

DEBORAH J. HYLTON

(919) 946-6670 | deborah.hylton@hyltonADR.com | [in/deborah-hylton](https://www.linkedin.com/in/deborah-hylton)

Deborah Hylton is an experienced arbitrator, mediator and conflict engagement specialist. Her practice is differentiated by 38 years of cross-industry experience as a corporate board chair, corporate director, CEO, restructuring officer and leading transactional attorney in a Top 100 U.S. law firm. She is a Fellow of the Chartered Institute of Arbitrators, a frequent speaker at ADR conferences and active in international, national and regional ADR organizations.

ADR EXPERIENCE

Deborah has served as sole arbitrator and wing arbitrator. Representative issues in arbitration include:

- Commercial Finance
- Fine Art Finance
- Consumer Finance
- Toxic Health Exposures
- Payor-Provider Reimbursement
- Healthcare Diagnosis
- Service Commitments
- Insurance Contracts
- Breach of Fiduciary Duty
- Self-Dealing
- Unjust Enrichment
- Securities Fraud
- Data Breach
- Privacy and Data Use
- Non-solicitation Clauses
- Non-competition Clauses
- Arbitrability & Jurisdiction
- Dispositive Motions
- Interim Relief
- Bifurcation of Issues
- Discovery Disputes
- Expedited Proceedings
- Consolidation Motions
- Baseball Clause Structure

Deborah's mediation experience spans business disputes to constitutional rights. Issues include:

- Breach of Fiduciary Duty
- Self-Dealing
- Unjust Enrichment
- Rights of Minority Owners
- Securities Fraud
- Physician Compensation in Managed Care Contracts
- ERISA Benefit Claims
- Insurance Coverage
- Negligence
- Wrongful Eviction
- Constitutional Rights

As a business executive or counsel, Deborah has resolved disputes involving:

- Post-transaction M&A warranty and indemnity claims
- Long-term pharma production and supply obligations, including novel "march-in" operating rights
- Long-term pharma license and supply obligations in abruptly changed circumstances
- Restructure of balance sheet and debt obligations enabling successful turnaround and exit
- Claims of multiple classes of creditors of insolvent company outside bankruptcy

As a conflict engagement specialist, Deborah focuses on ways to preserve business relationships by proactively confronting inevitable disagreements and conflicts to prevent them from becoming legal disputes.

ADR CREDENTIALS

- AAA—Commercial, Consumer, Health Care, M&A, Joint Venture Arbitration Panels;
- CPR Institute—Panel of Distinguished Neutrals for Arbitration and Mediation; Dispute Prevention Panel; Flat Fee Mediation Panel
- American Health Lawyers Association Dispute Resolution Service--Arbitration & Mediation Panels
- FINRA--Arbitration Panel and Mediation Panel
- Resolute Systems, LLC Arbitration Panel and Mediation Panel
- North Carolina Dispute Resolution Commission's Superior Court Mediated Settlement Program

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PROFESSIONAL EXPERIENCE

HYLTON ADR SERVICES, LLC, Durham, North Carolina (October 2017 – present)

Founder; Arbitrator, Mediator & Conflict Engagement Specialist

MIDMARK CORPORATION, Miamisburg, Ohio (June 2019 – present)

Corporate Director and Compensation Committee member of global healthcare manufacturer.

NC SERVICES FOR DENTISTRY, Cary, North Carolina (March 2019 – present)

Corporate Director of organization supporting dentists in implementing products and services.

SOUTHLIGHT HEALTHCARE, Raleigh, North Carolina (2017– present)

Corporate Director and Chair of the Governance Committee of behavioral health provider organization.

THRIVE 47, LLC, Raleigh/Durham, North Carolina (2016 – Oct 2017)

President & CEO. Recruited by investors to restructure operations and behavioral health mobile app.

WELLS ENTERPRISES, INC., Le Mars, Iowa (2008 – 2014)

Recruited to be first independent Board Chair for this leading manufacturer of ice cream products (Blue Bunny®, Weight Watchers®). Instituted first governing board, committee structure and management accountability.

HYLTON CONSULTING SERVICES, LLC, Chapel Hill, North Carolina (2008 – 2015)

Strategic Consultant/Advisor. Select strategic engagements for commercialization, strategy, and innovative finance for health care, life sciences and technology clients.

KMC TELECOM, INC., Bridgewater, New Jersey (2006 – 2008)

Restructuring Officer. Recruited by fiber-based integrated communications provider to work with major global lenders to settle, outside bankruptcy, creditor claims aggregating several hundred million dollars.

