



# LOWELL HAKY, ESQ.

MEDIATOR – FINANCIAL SERVICES



Lowell Haky, Esq. is an accomplished mediator offering broad expertise in the financial services industry. With extensive experience in securities, asset management, banking, ERISA, trade secrets, employment, and real estate, Mr. Haky has a unique dispute resolution outlook honed through litigating high-stakes cases from both plaintiff and defendant perspectives. He offers rare insight into corporate litigation risk assessment and settlement valuation.

- **Mediation:** Experienced Mediator, Temporary Judge, and Mandatory Settlement Conference Officer. Conducted hundreds of Mediations and Mandatory Settlement Conferences in San Francisco and Contra Costa Superior Courts and for the California Department of Fair Employment and Housing. Attained an impressive 85% settlement rate.
- **High-Stakes Litigation:** Litigated dozens of major financial industry cases on both the plaintiff and defense sides. Defended multibillion-dollar securities, antitrust, and regulatory enforcement claims. Recovered hundreds of millions of dollars in affirmative recovery cases for a major Asset Management company.
- **Financial Services Expertise:** Highly skilled in Securities, Asset Management, Financial Planning, Banking, ERISA, Employment, Theft of Trade Secrets, and Real Estate as both in-house and outside counsel.
- **Distinctive Insights:** Deep knowledge of corporate approach to evaluating litigation and regulatory risks and assessing settlement value. Extensive experience with top-tier plaintiff and defense-side firms in case evaluation and settlement strategy.
- **Mediation Style:** Recognized for fostering trust and resolving interpersonal conflicts to prioritize mutual interests. Combines friendliness, creativity, and determination to bring cases to a successful close.

## MEDIATION EXPERIENCE

### ADR SERVICES, INC.

2024-Present

#### Mediator, Arbitrator

Conducts mediations and arbitrations in the areas of financial services, trusts and estates, employment, real estate, business and contract, landlord/tenant, and construction defect.

### SAN FRANCISCO SUPERIOR COURT

2018-Present

#### Temporary Judge, Settlement Conference Officer

Conducts mandatory settlement conferences in San Francisco Superior Court as a Temporary Judge and Settlement Conference Officer.

**CONTRA COSTA COUNTY SUPERIOR COURT – CONGRESS OF NEUTRALS** **2018-2021**  
**Mediator, Discovery Facilitator**

Conducted mediations and facilitated discovery dispute resolution in Contra Costa County Superior Court cases.

**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING** **2018-2022**  
**Mediator**

Mediated employment disputes for the California Department of Fair Employment and Housing.

**PROFESSIONAL EXPERIENCE**

**CHARLES SCHWAB & CO., INC., San Francisco, CA** **2000-2024**  
**Managing Director – Litigation and Regulatory Enforcement**

Managed a team of lawyers and staff responsible for resolving complex, high-stakes disputes. Consistently achieved excellent outcomes.

- Represented Schwab in complex class-action litigation, including Antitrust, Best Execution, 401K Excessive Fee, and Privacy cases.
- Represented Schwab in high-profile regulatory enforcement actions, including the DOJ antitrust investigation of Schwab's \$26B TD Ameritrade acquisition, and the Market Timing and Late Trading, Auction Rate Securities, and Class Action Waiver actions.
- Established and managed Schwab's Affirmative Recovery Practice Group, pursuing investment loss recovery on securities held in Schwab Mutual Funds and ETFs. Cases included domestic opt-out litigation and international opt-in claims. Hundreds of millions of dollars in recoveries.
- Established and managed Schwab's Employee Transition Practice Group, focusing on employee departures and theft of trade secrets and intellectual property.
- Handled hundreds of FINRA arbitration cases relating to alleged financial advisor misconduct and product failures.

**ZELLE & LARSON, LLP, San Francisco, CA** **1995-2000**  
**Litigation Associate**

Represented broker-dealers, investment advisors, individual investors, and commercial finance companies in litigation, arbitration, and regulatory enforcement cases.

**SPEAKING ENGAGEMENTS**

Frequent speaker at the Practising Law Institute (PLI), Chief Litigation Counsel Forums, Securities Industry Conferences and Judicial Conferences on various topics including Negotiating Techniques, Affirmative Recovery Litigation, and Litigation Trends.

**EDUCATION**

J.D., Golden Gate University School of Law, San Francisco, CA  
B.S. in Business Administration & Finance, San Diego State University, San Diego, CA