



AAA Mediation.org™

**FN-4738988 MN-4738988 LN-4738988,
Esq.**

San Francisco, California



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Current Employer-Title Global Dispute Resolution - Arbitrator, Mediator, Counsel
Umberg Zipser LLP - Of Counsel

Panelist Video <https://www.adr.org/videoresume?paramName=930306806>

Profession Arbitrator, Mediator, Counsel

Work History Arbitrator/Mediator/Counsel, Global Dispute Resolution, 2023-Present; Of Counsel, Umberg Zipser LLP, 2023-Present; Partner/Of Counsel, Jones Day, 2013-2022; Counsel/Associate, O'Melveny & Myers LLP, 2000-2001, 2002-2012; Consultant for U.S. Litigation and International Arbitration, Solórzano, Carvajal, González y Pérez-Correa, 2010-2012; Law Clerk to Hon. Pamela Ann Rymer, United States Court of Appeals - Ninth Circuit, 2001-2002; Law Clerk to Hon. Alicemarie H. Stotler, United States District Court - Central District of California, 1999-2000; Research Assistant to Prof. Arthur R. Miller, Harvard Law School, 1997-1999; Teaching Assistant to Professors John Rawls and Robert Nozick, Harvard Graduate School of Arts and Sciences, 1994-1996.

Experience Trial counsel with over 20 years' experience in national and transnational disputes, with principal focus on international commercial and construction-related arbitration and complex litigation.

Representative clients have included: international leaders in semiconductor design and manufacturing; multinational engineering and construction firms; trading conglomerates; global energy majors; market-leading consumer brands and beverage companies; state pension funds; and closely-held, family businesses in areas as diverse as landscaping and commodities trading. Typical representations have involved a wide array of commercial and intellectual-property disputes arising out of projects in the United States, Latin America, Europe, and the Pacific Rim.

Apart from work in arbitration, illustrative litigation experience includes: team leadership on damages-related issues in a transnational patent dispute involving LCD display technology; strategic counselling of a U.S. chip producer in a dispute with its European licensor concerning technology

for digital photography; defense of state pension fund against indemnity claims by international hedge-fund manager; and representation of a U.S. DRAM manufacturer in its claims for trade-secret misappropriation and international commercial espionage against a leading semiconductor foundry and a DRAM start-up.

Other non-ADR experience includes supervision of international litigation strategy for clients involved in proceedings throughout Latin America and numerous internal investigations under the FCPA.

Mediator Experience San Mateo County Superior Court, Multi-Option ADR Project (October 2023-Present).

Representative Issues Handled as a Mediator Wide range of small-claims commercial disputes.

Mediator Style & Process Preferences Although I began my mediator practice in 2023, I have over 20 years' experience as a user of mediation services—primarily as counsel in large commercial cases, many of them international. My approach as a mediator draws from my first-hand experience of what is helpful to the parties and their counsel. Mediation is a facilitated negotiation and, as facilitator, I have three tasks:

(1) to help each party realistically assess the case based on the law, the evidence, and the equities that affect the decisions of arbitrators and juries;

(2) to aid the parties to focus on their business interests (including how continued litigation will affect those interest) and to find creative solutions that allow for low-cost compromises; and

(3) to constructively channel the human forces that play a part in the dispute and to help the parties avoid unnecessary impasse.

When each of those tasks is done well, most cases can be settled or significantly narrowed in scope. At a minimum, each party will leave with a better understanding of its case and that of its adversary.

To achieve those goals, some practices work well for almost any case. First, I prepare thoroughly before each mediation session: I interview each side separately before mediation day, and I typically require (and carefully review) substantive mediation briefs and key exhibits.

Second, I avoid early joint sessions with the parties. I work with the parties separately and help them to assess the strengths and weaknesses of their respective positions and to explore alternative approaches to achieving their business objectives. In this “shuttle diplomacy,” I take responsibility to articulate each side’s viewpoint in the ways that will advance the negotiations. I also scrupulously protect confidentiality on all sides.

Third, I take on each mediation in a spirit of openness, candor, and accessibility. Once I understand each side’s position thoroughly and sympathetically, I dialog with each side, sharing my honest (but sometimes tentative) assessments—both legal and pragmatic. Those assessments often evolve over the course of the mediation. I am honest about what I do not know and am eager to learn about the parties’ businesses and how I can help all sides advance their legitimate interests. And I try to make myself available to the parties whenever they need me to maintain the momentum in an ongoing negotiation. If a dispute cannot be resolved in a single day, well-calculated follow-up work can often prove decisive for achieving settlement.

Education Harvard Law School (JD, cum laude, 1999);
Harvard University, Graduate School of Arts and Sciences (MA, Ethics, Graduate Prize Fellow, 1996);
Georgetown University (BA, Philosophy, Ryan Medalist, Phi Beta Kappa, 1993).

Professional Licenses Admitted to the Bar: California (1999); Washington, D.C. (2010); New York (2013); Texas (2022).

