

Curriculum Vitae

Experience

1995-present Mediator, arbitrator and ADR provider in private practice, working for private parties as well as in connection with the Superior Courts of San Francisco, Alameda, Contra Costa, Santa Clara, Marin, and San Mateo Counties, the U.S. District Court (N.D. Cal.), the First District Court of Appeal (Cal. App.), and the Independent Administrator for Kaiser Permanente arbitrations.

I have conducted over 1250 mediations, as well as over 100 arbitrations and many neutral evaluations, in a diverse array of disputes, generally in the context of commercial litigation but in other settings as well. Issues raised include breach of contract, partnership, employment, real estate, real estate partition, insurance coverage/bad faith, fraud and other business torts, professional negligence and fee disputes, intellectual property, construction, probate, securities, consumer fraud, landlord-tenant, personal injury, note collection and work out, defamation, civil rights, embezzlement, simultaneous civil and criminal proceedings, and others.

I have a flexible style in which I try to adjust to the needs of the parties and the situation, as opposed to using a single approach for every dispute. I have been trained in different techniques from which I can select and adjust as appropriate. Most of the matters I have worked on have been in litigation with attorneys participating, but I have also handled matters directly between disputants without attorneys. I consult with all participants concerning how best to conduct each proceeding.

2000-2005 Adjunct Assistant Professor of Law, Hastings College of Law, teaching Alternative Dispute Resolution and Negotiation & Settlement courses

1981-1994 Litigator with *Keker & Van Nest* (formerly *Keker & Brockett* and *Keker, Brockett & Van Nest*). 1990-1993 Managing Partner.

I represented clients in a variety of disputes, including commercial cases concerning insurance coverage and bad faith, real estate, employment, partnership, securities, contract, fraud and other business torts, work outs, defamation, and civil rights and criminal defense. My practice was split evenly between representing plaintiffs and defendants. I handled cases in trial before both federal and California state courts, as well as matters before appellate courts and both the California and the United States Supreme Courts.

Reported cases include Neary v. Regents, 3 Cal. 4th 273 (1992), and NORML v. Mullen, 828 F. 2d 536 (9th Cir. 1987).

1979-1980 Judicial Law Clerk to Chief United States District Judge Edward T. Gignoux, D. Maine.

Education

- 1979 J.D. Boalt Hall School of Law, University of California, Berkeley. Order of the Coif;
Executive Editor, California Law Review; Am Jur Awards-Property, Torts, Civil Procedure
- 1974 B.A. Tufts University

Training

- 2001 Completed 20 hour training in appellate mediation for the First District Court of Appeal
- 1999 Completed NASD Arbitration Chairperson training
- 1999 Completed 8 hour training with Gary Friedman on mediation Working Directly and
Simultaneously with All Parties and their Lawyers
- 1999 Completed 20 hour mediation in transformational model for internal Post Office disputes
- 1998 Completed 16 hour mediation training conducted by U.S. District Court (N.D. Cal.), in
addition to 8 hour training in Early Neutral Evaluation from U.S. District Court
- 1997 Completed 18 hour advanced mediation course by John Paul Jones Group
- 1996 Completed 40 hour mediator training In Commercial Mediation by Appropriate Dispute
Resolution Applications (ADRA), co-sponsored by San Francisco Bar Association.

Memberships

- The Mediation Society (founding member and Member, Board of Directors 2001-,
President 2005-2006)
- California Dispute Resolution Council
- California State Bar
- Bar of United States Supreme Court

Publications & Presentations

- *Beyond Custodial Sentences: Restorative Justice as a Community-Based Approach to Resolution in the Juvenile Court System* (Presentation and Paper), Third International Crime and Punishment Film Festival, University of Istanbul School of Law, September 2013, at 827.
- *Meeting Mediation Challenges: How Advocates and Mediators Overcome Obstacles to Settlement* (Panel Moderator), Presentation of BASF and The Mediation Society (June 2007)
- *What Every Advocate Needs to Know about Mediation Ethics*, Presentation of BASF (January 2007) and of BASF & UC Hastings College of Law (January 2006)
- *What Every Advocate Needs to Know about ADR Ethics*, Presentation of BASF and UC Hastings College of Law (January 2005)
- *Bay Area Court ADR - Developments in programs and confidentiality of mediation*, San Francisco Attorney (April/May 2000)
- *Charting a Course to Dispute Resolution - A summary of Bay Area court ADR programs*, San Francisco Attorney (Dec. 1997)
- Note, *The Involuntary Commitment of Minors: Where to Draw the Line on Parental Authority*, 66 Calif. Law Review 344 (1978)
- *Grudge Duel in Java*, Parent's Press (March, 1996)
- Subject of article: *ADR Provider of the Month*, Alameda Co. Bar Ass'n Bulletin (Dec. 1997)

Recognition

- Named to ADR section of the 2008, 2011, 2012 editions of *Northern California Super Lawyers*
- AV rating, Martindale Hubbell

References Available upon request.