



AAA Mediation.org™

**FN-4028189 MN-4028189 LN-4028189,  
Esq.**

**Bethesda, Maryland**



## **Profession**

Attorney

## **Work History**

Partner, Paul Hastings LLP, 1984-2022; Senior Counsel, Paul Hastings LLP, 2022-2023; Partner/Associate, Pepper Hamilton & Scheetz, 1980-1984; Associate, Litvin, Blumberg, Matusow & Young, 1976-1980; Managing Director, Women's Law Project, 1974-1976; staff member, Defender Association of Philadelphia, 1972-1974; Law clerk, the Honorable J. Joseph Smith, United States Court of Appeals for the Second Circuit, 1971-1972.

## **Experience**

Had a litigation career spanning more than 30 years in the private sector, representing corporations and other employers across the whole spectrum of employment-related matters. Has been particularly active in class actions, having handled dozens of putative class actions alleging age, race, and gender discrimination in promotions and pay. Also handled individual matters of all types, including sexual harassment, retaliation, whistleblower retaliation, trade secret violations, wrongful discharge, intentional infliction of emotional distress, and other common law claims. Defended cases brought by the government and by private counsel for banks and financial institutions, law firms, manufacturers, think tanks, trade associations, and retail chains among others. Familiar with the terms of employment in many industries and types of organizations. Has litigated matters in state and federal courts and arbitrations. Advises employers on the whole range of personnel and employment-related issues, including compensation processes, pay equity, evaluation systems, leaves of absence, affirmative action, and responses to audits of government contractors. Often assists companies in negotiating executive employment agreements and in working out executive departures. Occasionally represented individuals accused of harassment or in need of assistance in negotiating employment or severance agreements. Served as chair of the Labor and Employment Law Section of the American Bar Association in 2008-09. Is consistently ranked in the star tier in Chambers for employment law in Washington, D.C. and listed in DC Super Lawyers and many other rankings of employment lawyers locally, nationally, and globally. Chair of the Washington, D.C. office of Paul Hastings from 2000 through 2013, when it more than doubled in size.

Has mediated dozens of cases, both as a private mediator and as a panelist on the panel of mediators of the United States District Court for the District of Columbia, including multiple plaintiff cases, class actions over the wide range of employment law, matters involving assessment of attorney's fees, wage and hour cases involving overtime, classification, and other issues, and discrimination

cases against private employers and the federal government. Has successfully resolved cases that had been mediated previously without success.

Has handled matters in arbitration, taking cases to hearing involving issues such as employee/independent contractor status, alleged discrimination based on disability and race, sexual harassment and other employment law claims. Has been an arbitrator during the pandemic and ran a virtual hearing in 2021.

Retired from private practice in January 2023 and continues to serve as a pro bono mediator for the federal court as well as a AAA panelist for mediation and arbitration.

## **Mediator Experience**

Mediated many employment discrimination, wage and hour, and attorney's fee disputes. Since 1996, served on panel of mediators for the United States District Court for the District of Columbia, as well being hired by parties privately. Brought into cases in which mediation has stalled to act as co-mediator or to attempt to restart mediation efforts. Cases have involved litigation against universities, trade associations, media organizations, government employers, and private employers. Mediated attorney's fee disputes in cases in which the underlying dispute between the parties was resolved. Mediated collective actions under the FLSA.

From 1959 to 1995, served as an evaluator of employment-related disputes in the District Court for the District of Columbia's Early Neutral Evaluation program, offering the parties an assessment of the strengths and weaknesses of their respective positions both factually and legally.

## **Representative Issues Handled as a Mediator**

Handled cases raising virtually all the issues that arise in employment-related litigation. Extremely experienced in the litigation of employment discrimination and common law employment claims, and mediated cases involving many of those issues, ranging from failure to hire, failure to promote, improper compensation or bonus awards, hostile work environment, termination, and whistleblower retaliation. Also mediated wage and hour claims in the collective action context. Very conversant with the common law employment claims that often accompany statutory discrimination claims, such as trade secrets claims, intentional infliction of emotional distress, interference with contractual relations, and wrongful discharge in violation of an implied duty of good faith and fair dealing or in violation of public policy.

## **Mediator Style & Process Preferences**

Brings a deep knowledge of the law, a quick facility in absorbing facts, and the ability to identify the obstacles to the mediation process. Sees mediation as having the ability to bridge what seem like unbridgeable gaps through persistence, creativity, optimism, and an unwillingness to let the parties quit before all options have been exhausted. Unwilling to declare defeat unless a party has been forced to mediate and has no interest at all in compromise. Typically likes to have a joint opening session so that each party and counsel can assess the strengths of the other side's position, unless it is late in the case and the parties are already familiar with each other's positions. Willing to provide evaluative input if asked but is equally comfortable in the more classic mediator role. Able to empathize with individual plaintiffs but also understands well the constraints under which corporate parties operate and can adapt mediation style to the circumstances of each dispute.

## **Technology Proficiency**

Zoom and can use Word, Powerpoint, Google slides and similar technology.

## **Education**

Radcliffe College, Harvard University (B.A.-1968); Yale Law School (J.D.-1971).

## **Professional Licenses**

Admitted to the Bar: Washington, DC (1981); Pennsylvania (1972 - inactive); Connecticut (1971 - inactive); member of multiple federal district courts and courts of appeals and U.S. Supreme Court.

## **Professional Associations**

American Bar Association; Fellows of the American Bar Foundation; American College of Labor and Employment Lawyers. American Employment Lawyers Council

## **Recent Publications & Speaking Engagements**

Co-authored seven editions of Equal Employment Law Update (BNA 7th ed., Fall 1999). Co-author, The Legal Guide to Human Resources (Thomson/West, Supp. 2013) Co-author, Women's Rights and the Law (1974). Regular speaker at conferences concerning employment law, class actions, employment litigation, and related topics. Spoke at the Annual CLE Conference of the ABA Labor & Employment Law Section on a panel exploring gender differences in pay (November 2013). Moderated a panel on Class Action Litigation at the National Conference on EEO Law in March 2014. Gave speeches on the following topics for the following organizations and many others over her career:

NELI Employment Law Update: EEO Update  
ABA Section of Dispute Resolution, Mediating Class Actions after Dukes v. Wal-Mart  
ABA Section on Labor & Employment Law Annual CLE Conference: panelist with EEOC Commissioners  
London International Employment Law Conference, participant in mock mediation (October 3, 2011)  
American Employment Law Council: Class Actions  
PLI: Employment Law Update  
ALI-ABA Videoconference: Employment Law Survey  
ABA EEO Update  
Upper Midwest Employment Law Conference: Experts, Trial Strategies

**Locations Where Parties Will Not be Charged for Travel Expenses** Washington, D.C. metro area

**Mediation Rate** \$750 Per Hour

**Languages** English

**Citizenship** United States of America

**Locale** Bethesda, MD

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.