



AAA Mediation.org™

FN-5792821 MN-5792821 LN-5792821, Esq.

Davis, California

Profession

Arbitrator, Attorney

Work History

Independent Arbitrator/Mediator, 2023-Present; Attorney, Atkinson Andelson Loya Ruud & Romo, 2019-2023; Attorney, Kronick Moskowitz Tiedemann & Girard, 2014-2019; Attorney, Berry & Block, 2002-2014; Attorney, Davis Grimm Payne Marra & Berry, 1991-2002; Attorney, Perkins Coie, 1987-1991; Attorney, Paul Hastings Janofsky & Walker, 1983-1987.

Experience

Representation of primarily management-side clients in all matters of business and employment law, from discrimination claims to workplace investigations and beyond; working closely with businesses and employers to avoid litigation where possible by addressing problems before they arise; providing comprehensive review and recommendation on policies and practices relevant to clients, as well as advice, counsel, and training on a full range of employment-related issues included but not limited to harassment claims, executive severance, privacy issues, protection of confidential information, disciplinary actions and employee terminations, and compliance with state and federal laws; substantial background in matters related to the creation and enforcement of private employment arbitration agreements.

Four decades' worth of experience representing clients before federal and state courts, agencies, and arbitration panels including representing employers in wage and hour matters and other litigation over protection of confidential information, restrictive covenant enforcement, employment discrimination, harassment, retaliation and tort claims, employee discharge, Title VII, FEHA, FMLA, CFRA, ADA, ADEA, California Labor Code Sections 970, 1102.5 and 2802, California Health & Safety Code Section 1278.5, and other employment matters.

An accomplished appellate advocate, representing clients before numerous state and federal Courts of Appeal and Supreme Courts, including the California and Washington Supreme Courts and the United States Supreme Court.

Mediator Experience

Acted as a mediator in single plaintiff employment disputes raising issues of FEHA violations based on race, national origin, and disability, along with claims of retaliation under the California Labor Code; participated in 50+ mediations as a litigant in cases involving protection of confidential information, restrictive covenant enforcement, employment discrimination, harassment, retaliation and tort claims, employee discharge, Title VII, FEHA, FMLA, CFRA, ADA, ADEA, California Labor Code Sections 970, 1102.5 and 2802, California Health & Safety Code Section 1278.5.

Maintained a career-long reputation as an excellent litigator while working in a straight forward and ethical manner with opposing counsel and their clients. Maintained the ability to communicate credibly with business representatives and carriers on the issues key to them, while likewise communicating credibly with plaintiffs, claimants and their counsel on their key issues.

References:

Jeff Krivis, 818.402.4320; jkrivis@firstmediation.com

Hon. Ron Prager, 858.361.8137; rprager@signatureresolution.com

Patricia Prince, 415.383.8001; patricia@princemediation.com
Cynthia Remmers, 510.379.5298; Cynthia@RemmersGlobal.com
Steven Rosenberg, 415.383.5544; steven@rosenbergmediation.com

Mediator Style & Process Preferences	Mediation is about certainty. It is the last best chance for parties in litigation to control their own destiny by agreeing to a resolution among themselves, on their own terms. If the parties cannot do this, they surrender control over their dispute to the uncertainty of arbitrators, judges or jurors, who may be smart and sincere, or may be dim and capricious. Every experienced litigator has won cases they should have lost, and lost cases they should have won. It's always better to make your own resolution, rather than rely on a roll of the dice.
Education	Emory University School of Law (JD-1983); Wake Forest University (BA, Russian and Asian History-1980).
Professional Licenses	Admitted to the Bar: Georgia (1983), Washington (1988 - inactive), California (1983).
Professional Associations	Sacramento County Bar Association; Sacramento Area Human Resources Association.
Recent Publications & Speaking Engagements	A regular presenter at conferences held by the Sacramento Area Human Resources Association as well as Lorman; published articles on various employment topics, such as: "Practical Tips For Mediation Success," AALRR Labor & Employment Law Blog, 2022; "Sacramento, Santa Rosa, and the County of San Mateo Throw Their Hats in the Ring with New Supplemental Paid Sick Leave Ordinances", 2020; "Sacramento and Monterey Counties are the Latest in Northern California to Issue Amended Public Health Orders Requiring Written Social Distancing Protocols for Essential Businesses, Including Schools and Local Educational Agencies", 2020; "On the Cutting Edge of the Cutting Edge: Paid Sick Leave in San Francisco During the COVID-19 Crisis", 2020; "New Benefits Required In Wine Country: Sonoma County Enacts Supplemental Paid Sick Leave Ordinance", 2020; "And Next Up. . . ." The City of Oakland Enacts Its Own Emergency Paid Sick Leave Ordinance", 2020; "A Golden State of Mind: Two Bay Area Cities Supplement Federal Leave", 2020.
Mediation Rate	\$12,000 Per Day
Languages	English
Citizenship	United States of America
Locale	Davis, 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.