

2. Respondent Bridgewater Associates, LP (“Bridgewater”) is an asset manager and the world’s largest hedge fund, managing approximately \$160 billion. Petitioners Lawrence Minicone and Zachary Squire are two former investment analysts who left Bridgewater in 2013 when they were then twenty-nine and twenty-eight years old, respectively. Almost four years after Petitioners’ departure from Bridgewater – and after spending their contractual noncompete period in Bridgewater-approved positions – Petitioners helped launch and manage non-party Tekmerion Capital Management, L.P. (“TCM”), a start-up investment fund.

3. In November 2017, Bridgewater filed a Demand for Arbitration against the Petitioners and asserted claims for misappropriation of trade secrets, breaches of contract and unfair competition. A true and correct copy of Bridgewater’s Demand for Arbitration (the “Demand”), with exhibits, dated November 7, 2017 is attached hereto as Exhibit 3.

4. The Petitioners denied all of Bridgewater’s claims and asserted counterclaims, which Bridgewater denied. True and correct copies of Petitioners’ Answer to the Demand for Arbitration and Counterclaims, dated December 21, 2017, and Bridgewater’s Answer to Counterclaim, dated January 5, 2018, are attached hereto as Exhibits 4 and 5, respectively.

5. After almost two years of discovery, nineteen pre-hearing motions, eight days of evidentiary hearings, and voluminous post-hearing briefing, the Tribunal issued its Final Award.

PARTIES

6. Petitioner Lawrence Minicone is a resident of New York with an address of 175 Kent Avenue, Apt. 710, Brooklyn, New York.

7. Petitioner Zachary Squire is a resident of New York with an address of 180 West End Avenue, New York, New York.

8. Respondent Bridgewater is a Delaware limited partnership with a principle place of business at One Glendinning Place, Westport, Connecticut. Upon information and belief, the limited partners of Bridgewater are entities (such as Bridgewater Associates Intermediate Holdings, LP and Trustco LLC) which have some members that are New York residents, and natural persons who are residents of New York, Connecticut and other states.

JURISDICTION AND VENUE

9. This Court has jurisdiction pursuant to CPLR § 7501 to enforce the Award and to enter judgment on it because the parties had a written agreement to arbitrate in New York. Additionally, Bridgewater regularly transacts business in New York, is licensed to do business in New York (DOS Id. # 5292467) and derives substantial revenue from services rendered in New York.

10. Venue in the County of New York is proper pursuant to CPLR § 7502(i) because the parties' Arbitration was held in New York County, and because Petitioner Zachary Squire resides in New York County.

STATEMENT OF FACTS

11. The parties' arbitration clause is contained in Petitioners' prior employment agreements with Bridgewater, which provided, in relevant part, that disputes would be submitted "to binding arbitration under the National Rules for the Resolution of Employment Disputes of the American Arbitration Association ('AAA') ... by filing a demand for arbitration at the New York office of the AAA" and that "[j]udgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof and be enforced accordingly." *See, e.g.*, Ex. 3 (Demand, Ex. A thereto at p. 6-7); *see also* Demand, ¶ 67.

12. Extensive discovery and motions practice proceeded throughout 2018 and much of 2019, and the Tribunal issued 19 pre-hearing Orders. Ex. 2, Award at 5-6.

13. The Tribunal's evidentiary hearings in this Arbitration took place over eight days on June 23, 24, 25, 26 and 27 and September 23, 24 and 25 at the offices of Bridgewater's counsel, WilmerHale, 7 World Trade Center, 250 Greenwich Street, New York, New York. *Id.* at 1, 6.

14. Over the course of the Arbitration's eight days of hearings, the Tribunal received testimony from eleven witnesses. *See* Ex. 2, Award at *passim*. The Tribunal also reviewed over 200 pages of pre- and post-hearing briefing submitted by the parties.

15. The record was declared closed as of November 22, 2019. A true and correct copy of the December 19, 2019 confirmation email from the AAA Case Manager, Hiro Kawahara, is attached hereto as Exhibit 6.

16. The Tribunal requested, and the parties agreed to, two extensions of time, through January 24, 2020, in which the Tribunal could issue the Award. True and correct copies of the emails between the AAA and parties evidencing the timeliness of the Award are attached as Exhibit 7.

