Arbitration Day 2018, November 16, 2018.
- Presenter, Penn Law IAA's Second Annual International Arbitration Conference, April 6, 2018.
- Presenter, "Talking Arbitration With the Peppers Who Wrote the Book," Pepper Hamilton CLE, November 15, 2017.
- Speaker, "Contemporary Issues & Emerging Trends in International Arbitration," Penn Law International Arbitration Conference, March 27, 2017.

PUBLICATIONS

- Co-author, “Judge Tells Michael Jackson Plaintiffs to Beat It Out of Court and Into Arbitration,” *The Recorder*, August 27, 2026.
- Co-author, “After Twin Cert Denials, D.C. Courts Cement Path for Enforcing Arbitral Awards Against Sovereign States,” *Troutman Pepper Locke*, August 25, 2026.
- Author, “Four Arbitration Questions that Shouldn’t Continue to Be Passed Over,” *Alternatives to the High Cost of Litigation*, April 2026.
- Co-author, “The Supreme Court Again Declines to Clarify ‘Manifest Disregard’ as a Standard for Vacatur Under the Federal Arbitration Act,” *Troutman Pepper Locke*, January 16, 2026.
- Co-author, “SCOTUS Declines to Decide Missouri Corporation’s Question of International Comity and State Law,” *Troutman Pepper Locke*, March 10, 2025.
- Author, “Mass Arbitration Clauses: How Have They Fared So Far?,” *Alternatives to the High Cost of Litigation*, December 2024.
- Co-author, “SCOTUS Designates Dueling Delegation Decision to Courts,” *Troutman Pepper*, May 29, 2024.
- Co-author, “Minnesota Court Denies Substitution Motion: Implications for Litigation Funders,” *Troutman Pepper*, March 6, 2024.
- Co-author, *A Practitioner’s Guide to Arbitration*, American Bar Association, August 25, 2023.
- Co-author, “U.S. Supreme Court Creates a New Path for Non-U.S. Plaintiffs to Enforce Foreign Arbitral Awards ,” *Business Law Today*, August 2, 2023.
- Co-author, “Troutman Pepper Guide to International Arbitration,” *Troutman Pepper*, April 17, 2023.
- Co-author, “A Change in Course? The Eleventh Circuit May Soon Join Most Circuits on the Applicability of FAA Grounds to Vacate Nondomestic Arbitration Awards,” *Troutman Pepper*, December 14, 2022.
- Co-author, “Federal Court Further Narrows 28 U.S.C. § 1782 Application Following Landmark SCOTUS Decision,” *Troutman Pepper*, November 17, 2022.
- Co-author, “Can You Enforce an International Arbitration Award That’s Been Set Aside?,” *Troutman Pepper*, August 10, 2022.
- Co-author, “SCOTUS Invalidates CA Law Preventing Arbitration of Individual PAGA Claims When a Valid Arbitration Agreement Exists,” *Troutman Pepper*, June 17, 2022.
- Co-author, “SCOTUS Resolves Section 1782 Controversy: Courts Cannot Order Discovery in Most International Arbitrations,” *Troutman Pepper*, June 15, 2022.
- Co-author, “SCOTUS Resolves Circuit Split: A Showing of Prejudice Not Required to “Waive” Right to Arbitration,” *Troutman Pepper*, May 25, 2022.
- Co-author, “Federal Arbitration Act Will Likely Be Amended to Prohibit Pre-Dispute Arbitration Clauses for Sexual Assault and Sexual Harassment Claims,” *Troutman Pepper*, February 14, 2022.
- Co-author, “SCOTUS to Resolve Circuit Split After All — Can Federal Courts Order Discovery for Use in Private, Commercial International Arbitrations?,” *Troutman Pepper*, December 15, 2021.
- Co-author, “SCOTUS to Dismiss 28 U.S.C. § 1782(a) Case: No Resolution (For Now) as to Whether the Section Applies to Private, Commercial, International Arbitrations,” *Troutman Pepper*, September 27, 2021.
- Co-author, “Certiorari Granted: SCOTUS to Decide if 28 U.S.C. § 1782(a) Applies to Private, Commercial, International Arbitrations,” *Troutman Pepper*, March 23, 2021.
- Author, “Arbitration: Cases, Problems, and Practice,” 2nd ed., Carolina Academic Press, 2021.
- Co-author, “Circuits Remain Split on Allowing U.S. Discovery in Private, International Arbitrations,” *Troutman Pepper*, July 13, 2020.
- Co-author, “Supreme Court May Decide if Litigants Can Conduct U.S. Discovery for Private International Arbitrations,” *Troutman Pepper*, July 7, 2020.
- Co-author, “Remote Int’l Arbitration Lessons to Retain Post-Pandemic,” *Law360*, May 1, 2020.
- Co-author, “Another Blow for Class Arbitration at The Supreme Court,” *Client Alert*, April 25, 2019.
- Author, “When, Where and Whether: The Confusing Law of Third-Party Evidence,” *Alternatives to the High Cost*

of Litigation, April 2019.