Professional Associations • Chartered Institute of Arbitrators (Ciarb), North America Branch, Fellow (FCI Arb);
• ABA, Section on International Law, International Arbitration Committee, Steering Group Member;
• ABA Forum on Construction Law, Member (Section 1: Disputes and Section 8: International);

- California Arbitration, Board Member At Large;
- California Lawyers Association, Litigation Section, ADR Committee Steering Group, Co-Chair for Programming;
- International Chamber of Commerce (USCIB), Arbitration Committee;
- Houston International Arbitration Club (HIAC), Member;
- Miami International Arbitration Society (MIAS), Member;
- Club Español e Iberoamericano del Arbitraje (CEIA), Member.

Recent Publications & Speaking Engagements

- Decarbonization and International ADR: Essential Tools for the Next Decade's Energy-Transition Disputes, A. Lombardía, T. Meyer, N. Popovic & M. Quintanilla, ABA International Law Section, Annual Conference (Washington, D.C., May 2024);
- International Arbitration 101 for "Domestic" Construction Lawyers, S. Nudelman, M. Quintanilla & R. Tyler, Annual Meeting of ABA Forum on Construction Law (New Orleans, April 2024);
- Standard-Essential Patents and the Quest to Optimize Arbitration for International Disputes over FRAND Licensing, Singapore International Arbitration Centre, California International Arbitration Week (San Francisco, March 2024);
- Interim Measures in Institutional and Ad Hoc Arbitration, K. Nash, M. Quintanilla, L. Schiefelbein & K. Taylor, Stanford International Arbitration Association (Palo Alto, March 2024);
- Psychedelic Mushrooms, Organic Groceries, and Other Surprises in Global Commerce: Anatomy of an International Arbitration, Stanford University: Colloquium on International Economic Law, Business & Policy (Palo Alto, November 2023);
- Tiered Dispute-Resolution Clauses: Practical Tips and Innovative Applications, California Arbitration, Inc. (Webinar, May 2023);
- Strategy in the Hot Tub: Best Practices for Expert-Witness Conferencing in Commercial Arbitration, ABA Forum on Construction Law (Webinar, May 2023);
- International Arbitration in California: Current Growth, Future Prospects, Stanford University: Colloquium on International Economic Law, Business & Policy (Palo Alto, May 2023);
- A Coming Wave of Mining Disputes in South America's Lithium Triangle, California Lawyers Association (California International Arbitration Week, March 2023);
- The Invisible Divide: Domestic and International Construction Arbitration Compared, ABA Forum on Construction Law (Webinar, 2022);
- Arbitrating Domestic and Transnational IP Disputes, California Lawyers Association, 46th Annual IP Institute (Dana Point, 2022);
- Interim Measures and Equitable Relief in International Arbitration: A Critical Assessment, Stanford University: Colloquium on International Economic Law, Business & Policy (Palo Alto, 2022);
- When Silicon Valley Employment Disputes Become High-Stakes Technology Arbitrations, Stanford International Arbitration Association (2022);
- Why Arbitrate International Disputes? A Primer for California International Arbitration Week, California Lawyers Association (2022);
- International Arbitration, Marcus Quintanilla, et al. (eds.), ABA International Law Section, Year in Review (2018, 2019, 2020, 2021);
- When There Is Trouble South of the Border: Strategies for Success in Business Disputes in Mexico, Marcus Quintanilla & José Antonio Vázquez, Jones Day University (2020);
- Dancing with Dragons: Planning for Disputes with Pacific Rim Business Partners, Marcus Quintanilla & Charles Kotuby, Client CLE (2019);
- Arbitrating Commercial Disputes: Prospects, Pitfalls, and Best Practices, Client CLE (2019);
- Enforcing Agreements to Arbitrate, Steven Smith, Marcus Quintanilla & Paul Hines, International Arbitration in the United States (L. Shore et al., eds.) (2018);
- The New Multipolarity in Transnational Litigation, Marcus S. Quintanilla & Christopher A. Whytock, Southwestern J. of International Law (2011);
- Statute of Limitations and Trade Secret Claims: Some Answers and Some Questions, Darin Snyder, Marcus Quintanilla & Michael Myers, Intellectual Property and Technology Law Journal (2008);
- Going Global: Effective American Trial Advocacy in International Arbitration, Association of Business Trial Lawyers, ABTL Report, Orange County (2008).

? UC Davis School of Law, Adjunct Lecturer on International Commercial Arbitration.

? Universidad Nacional Autónoma de México, Guest Lecturer on International Commercial Arbitration.

Locations Where Parties Will Not be Charged for Travel Expenses	<ul style="list-style-type: none">• San Francisco, California• Los Angeles, California• Orange County, California• Houston, Texas• Miami, Florida
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Mediation Rate	\$4,000 Per Day
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Languages	English, Spanish
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Citizenship	United States of America
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Locale	San Francisco, CA
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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.