



AAA Mediation.org™

FN-20700 MN-20700 LN-20700, Esq.

Los Angeles, California

Current Employer-Title Law Offices of Steven Richard Sauer, APC

Conducting arbitrations and mediations by video conference or teleconference only.

Professional Summary Appointed to the AAA National Panel of Commercial Arbitrators in 1975 while principal of boutique litigation law firm in Manhattan, specializing as Of Counsel trial attorney for numerous small commercial and tort litigation law firms throughout the 5 boroughs that compose New York City, both civil and criminal matters, including representing defendants as their trial counsel in 3 separate murder trials. Trained by AAA to serve as mediator for AAA pilot mediation program in 1976. Since 1981, Attorney specializing in Dispute Resolution providing service as a full-time neutral conducting private and court referred confidential binding arbitrations and mediations.

Profession Attorney, Arbitrator, Mediator

Work History Attorney/Arbitrator/Mediator/Special Referee/Fact-Finder, Law Offices of Steven Richard Sauer, APC, 1973– Present; Quality Control, Automatic Data Processing, 1965; Inventory Control, Sandvik Steel, 1966; Accountant Proofreader, SD Leidesdorf & Co., 1966; Assistant to Chief Operating Officer, Alexanders Department Stores, 1966-1967; Financial Analyst, Bankers Trust Company, 1967; Account Reconciliation Quality Control, Royal Dutch Petroleum-Shell Oil, 1967-1968; Accounting Field Auditor, Hurdman Cranstoun Penny & Co (1968); Law Clerk-Litigation Support with L/O Arthur Scuderi, Subin & Pecora (Tort) and Kazlow & Kazlow (Commercial), 1970-1973; Computer Coding, USA Petroleum (1978); Corporate Tax Accounting, Carnation Company, 1979-1980.

Experience Lead trial attorney in boutique trial practice; now full-time Arbitrator/Mediator, Special Referee, Fact-Finder, of more than 9,000 litigated domestic, and international disputes involving adhesion contracts, business, employment, wage and hour, real estate, construction, commerce, U.C.C, banking, textiles, retail, factoring, securities, intellectual property, insurance and torts (including catastrophic brain injuries and property damage), involving business entities, individual parties and government entities.

Trial counsel appearing in over 300 state and federal civil and criminal jury and non-jury trials/hearings and more than 2,000 settlement conferences in a broad range of complex commercial, business and tort disputes.

Special consultant to National Aeronautical and Space Administration (NASA) Consortium Committee developing the dispute resolution protocol for the International Space Station.

BUSINESS DISPUTES:

Fraud/Intentional/Negligent Misrepresentation, Breach of Contract, Employment/Independent Contractor, Wage and Hour, Breach of Fiduciary Duty, Failure to Perform, Tortious and Intentional Interference with Contract, Unfair Competition, Denial of Contract Right to Audit, Embezzlement, Patent, Trademark and Copyright Infringement, Misuse of Intellectual Property, Sharing of Confidential Information, Theft of Trade Secrets/Customer Lists, Entertainment Industry (film, TV, theater, music), Non-payment of Royalties, Theft of Likeness,

Defamation/Libel/Slander/disparagement, Intentional Interference with Prospective Economic Advantage, Tortious Interference with Prospective Business Relations, Stock Broker/Bank/Disputes, Breach of Warranty (Express and Implied of Fitness for a Particular Purpose), Lemon Law, Consumer Legal Remedies Act, Song-Beverly Consumer Warranty Act, Unjust Enrichment/Quantum Meruit, Conversion of Property, Trade Libel, Accounting/Audit, Co-mingling of Funds, Altering Business Records, Secured Transactions, Electronic Funds Transfer Act (EFTA), Investments/Securities, Agent/Principal, Dissolution of Partnerships/Closely Held Corporations, Uniform Commercial Code, Construction Defect, Transportation, Maritime, Cargo Damage, Failure to Give Due Notice, Unfair Business Practices.

REAL ESTATE DISPUTES:

Breach of Contract, Fraud, Misrepresentation, Failure to Disclose, Mortgage/Loan/ Foreclosure, Land Use, Eminent Domain and Just Value, Trespass, Specific Performance, Boundary Disputes, Encroachment, Adverse Possession, Partition, Water Rights.

TORTS

Fraud, embezzlement, conversion, trespass, personal Injury (auto, truck, Uber, motorcycle, slip/trip and fall,), strict liability, wrongful death, police excessive force, catastrophic brain injury, medical malpractice, medical negligence, accounting malpractice, sexual harassment, assault, battery, negligence, product liability, intentional infliction of emotional distress, nuisance, defamation, invasion of privacy, identity theft, Telephone Consumer Protection Act (TCPA), Financial Elder Abuse

SECURITY CLEARANCE:

Vetted by US Government for Clearance as arbitrator to view and study “Sensitive” and “Confidential” documents.

Mediator Experience

A mediator privately since 1972, and a professional full time neutral since 1982. Invited to serve as the mediator in more than 3,000 litigated matters involving a broad range of complex commercial, employment, entertainment, business, textile, banking, real estate, securities, construction and tort disputes privately and for American Arbitration Association, California Superior Courts, California Lawyers for the Arts, Better Business Bureau, US District Court-Central District of California Attorney Settlement Officer Panel, 2002-Present; Hearing Examiner for Los Angeles Civil Service Commission (2004-Present); California Court of Appeals Mediator Panel (2005-Present).

Representative Issues Handled as a Mediator

Served as Arbitrator and Mediator on more than 9,000 litigated domestic and international disputes whose total value exceeds \$1.1 Billion in the areas noted above.