- Co-author, “Supreme Court’s Latest Arbitration Opinion Bucks a Pro-Arbitration Trend,” *Client Alert*, January 22, 2019.
- Co-author, “Kavanaugh’s First Opinion: In Arbitration Agreements, Delegation Means Delegation,” *Client Alert*, January 11, 2019.
- Co-author, “Supreme Court Upholds Validity of Employee Class Action Waivers,” *Client Alert*, May 29, 2018.
- Co-author, “Injunction Carve-Outs in Arbitration: Emergency Only, or All Equity Claims?,” *Alternatives to the High Cost of Litigation*, January 2018.
- Co-author, “Senate Strikes Down CFPB Arbitration Rule,” *Client Alert*, October 25, 2017.
- Author, Consumer Data Breach: Equifax and Arbitration, *Kluwer Arbitration Blog*, October 23, 2017.
- Co-author, “Arbitration: Cases, Problems, and Practice,” *Carolina Academic Press*, September 2017.
- Co-author, “BNSF v. Tyrrell: The Other International Shoe Has Dropped,” *Client Alert*, June 7, 2017.
- Co-author, “You’ve Got Mail: Supreme Court Holds Foreign Defendants May Be Served Via Certified Mail Under Hague Convention,” May 31, 2017.
- Co-author, “Is This the End of Arbitration for Consumer Financial Disputes?,” *Client Alert*, May 11, 2016.
- Author, “How Arbitration Swallowed Up Consumers’ Ability to Bring Lawsuits,” *New Jersey Law Journal*, February 19, 2016.
- Co-author, “Ninth Circuit Again Clarifies That Arbitration Is Creature of Contract: Employee’s Agreement to Abide By Company Manual Is Sufficient to Send Title VII Claims to Arbitrator,” *Client Alert*, May 28, 2015.
- Co-author, “New Ninth Circuit Opinion Requires Companies Seeking to Enforce Arbitration to Pay ‘Sirius’ Attention to Contract Formation,” *Law360*, November 18, 2014.
- Co-author, “A Possible Game-Changer for ‘Silent’ Arbitration Clauses,” *Law360*, October 28, 2014.
- Co-author, “Ninth Circuit Affirms District Court’s Refusal to Enforce Arbitration Clause in Barnes & Noble’s Browsewrap Agreement-Conspicuous Hyperlinks to Terms of Use, ‘Without More,’ Is Insufficient,” Client Alert, August 25, 2014.
- Co-author, “Third Circuit Reaffirms the Difficulty of Binding a Non-Signatory to Arbitration,” August 20, 2014.
- Co-author, “Supreme Court Holds That Courts Must Defer to Arbitrators in First Case Addressing International Investment Treaty Arbitration,” *Client Alert*, March 11, 2014.
- Co-author, “Supreme Court Holds That Courts Must Defer to Arbitrator’s Decision to Authorize Class Arbitration,” *Client Alert*, June 11, 2013.
- Co-author, “U.S. Supreme Court Orders State Court to Adhere to Federal Arbitration Act and Compel Arbitration,” *Client Alert*, December 6, 2012.
- Co-author, “Pennsylvania Superior Court Declines to Compel Arbitration of Tort Claims Despite Broad Arbitration Clause,” *Client Alert*, November 12, 2012.
- Co-author, “Quilloin v. Tenet Healthsystem Philadelphia, Inc. May Limit Companies’ Risk of Class Actions,” *Client Alert*, March 29, 2012.
- Author, “Figueiredo v. Peru: A Step Backward for Arbitration Enforcement,” *Northwestern Journal of International Law and Business*, January 31, 2012.
- Co-author, “In Fountaine Pajot, U.S. Punitive Damages Awards Ruled ‘Enforceable’ in French Courts: The Continued Movement of French Courts Toward Enforcement of Foreign Judgments,” *Client Alert*, March 21, 2011.
- Co-author, “India, Keeping With the Times: Recent Breakthroughs in Indian Dispute Resolution,” *Client Alert*, September 28, 2009.

MEDIA COMMENTARY

- Quoted, “9th Circ. Widens Arbitration Split, But Will High Court Step In?,” *Law360*, August 20, 2026.

- Quoted, “Manifest Disregard Remains Source of Consternation for Now,” *Law360*, February 26, 2026.
- Quoted, “Disney Backs Down From Effort to Use Disney+ Agreement to Block Lawsuit,” *New York Times*, August 20, 2024.
- Quoted, “Disney’s Bid to Arbitrate Husband’s Wrongful Death Suit Has a Chance,” *Reuters*, August 16, 2024.
- Quoted, “Four Things to Know About Ad Hoc Vs. Institutional Arbitration,” *Law360*, February 6, 2018.
- Quoted, “Three Misconceptions GCs Hold About International Arbitration,” *Law360*, January 30, 2018.
- Quoted, “Kaepernick’s Case to Break New Ground,” *Wall Street Journal*, October 18, 2017.
- Quoted, “NY Court Nix of ICC Award Spotlights ‘Manifest Disregard’,” *Law360*, June 14, 2017.
- Quoted, “Rebalancing Court Role in Arbitration Not Needed, Attys Say,” *Law360*, April 27, 2016.
- *Law360*‘s Q&A With Pepper Hamilton’s Matthew Adler, April 4, 2016.
- Quoted, “Three Things to Consider in Face of Asian Arbitration Boom,” *Law360*, March 22, 2016.
- Quoted, “Three Tips for Landing More Arbitration Work,” *Law360*, February 12, 2016.
- Quoted, “3 Tips for Setting Aside an International Arbitration Award,” *Law360*, February 11, 2016.
- Quoted, “Five Tips for Airtight International Arbitration Clauses,” *Law360*, February 1, 2016.