



AAA Mediation.org™

FN-77 MN-77 LN-77, Esq.

Phoenix, Arizona



Current Employer-Title Bruce Meyerson PLLC - Owner

Profession Arbitrator, Mediator, Special Master

Work History Owner, Bruce Meyerson PLLC, 2000-Present; Of Counsel, LaSota & Peters, 2000-2012; Partner, Steptoe & Johnson, LLP, 1995-2000; Partner, Meyer, Hendricks, Victor, Osborn & Maledon, 1990-1995; General Counsel, Arizona State University, 1986-1990; Judge, Arizona Court of Appeals, 1982-1986; Public Interest Law Practice, 1972-1982.

Experience Private law practice experience includes civil and appellate litigation, and employment, commercial, education, and public utility law. Employment litigation and counseling experience includes wrongful discharge, sexual discrimination and harassment, age discrimination, disability discrimination, and ERISA. As General Counsel of Arizona State University advised senior university officials and counseled the purchasing, procurement, construction, research, student affairs, public television, and other departments. As a judge on the state's intermediate appellate court, heard over 1000 appeals in all areas of law including cases involving breach of contract, personal injury, medical malpractice, real estate, administrative law, domestic relations, insurance coverage, civil rights, securities, intellectual property, constitutional law, and employment. As the founder and director of a public interest law firm, represented parties in class action litigation, consumer rights litigation, and in public utility rate proceedings. Adjunct Professor at Arizona State University College of Law teaching courses in Arbitration, Mediation Advocacy, and ADR and Employment.

Mediator Experience Recent cases have included: a claim of legal malpractice; contract dispute regarding payments between former partners to a publishing business; dispute between a home buyer, seller, home inspector and real estate agent over claims of misrepresentation and nondisclosure; multi-million dollar property settlement dispute in a divorce proceeding; whistle-blower claim against a public entity; claim of retaliation and sexual harassment; condemnation suit against a group of property owners claiming "project influence" as a defense; franchise dispute over the claimed failure of the franchise to fulfill the terms of the franchise agreement; claim of disability discrimination by a health care worker with the HIV virus; claims by a group of home owners of construction defects due to expansive soil; claim of bad faith against an insurance company; an ERISA suit over the denial of disability benefits; dispute among factoring companies over payments under a personal injury settlement; probate dispute between two siblings fighting over the assets of the estate; claim

of national origin and gender discrimination; claim of specific performance of a real estate purchase contract by a home buyer against a developer; claim of age discrimination against a large health care provider; dispute over the termination of a franchise agreement; construction dispute regarding delay damages; dispute between the executor of an estate and a stepson over the distribution of life insurance proceeds; personal injury case involving a vehicle roll-over accident; construction dispute involving claims of poor workmanship in the installation of a water and sewer system; claim of defamation and trade libel in a dispute regarding allegedly toxic products; claim of sexual assault by a restaurant customer; claim against a surety for failure to make payments under a performance bond; securities dispute involving claims of lack of suitability and breach of fiduciary duty; an appeal of a probate dispute; dispute between business partners over the distribution of \$20 million in assets; an age discrimination claim; construction dispute between a general contractor and a subcontractor over delay damages; claims for fraud and breach of contract over the foreclosure by a lender on a recreational vehicle; disputes between a nephew and an uncle over the distribution of a trust; personal injury action on behalf of a minor against a utility over burn injuries caused by an electrical shock; claims between two partners over the distribution of assets in three businesses to be dissolved; class action brought by Native American families seeking school desegregation; dispute involving the violation of a covenant not to compete; claims against the seller of a home alleging failure to disclose the existence of mold; and a claim of breach of contract against a property management company, a dispute over calculating a contract rate for the delivery of coal to a large municipal utility; a dispute between attorneys over allocation of contingent fees.