Mediator Style & Process Preferences

Virtually all disputes will settle. The only real issue is when. The purpose of a Mediator and the mediation process is to assist the parties to bring their dispute to an acceptable and otherwise agreeable conclusion as early as practical.

Mediation works as a self-deterministic process involving each party seeking that their interests and needs be satisfied through ongoing dialogue and compromise.

It is highly recommended that counsel and client bringing to the mediation table their agreed settlement offer that they are willing to offer which they reasonably believe the other party will accept, together with an understanding that they will most likely be required to compromise that position. The role as mediator is to provide a confidential setting offering guidance to counsel and party(s), including negotiation coaching when requested, believing logic and reason usually prevail, especially when the parties are able to put aside their emotional attachment to the dispute.

There are many mediation protocols available. One author wrote there are more mediation protocols than there are snowflakes, but it is recommended to begin with facilitation of the mediation process and then move to evaluation of the dispute, issue by issue using whatever protocol is workable at the session for the parties, their attorneys and the dispute dynamics.

Confidential pre-mediation telephone conference with Counsel is recommended to discuss the case dynamic and the dispute.

At the beginning of the mediation an initial joint session with all participants present is highly recommended, to discuss the protocol of the mediation and confirm the agenda of the issues that

they need to address and for the mediator to make a joint statement of the required pronouncements, including the issue of confidentiality.

Whether or not there is agreement on a joint session, there is a discussion on whether everyone agrees that all parties necessary to reach a binding settlement agreement on the day of the mediation are present. In private sessions, there will be a discussion of the facts and proof in support, as well as and counsel's analysis and interpretation on the law or established precedent of the dispute.

Each party is asked to provide the mediator their history of how the dispute arose and their evaluation of what they deem necessary for the dispute to end.

If there were no prior negotiations, at least 10 days prior to our mediation session, Claimant is requested to present a reasonable opening position demand to Respondent for their consideration and for Respondent to issue their responsive counter proposal.

Technology Proficiency

Available to serve as the Host of Zoom and other virtual platform conferences and evidentiary hearings.

Education

St. John's University Law School (class president-1970); Bernard Baruch Graduate School of Business (Accounting/Taxation-1968); Queens College at Rutgers University (BA, English/History/Bio Science-1966).

Professional Licenses

Admitted to the Bar: New York and Federal (1973), California (1979); U.S. District Court: Southern and Eastern District of New York (1975), Central and Northern Districts of California (1980).

Real Estate License, New Jersey (1966).

NASD Registered Representative License (1966).

Professional Associations

Current and/or past memberships in: California Dispute Resolution Council (Past Board of Directors); American Bar Association Dispute Resolution Section; International Law Section; Los Angeles County Bar Association Dispute Resolution Section, Executive Committee- International Law Section; Century City Bar Association Board of Governors and Dispute Resolution Section, Chair; Beverly Hills Bar Association Dispute Resolution Section Executive Committee, International Academy of Professional Arbitrators (Executive Director); Society of Professionals in Dispute Resolution Board of Directors, Los Angeles Chapter, Association of Professional Arbitrators; Southern California Mediation Association; Association for Conflict Resolution (Los Angeles Region Chapter, President; Board of Directors); Association of Business Trial Lawyers; American Trial Lawyers Association, Silicon Valley Arbitration and Mediation Center, California Lawyers Association- Litigation, Business Law and Employment Sections.

Recent Publications & Speaking Engagements

Presented Seminar series for Society of Professionals in Dispute Resolution: "Reframing Individual and Group Dissatisfaction"; "The Application of Quantum Mass Theory to Contextual Reframing"; "Identifying and Resolving Subjective Barriers in Dispute Environments"; Southern California Defense Counsel Association-Presented Seminar at their Annual Convention on Fundamentals of Mediation; Speaker for Southern California Mediation Association "Meeting the Masters" program on Mediation Techniques; "The Federal Arbitration Reform Act of 2008-2009," at San Francisco Bar Association, "Arbitrator Ethics and Disclosure" and "Safeguarding, Deciding & Writing Arbitration Awards," AAA Annual Arbitrator Update, November 2002; "Inside City Hall," Resolving Business & Financial Disputes Through Arbitration, KWHY-LA Channel 22, 1996; "Latest Developments in Dispute Resolution," California Society of Certified Public Accountants, December 1994; "New Tools for the Civil Litigator," ADR, 1992; "Preventing Mistakes in Arbitration: An Arbitrator's Perspective," UWLA LAW REVIEW, vol. 23, 1992; speaker, "New Techniques for Handling Client Conflicts," Sponsored by the California Bar Association and the Regents of the University of California, at Boalt Hall, 1984; speaker, "The Power of Keeping Your Agreements," University of Southern California Graduate School of Business Entrepreneur Program, 1983; "Survival Facts About Arbitration," PERSONAL FINANCE MAGAZINE. Numerous articles, monthly columns, radio, TV and private appearances on ADR topics, including: "Making the New Arbitrator Ethics Standards Work For Your Clients"; "New Ethics Standards for Neutral Arbitrators in Contractual Arbitration"; "Judicial Ethics in ADR-Does it apply? Should it apply?"; "The Use of ADR - Separating Fact From Fiction-What's the Arbitrator's Role"; "Effective Use of ADR in Your Practice"; Arbitration Immunity-The Lockyear Initiative"; "Making Arbitration Work"; "Mediating the Complex Case"; "Preventing Mistakes in Arbitration."

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| Locations Where Parties Will Not be Charged for Travel Expenses | Currently all scheduled evidentiary hearing dates are conducted virtually, via Zoom or the requested platform of choice agreed upon by parties. |
| Mediation Rate | \$8,500 Per Day |
| Languages | English |
| Citizenship | United States of America |
| Locale | Los Angeles, 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.