



AAA Mediation.org™

**FN-6032585 MN-6032585 LN-6032585,
Esq.**

Las Vegas, Nevada



Current Employer-Title TKGADR Mediation & Arbitration Services - Independent Neutral

Professional Summary Experienced attorney and arbitrator with diverse practice focusing on real estate and general business matters. Skilled in handling commercial litigation for various industries, such as retail operations, shopping centers, office and industrial properties, breach of contract and larger scale collections and payment disputes. Additional experience in employment and labor law as well as bankruptcy.

Profession Arbitrator, Mediator, Attorney

Work History Independent Arbitrator/Mediator, TKGADR Mediation & Arbitration Services, 2022-Present, Attorney, Law Office of Howard F. Kline, 2008-Present; Nevada Real Estate Agent, 2018-2023; California Real Estate Broker, 2005-2008; General Counsel, Legacy Electronics and Security First Corp, 2000-2005; Partner, Berger, Kahn, Shafton, Moss, Figler, Simon & Gladstone, 1994-1997; Attorney, Law Office of Howard F. Kline, 1990-1994; General Counsel & Director of Real Estate, Allied Education Corp, 1986-1990; Senior Associate, Blake, Barnett, Milman & Bell, 1985-1986; New York Real Estate Agent, 1983-1985; General Counsel, Big Bear Supermarkets, 1980-1983, Attorney, Law Office of Howard F. Kline, 1976-1980.

Experience Commercial Real Estate:
Since 1976, over 50% of legal practice has been representing commercial real estate lenders, landlords and tenants in lease disputes, collections, evictions, lease negotiations, premises liability issues. Significant experience with working with CMBS and Insurance Lenders and Special Servicers. Further significant bankruptcy experience representing landlords and other creditors.

Employment:
Served as general counsel and primary officer responsible for all employment matters, including employment agreements, disputes & litigation, OSHA, ADA, EEOC & Discrimination & Harassment matters.

Labor:

As General Counsel at Big Bear Supermarkets, served as the exclusive officer handling all arbitration matters between management and the various unions as an advocate for the supermarket chain. Negotiated collective bargaining agreements with the various unions and participated in a decertification election.

General Business, Contract & Corporate:

Represent various companies and industries in all aspects of commercial litigation. Represent various multi-level corporate entities in corporate matters and organizational matters and breach of contract lawsuits including TRO, TPO and appointment of receivers.

Technology:

As general counsel for two technology companies, Legacy Electronics, (memory manufacturer) and Security First Corp, (Finger Print Sensor and Security Software), drafted technology, joint venture, development, sales distribution agreements and NDAs, managed a portfolio of patents and trademarks.

Mediator Experience

Served as co-mediator in over 30 mediations since July 2022 in a wide variety of disputes including evictions, breach of real estate purchase and sale agreements, earnest money deposits, neighbor disputes, personal injury, breach of contract and other commercial and consumer disputes. Over the last 47 years, served as an advocate, likely on over 100 mediations in commercial real estate and business matters including evictions, rent collections, corporate dissolutions, breaches of contract and other business disputes, including various bankruptcy matters.

Representative Issues Handled as a Mediator

Primary issues handled as a mediator include evictions, breach of real estate purchase and sale agreements, earnest money deposits, neighbor disputes, personal injury, breach of contract and other commercial and consumer disputes.

Mediator Style & Process Preferences

While some sort of agreement between the parties is desirable, my primary focus as a facilitative mediator is to assist the parties to communicate in a way that allows them to reach their own agreement. This includes helping them identify their true interests that might underline their expressed positions. As an advisory mediator, I am able to fully analyze each parties interests, positions and evidence to give them a neutral but assistive opportunity to consider their case and evidence.

Technology Proficiency

Familiar with ESI, social media and willing to conduct arbitration hearings in person, via videoconference/teleconference, or hybrid formats. Long standing experience with Microsoft Teams, Google Meet, Zoom and other video conferencing platforms. Extensive video and audio podcasting experience as well as live streaming. Long standing and extensive experience with legal case management platforms and legal research, time & billing as well as modern digital notetaking using markdown language, (.md) and backlinking.

Education

Western State University College of Law (JD-1976); Oneonta State University (BA-1973).

Professional Licenses

Admitted to the Bar: California (1976); U.S. District Court: Central (1976), Southern (1981), and Northern (1988) Districts of California.

University of Nevada (Mediation Certificate-2022); Mediate.com (Mediation Certificate).

Professional Associations

American Bar Association; ABA Dispute Resolution Section; California Bar Association, Clark County; Nevada Bar Association; International Council of Shopping Centers.

Recent Publications & Speaking Engagements

How to Resolve Business Disputes – SBE Los Angeles and Las Vegas speaking engagement, (September 2023) and on YouTube; How an Organization can Resolve Internal Disputes, (10/2023) on YouTube; Top Tips from an Experienced Arbitrator, (May 2023) on YouTube; Preview of ABA Dispute Resolution Section Annual Conference, (April 2023) on YouTube, How to Resolve Disputes on Your Own, TKGADR Mediation & Arbitration Services website, (June 2023); The Difference Between Mediation and Arbitration, TKGADR Mediation & Arbitration Services website, (November 2022). Numerous videos and podcasts on CRE Radio & TV website since 2010 and on YouTube, Top Commercial Lease Clauses Tenants Must Pay Attention to (May 21, 2020), What Happens When A Franchisor Files for Bankruptcy (May 9, 2020) on YouTube, Can Truck Drivers involved in intrastate commerce be required to arbitrate? (February 28, 2024), How to Negotiate a Commercial Lease Use Clause on CRE Radio on YouTube (2021), What Commercial

Brokers are Thinking in 2022 on CRE Radio on YouTube.

Mediation Rate	\$1,500 Per Day
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.