

David Cinotti Quoted in Law 360 Regarding Biggest Third Circuit Decisions from 2021

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David Cinotti, partner at Pashman Stein Walder Hayden, was quoted in the *Law 360* article "The Biggest 3rd Circ. Decisions from 2021."

Among the cases discussed is the Third Circuit decision in *Harper v. Amazon.com Services, Inc.* (decided Sept. 8, 2021), involving the application of the Federal Arbitration Act (FAA) to the gig-economy workforce.

The Harper decision is rife with "notable . . . substantive and procedural aspects," says Pashman Stein Walder Hayden PC partner David N. Cinotti, who counts arbitration law among his specialties.

"Substantively, it shows that lower federal courts are struggling with applying the transportation workers exception in the 1925 FAA to the modern-day economy, an issue that is likely to arrive at the Supreme Court," Cinotti said.

From a procedural standpoint, Cinotti said, the court's instruction to consider arbitrability under state law before wading through the discovery process under the FAA reinforces that federal courts are more favorable forums for parties seeking to enforce arbitration.

To view the full article, [click here](#).