



AAA Mediation.org™

**FN-16794 MN-16794 LN-16794, Esq.**

Newport Beach, California



**Current Employer-Title** Pistone Law Group LLP

**Profession** Attorney, Arbitrator, Mediator

**Work History** Attorney, Pistone Law Group LLP, 2012 – Present; Partner, Pistone & Wolder, 1999 – 2012; Partner, Brown Pistone Hurley & Van Lear, 1992 – 1998; Partner, Stradling Yocca Carlson & Rauth, 1984 – 1992; Attorney, Memel Jacobs Pierno & Gersh, 1980 – 1984; Attorney, Rutan & Tucker, 1977 – 1980.

**Experience** Primarily engaged in the litigation of the above law specialties. Over 50% of practice in construction law, primarily representing owners, developers, public agencies and some general contractors and subcontractors, architects, engineers, designers and sureties/insurers involving public and private (commercial and residential) projects. Handles cases involving hardware and software disputes, and contract, commercial, title, and business disputes. Instructor: Evidence, at Western State University College of Law, 1978 to 1982; Legal Research and Civil Litigation, University of California at Irvine, 1982 to 1994.

**Mediator Experience** Over 25 years of experience mediating hundreds of disputes and cases, ranging from small matters to large complex litigation with dozens of parties and tens of millions of claims at issue. Construction cases have involved design defects, delay claims, contract terms, and construction defects. Business cases have involved contract claims and business torts, unfair competition, technology disputes, and software disputes. Real Estate cases involving commercial and residential developments including purchase and sale agreements, title disputes, and easements. Also extensive experience with mediation of fee disputes.

**Representative Issues Handled as a Mediator** Construction cases involving design defects, delay claims, contract terms, and construction defects. Business cases involving contract and business torts, unfair competition, technology disputes, and software disputes. Real Estate cases involving commercial and residential developments including purchase and sale agreements, title disputes, and easements.

**Mediator Style & Process Preferences** My practice is to do three things: first, act as a conduit for the orderly exchange of facts and contentions between the parties. Second, to attempt to broker a settlement, in a neutral way but based on the realities, law, and facts involved. Third, if necessary, to privately provide each party with a firm opinion, based on years of trying cases as well as serving as an arbitrator, with respect to

the strengths and weaknesses of their positions, and the likely outcome if the dispute is not settled.

**Education**

Hastings College (JD, Law Journal, Thurston Society, Order of the Coif-1977); California State University at Long Beach (BA-1973).

**Professional Licenses**

Admitted to the Bar: California, 1977; U.S. District Court: Central, Southern, Northern, and Eastern Districts of California; U.S. Court of Appeals: Ninth Circuit, 1978.

**Professional Associations**

American Board of Trial Advocates (ABOTA); Orange County Bar Association (Business Litigation Section, Past Chair; Technology Section; Construction Section; Real Estate Section; Judiciary Committee, Past Chair; Administration of Justice Committee, Past Chair); Federal Bar Association (Litigation Section; Intellectual Property Law Section; Technology Section); American Bar Association (Litigation Section; Intellectual Property Law Section; Technology Section); State Bar of California (Business Law Section; Litigation Section; Intellectual Property Law Section).

**Mediation Rate**

\$500 Per Hour

**Languages**

English

**Citizenship**

United States of America

**Locale**

Newport Beach, CA

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.