Representative Issues Handled as a Mediator

Experienced mediator in over 3500 cases including: breach of contract, insurance coverage, wrongful discharge, construction, products liability, real estate, mining, personal injury, defamation, environment claims, bad faith, medical malpractice, RICO claims, wrongful death, banking, employment discrimination, class actions, banking, insurance coverage, condemnation legal malpractice, Fair Labor Standards Act, sexual harassment, partnership dissolutions, bankruptcy, and technology transfer; Fair Credit Reporting Act; Fair Debt Collection Practices Act. Designated by the Arizona Association of Realtors as a provider in its Dispute Resolution System and as such, regularly mediates disputes between real estate buyers and sellers on such matters as breach of contract, construction defects, mold, and lack of disclosure and return of earnest money. Chair of ABA Task Force on ADR and E-Commerce, which has developed guidelines for the use of ADR in electronic commerce.

Mediator Style & Process Preferences

As a mediator my objective is to create an environment conducive to settlement. I begin that process before the mediation by talking individually to all counsel. This way, by speaking with counsel, and thoroughly reviewing the material I am provided, I can be fully and completely prepared when the mediation begins. Although I present a short opening statement, I have found that opening statements by counsel generally are not productive and therefore I begin using the caucus method (in some areas namely construction, opening discussions and dialogues, and even presentations by parties or experts may be helpful). I think of myself as a both an evaluative and facilitative mediator, using techniques of each method as appropriate. I find that I generally become more evaluative as the mediation continues, and the rapport increases between the lawyers, their clients, and me. I encourage significant preparation by counsel prior to the mediation, and I have written an article on this subject that I send to counsel prior to the mediation.

Education

Arizona State University (BS-1968); Georgetown University (JD-1972).

Professional Licenses

Admitted to the Bar: Arizona (1972); U.S. District Court, District of Arizona; U.S. Court of Appeals, Ninth Circuit; U.S. Supreme Court.

Professional Associations

American Bar Association (Section of Dispute Resolution, Past Chair); Arizona Commission on the Courts (ADR Task Force, Past Chair); Arizona Supreme Court ADR Advisory Committee (Past Chair); College of Commercial Arbitrators; Maricopa County Bar Association; State Bar of Arizona (ADR Section, Past Chair); Ninth Circuit Court of Appeals Standing Committee on Alternative Dispute Resolution (one of two original lawyer members); National Association of Distinguished Neutrals; National Institute for Civil Discourse (past Board Member); Past Chair, City of Phoenix Civil Service Board; Chair-elect, City of Phoenix Sister Cities Commission), International Academy of Mediators; College of Commercial Arbitrators; AAA-ICDR Foundation (Chair-Person); Arizona Center for Law in the Public Interest (Board Member)

Recent Publications &

"Arizona Adopts the Revised Uniform Arbitration Act," 43 Ariz. State L. J. 481 (2011); "The Revised Uniform Arbitration Act: 20 Years Later," 76 Disp. Res. J. 1 (2022); Contributing author,

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| Speaking Engagements | HANDBOOK ON MEDIATION, 2d ed., American Arbitration Association, 2010; Contributing Author, HANDBOOK ON COMMERCIAL ARBITRATION, American Arbitration Association, 2010; Contributing author, HANDBOOK ON ARBITRATION PRACTICE, 2d ed., American Arbitration Association, 2010; Contributing author, BEST PRACTICES IN COMMERCIAL ARBITRATION, College of Commercial Arbitrators, 2006; co-author, A DRAFTER'S GUIDE TO ALTERNATIVE DISPUTE RESOLUTION, American Bar Association, 1991; regular author and lecturer on Alternative Dispute Resolution; co-editor and author of the ARIZONA ATTORNEYS' FEE MANUAL published by the State Bar of Arizona. A complete list of speaking engagements is available on website: www.brucemeyerson.com . |
| Locations Where Parties Will Not be Charged for Travel Expenses | No charge for travel time. |
| Languages | English |
| Citizenship | United States of America |
| Locale | Phoenix, AZ |

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.