FIRMLOGIC, LLC, Winston-Salem, North Carolina (2002 - 2005)

Corporate Director and Vice Chair (2005) of tech-based litigation support services company spun off from top 100 U.S. law firm. As Vice Chair, guided assessment of strategic and capital alternatives.

WOMBLE CARLYLE SANDRIDGE & RICE PLLC, Raleigh/Durham, North Carolina (1983 – 2005)

Recognized transactional lawyer and organizational leader for this Top 100 U.S. law firm that became part of transatlantic Womble Bond Dickinson in 2017.

- Concentration in capital formation, mergers & acquisitions, public securities issuance and reporting, international supply arrangements, licensing and other complex transactions.
- Routinely briefed boards of directors on corporate governance requirements and specific governance obligations in particular situations.
- Extensive experience in cross-border transactions.
- Investment counsel to NC State Treasurer, then 10th largest U.S. public pension fund, supporting global investment program in alternative assets.
- Advisor in successful recapitalizations, turnarounds and exit transactions for multiple companies.
- Co-founded and co-managed new office of firm.
- Elected to the firm's governing committee as the first woman and youngest partner.
- Named to Best Lawyers in America, Corporate Law 10+ years; Martindale-Hubbell AV rating.

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PUBLICATIONS

[Ensuring that Arbitration is Both Cost Effective and Speedy](#), co-authored with Judge Shira A. Scheindlin (Ret.), April 26, 2021 The AmLaw Litigation Daily
[Dispute Prevention: An Introduction, A Conversation and A Video Simulation](#), Spring 2021 Business and Corporate Litigation Committee Newsletter of the ABA's Business Law Section
[Practical Tips for Contracts in Uncertain Times](#), Summer 2020 Business and Corporate Litigation Committee Newsletter of the ABA's Business Law Section
[Expedited Arbitration: Where Practicality Meets Principle](#), Spring 2020 Business and Corporate Litigation Committee Newsletter of the ABA's Business Law Section

SELECT SPEAKING ENGAGEMENTS

[CPR Institute & MAMG Advogados \(São Paulo\)](#), "CPR Toolkit on Dispute Prevention" 2021
[Charlotte Int'l Arbitration Society](#), "Arbitrator Selection and Initial Panel Conference" 2021
[Atlanta Int'l Arbitration Society](#), "Sustainability & Green Issues in Int'l Dispute Resolution" 2021
[International Women's Forum, Carolinas](#), "The Realities of Board Service" 2021
[Chartered Institute of Arbitrators \(NAB\)](#), "Cost, Speed, Effectiveness and Enforceability" 2021
[New York Law School James F. Henry Speaker Series](#), "No Need to Resolve if You Can Prevent" 2021
[CPR Annual Meeting 2021](#), Live Simulation of "Dispute Prevention: Great Idea-How Do We Do It?" 2021
[The Arbitration Conversation](#), Episode No. 56 "Problem-Solving in ADR" 2020
[CPR Annual Meeting 2020](#), "Mediation and Arbitration in a Changing World of ADR" 2020
[NC Bar Ass'n Antitrust and Complex Business Disputes Section](#), "Arbitration: Effective and Efficient Resolution of Complex Business Disputes" 2020
[New York Arbitration Week](#), "Expedited Proceedings: Where Practicality Meets Principle" 2019
[ABA Podcast Resolutions](#), "Diversity in ADR" 2019
[National Association of Corporate Directors](#) (Charlotte & RTP Chapters) 2010-2019
[WomenCorporateDirectors Global Business Institute](#), Family Business Governance Institute 2016
[Duke University School of Law](#), Senior Lecturing Fellow, Mergers & Acquisitions 2008

ADR AFFILIATIONS & ACTIVITIES

ArbitralWomen, Member
Atlanta International Arbitration Society, Member
Campaign for Greener Arbitrations, North American Committee
Charlotte International Arbitration Society, Member
Chartered Institute of Arbitrators, Fellow
CPR Institute, Member; Steering Committee for 2021 Annual Meeting; Dispute Advisory Council.
Silicon Valley Arbitration & Mediation Center, Member
USCIB/ICC USA Arbitration Committee and Southeastern Subcommittee, Member
American Bar Association; Co-Chair of Women in Dispute Resolution Committee of the Dispute Resolution Section; Business Law Section Member
North Carolina Bar Association, Dispute Resolution Section Council, Elected Member (former); Antitrust and Complex Business Litigation Section, Member; Business Law Section Member

EDUCATION

Duke University School of Law (1983). Juris Doctor, High Honors, Order of the Coif
Baylor University (1979). Bachelor of Arts, magna cum laude, Phi Beta Kappa