

Corporate Disputes Magazine Quotes Partner Philip D. Robben in Analysis of Recent Third Circuit Ruling on Dodd- Frank Whistleblowing Rules in Arbitrations

April 1, 2015

Partner [Philip D. Robben](#) comments on the U.S. Court of Appeals for the Third Circuit's decision that Dodd-Frank whistleblower retaliation claims are not exempt from pre-dispute arbitration agreements in the *Corporate Disputes Magazine* article "Dodd-Frank: Could the Third Circuit Ruling Gag Whistleblowers Long-Term?" Mr. Robben states, "To the extent this decision is perceived to lessen whistleblower protections, it may prompt Congress to amend the statute. Thus far, however, the reaction to the decision appears to be muted, and the composition of the new Congress may make an amendment unlikely."

Despite the legal scrutiny the Third Circuit's ruling has been subject to, "it is legally sound and consistent with the canons of statutory interpretation typically employed by the US courts," said Mr. Robben. He added, "the decision is also consistent with recent Supreme Court decisions that call for the enforcement of pre-dispute agreements to arbitrate statutory claims absent a clear indication that Congress intended otherwise."

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