



AAA Mediation.org™

**FN-5366750 MN-5366750 LN-5366750,
Esq.**

Las Vegas, Nevada



Current Employer-Title The Law Office of Rob Bare - Owner & Sole Manager

Profession Attorney, Arbitrator, Mediator

Work History Owner/Sole Manager, The Law Office of Rob Bare, 2021-Present; District Judge, 8th Judicial District Court - Clark County Nevada, 2011-2021; Municipal Judge, Las Vegas - Nevada Municipal Court, 2007; Bar Counsel, State Bar of Nevada, 1993-2011; Captain/Trial Lawyer, U.S. Army Judge Advocate General's Corps, 1989-1993.

Experience Over 34 years of legal experience as either a trial court judge, trial attorney, administrative hearing attorney or appellate attorney. During years as District Judge, handled a fully diversified docket of civil law matters, with an average of approximately 1,500 cases at any given time. Presided over 52 civil jury trials of lengths varying between approximately one week and approximately six weeks. Also conducted approximately 25 bench trials. Handled thousands of motions in the civil law arena including: Motions to Dismiss, Motions for Summary Judgment, Motions In Limine, Motions for Attorney's Fees and Costs, and all other conceivable civil motions.

Civil docket assignment included, but was not limited to, the following areas: commercial and business law cases addressing disputes between managers, including fraud and misrepresentation, commercial property disputes of various types, corporate directors' or partners' breach of fiduciary duty, also including allegations of fraud and misrepresentation, piercing corporate veil, business law disputes of various types, breach of contract including fraud, unjust enrichment, property issues including foreclosure, professional malpractice including legal, medical and realty, eminent domain, personal injury/negligence, punitive damage claims and multiple wrongful death cases, defamation, and legitimacy of state, county and municipal governmental actions.

Presided over multiple high-profile cases including a six-week business law trial that received live gavel-to-gavel coverage on local media and 140 outlets throughout the world. Occasionally volunteered to preside over criminal jury trials. Assigned by the Chief Judge to act as the Appellate Court concerning all misdemeanor criminal convictions in Clark County during approximately three years of tenure. Served as Bar Counsel and Chief Attorney for the State Bar of Nevada. Entrusted by the Nevada Supreme Court to represent the State Bar in approximately 870 hearings held in either

Las Vegas or Reno, Nevada in front of the relevant Disciplinary Board. As Bar Counsel, presented 15 matters to the en banc Nevada Supreme Court.

As a Trial Lawyer (Captain) for the U.S. Army Judge Advocate General's Corps, tried approximately 150 jury and bench trials representing clients accused of murder, attempted murder, rape, larceny, aggravated assault and various other serious alleged felony cases. Litigated approximately 100 administrative hearings concerning the Army's attempts to discharge a soldier for alleged administrative misconduct.

Mediator Experience

Volunteer Mediator as a judge for the 8th Judicial District Court Civil Mediation (Settlement) Program. Volunteered to mediate approximately 75 matters, which usually lasted one full business day each, and involved the civil law areas described above.

Representative Issues Handled as a Mediator

The primary issues involved in cases mediated are all those anticipated to be encountered in the diverse civil court experience described above. This is because the approximate 75 mediations were all volunteer efforts on my part and the vast majority involved cases assigned to other District Judges, including Business Court Judges, in Las Vegas. Many mediations focused on commercial and business law concepts. As such, issues included alleged manager or officer self-dealing and fraud or breach of fiduciary duty, contract law breach and damages issues, consumer law matters and real estate cases. Negligence cases, where often assessment of liability or contributory negligence was at issue, were addressed as part of the resolution effort. Multiple evidentiary issues associated with which party or parties may be responsible was a common theme. Many personal injury cases of various types were also mediated.

Applicability of Nevada's Offer of Judgment law to show potential exposure of a fees & costs award was frequently addressed in addition to basic monetary issues related to fees and costs invested in the case, and those which would become relevant given the length of a trial. Expert witness opinions, including their allowance and merit, were often discussed.

Mediator Style & Process Preferences

Of all things referenced here, perhaps this is the most important if ultimate success is to be had... that of course, being a settlement. In the dealings with counsel, litigants, and insurance representatives, first and foremost I believe over the course of the mediation, the mediator should earn respect and credibility by demonstrating their knowledge of the factual predicate, and the legal principles relevant to the case. Only then will those involved give weight to any opinions properly expressed by the mediator. Thus, the mediation itself is an evolution, albeit a quick one. It starts with, of course, preparation ahead of the event, which in my view requires not just reading the briefs, but also preparing a relevant factual and legal outline. As a ten-year trial judge, I am honored to have the unique perspective of presiding over 52 civil jury trials. Along with counsel, I would meet with jurors after every trial. I kept a notebook of what jurors told us. In mediations, at times I use these concepts to provide opinions as to what reasonable jurors may do. Just like it was so important in presiding over the drama of an actual trial, here in the mediation world, I believe a good mediator should anticipate the legal issues that will be encountered, whether evidentiary issues, some not yet filed but perhaps material Motion, or perhaps even an instruction on the law that the trial judge would give to the jury. To me all of this comes together in an effective mediation. In addition, I expect counsel, in our breakout sessions, to engage in a meaningful discussion with me, highlighting the most salient reasons for positions in their favor. I have to say this seems to just happen naturally. Please know that once credibility and respect is established during the course of the mediation, participants typically want me to share my views, as referenced here. However, I do use discretion in sharing my views, but they are often requested when it is readily apparent that my opinions will assist in arriving at a resolution. I believe my personality and even bedside manner, if you will, is one that the parties respectfully appreciate. Consistent with this, in the small minority of the situations where perhaps settlement is not on the horizon that day, I will often assign what I refer to as "homework" and later reconvene with the parties, at no charge, to hopefully then arrive at a settlement.

Education

The Judge Advocate General's School (1989); University of Pittsburgh School of Law (JD-1988); Pennsylvania State University (BA, Pre-Law, Highest Distinction-1985).

Professional Licenses

Admitted to the Bar: Nevada (1993); U.S. District Court: District of Nevada (1996); U.S. Court of Appeals: 9th Circuit (1998); U.S. Army Court of Military Review (1989); U.S. Supreme Court (1997).

Professional Associations	State Bar of Nevada; Clark County Bar Association.
Recent Publications & Speaking Engagements	<p>Instructor at many continuing legal education events over the years and taught for seven years as an adjunct professor at the Community College of Southern Nevada (now CSN) in the Paralegal Studies program.</p> <p>Over the last five years, instructed at the following: Nevada Justice Association Seminar “Ethics,” 2017; Nevada Attorney General’s Office event “Ethics in Litigation,” 2017; Supreme Court of Nevada seminar “2019 Nevada Limited Jurisdiction of Judges, Winter Seminar,” 2019; Nevada Justice Association seminar held at the Boyd School of Law “Elements of Nevada Civil Legal Theories,” 2019; Nevada Justice Association seminar “Entertaining Elements of Nevada Legal Theories,” 2019; instructing at Clark County Bar Association event “Ethical Landmines In Today’s World & How To Avoid Them,” June 2021.</p>
Mediation Rate	\$500 Per Hour
Languages	English
Citizenship	United States of America
Locale	Las Vegas, NV

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.