17. The Tribunal issued the Interim Award on January 24, 2020 (Ex. 1), and it was delivered to the parties via e-mail on January 24, 2020. A true and correct copy of the cover email from Mr. Kawahara to the parties enclosing the Interim Award is attached as Exhibit 8.

18. The parties requested in writing and granted the Tribunal additional time in which to issue the Final Award. A true and correct copy of the parties' email to the Tribunal is attached as Exhibit 9.

19. The Tribunal requested, and the parties agreed to, an extension of time, through July 1, 2020, in which the Tribunal could issue the Final Award. True and correct copies of the emails between the AAA and counsel evidencing the extension of time is attached as Exhibit 10.

20. The Tribunal issued the Final Award on July 1, 2020 (Ex. 2), and it was delivered to the parties via e-mail on July 1, 2020. A true and correct copy of the cover email from Mr. Kawahara to the parties enclosing the Final Award is attached as Exhibit 11.

FIRST CAUSE OF ACTION

21. Petitioners repeat and reallege each of the paragraphs above as if fully set forth herein.

22. Petitioners brought this action within one year of the delivery of the Award on July 1, 2020.

23. The Award is not the subject of any application to vacate or modify pursuant to CPLR § 7511.

24. There are no valid grounds on which Bridgewater may seek to vacate or modify the Award. The parties agreed to the appointment of the arbitrators after reviewing the arbitrators' disclosures. The proceedings were fundamentally fair given that extensive discovery and motions practice proceeded throughout 2018 and much of 2019; the Tribunal issued 19 pre-hearing Orders; the parties presented evidence over eight days of hearings in two separate months; and the parties' submitted over 200 pages of pre- and post-hearing briefing that the Tribunal received and considered. Finally, the Award was not procured by corruption, fraud or misconduct.

25. By reason of the foregoing, Petitioners are entitled to an order confirming the Award pursuant to CPLR § 7510, and entry of judgment thereon pursuant to CPLR § 7514.

26. Additionally, Petitioners are entitled to post-Award, pre-judgment statutory interest pursuant to CPLR 5002 through the date judgment is entered, *Murphy v. Wack*, 177 A.D.2d 382, 384 (1st Dept. 1991) (“An arbitration award qualifies as a decision or report within the meaning of CPLR 5002, under which interest runs only from the date the report or decision was made. . .”), and post-judgment interest from the date judgment is entered until payment is made pursuant to CPLR 5003.

PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully request that this Court:

- a. Enter an Order pursuant to CPLR § 7510 confirming the Award.
- b. Enter a judgment thereon in favor of Petitioners pursuant to CPLR § 7514, in the amount of \$1,991,411.49, together with post-Award, pre-judgment interest at the statutory rate pursuant to CPLR § 5002 from July 1, 2020, through the date Judgment is entered; plus post-judgment interest at the statutory rate pursuant to CPLR § 5003 until payment is made; plus Petitioners’ reasonable attorneys’ fees and costs; and
- c. Award Petitioners such other and further relief as the Court deems just and proper.

Dated: New York, New York
July 1, 2020

ZEISLER PLLC

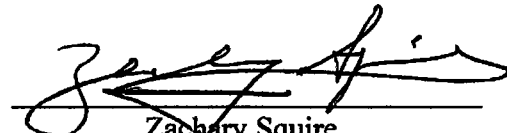
By: /s/ Aaron M. Zeisler
Aaron M. Zeisler
Meghan H. Sullivan
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VERIFICATION

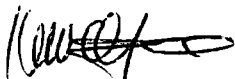
ZACHARY SQUIRE, being duly sworn, deposes and says:

1. I am one of the petitioners in this action, and plead this action together in interest with my co-petitioner, Lawrence Minicone.

2. I have read the foregoing petition and its factual contents are true to my personal knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.


Zachary Squire

Sworn to before me this
1st day of July, 2020



Notary Public

KIRK H. O'FERRALL
Notary Public, State of New York
No. 02OF5014108
Qualified in New York County
Commission Expires Aug. 24, 2023