

## CURRICULUM VITAE

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### CURRENT WORK

The Mediation Alliance, Inc. – Commercial Mediator since 1994  
American Institute of Mediation – Founder and President 2008  
Mobius Executive Leadership – Senior Consultant  
Strategic Resolutions Group – Senior Consultant

### PAST WORK HISTORY

Pepperdine School of Law – Director, “*Mediating the Litigated Case*” program (2002-09)  
Superior Court of California, County of Santa Barbara, Director,  
Court Administered Dispute Resolution (CADRe) Program, 1999-2000  
Ryland Homes, Vice President, Land and Development, Los Angeles Division  
Pardee Construction Company, Land Acquisition & Pardee Environmental Group

### ADR CREDENTIALS

- Unmatched experience in the field of mediation
- Successfully mediated over 1,300 cases in 15 years as a full time mediator
- California Daily Journal “Top Neutral” in 2008
- U.S. Bankruptcy Court (CA Central District) Mediator of the Year 2006
- Internationally Certified Mediator, International Mediation Institute (IMI), The Hague, Netherlands
- United Nations Development Programme (UNDP) – International Dispute Resolution Expert
- Administered several hundred mediations as ADR Director of the Santa Barbara Superior Court

### ADR PANELS

- American Arbitration Association – National Registry of Mediators & Arbitrators; Specialty Panels for Business and Commercial, Employment and Construction Disputes
- International Institute for Conflict Prevention & Resolution (CPR Institute), National Panel of Distinguished Neutrals
- International Mediation Institute, panel of certified commercial mediators
- Arbitration, Mediation & Conciliation Center
- Financial Industry Regulatory Authority (formerly National Association of Securities Dealers, NASD)
- United States Bankruptcy Court, Central District of California (Mediator of the Year 2006)
- California Second District Court of Appeal
- Superior Courts of Los Angeles, Santa Barbara, Kern and Sonoma Counties
- Hospital Association of Southern California

### LEGAL and ADR ORGANIZATIONS (Leadership & Membership)

- Certified Mediator, International Mediation Institute (IMI)
- Distinguished Fellow, International Academy of Mediators, 2003-present
- Diplomat, California Academy of Distinguished Neutrals, Charter Member (2006-present)
- State Bar of California, Standing Committee on ADR, 2006-2009; Ethics Subcommittee, 1998-2000 Chair, International ADR Committee; Legislation Committee, Ethics and Standards Committee
- Chair, American Bar Association, Section on Dispute Resolution, Training Committee, 2003-2007
- California Dispute Resolution Council (CDRC), 1995-present; Board of Directors 1996-2003; Executive Committee 2000-2003, Mediation Legislation & Nominating Committees
- Chair, CDRC Qualifications and Standards Committee, 1997-2003, published statewide *Standards of Practice for California Mediators* in 1998
- Member, California Judicial Council drafting committee Rules of Court for mediators, 1999-2000
- California Court ADR Directors Council, 1999-2000
- Southern California Mediation Association, 1994-present, Chair Courts Committee 2005
- Los Angeles County Bar Association – Litigation and ADR Sections
- Beverly Hills Bar Association – ADR Section
- Association of Business Trial Lawyers
- Inn of Court, Los Angeles Chapter



## CURRICULUM VITAE (page 2)

### ADR CASE EXPERIENCE

- Successfully mediated over 1,300 civil mediations, before, during and after litigation. Specializing in complex, multi-party litigation including business litigation, construction defect, products liability, medical malpractice and wrongful death.
- Several hundred business/commercial cases involving breach of contract, business/corporate matters, shareholder disputes and corporate dissolutions, trade secrets, unfair competition, bankruptcy, fraud, collections, and franchise and partnership disputes and dissolutions (including several law firms).
- Several hundred construction, real property and land use cases including construction claims, defects and closeouts, land use, CEQA, environmental protection, earth movement, homeowner associations, disclosure, exchanges, brokerage and fiduciary relationships.
- Several hundred personal injury, medical malpractice and premises liability mediations.
- Between 75-100 employment cases including discrimination, workplace harassment, wrongful termination, whistle-blowers, and wage and hour claims.
- Between 75-100 entertainment, new media, intellectual property and technology cases, including cases involving film, television, music, and computer games and software.
- Several hundred other general civil cases, including insurance coverage, intellectual property, health care, legal and medical malpractice, probates and trusts.

### ADR TRAINING EXPERIENCE

- American Bar Association Section on Dispute Resolution, Chair, Training Committee (2003-2007)
- American Institute of Mediation, founder, President, Core Faculty since 2008
- Pepperdine Law School's Straus Institute for Dispute Resolution, Director, "Mediating the Litigated Case" program (2002-2009)
- Harvard Negotiation Insight Initiative at Harvard Law School – Advisory Board
- Lipscomb University, Nashville, TN, Institute for Conflict Management, Professional Skills Trainer "Mediating the Complex Case" program
- Guest Lecturer at Southwestern Law School, University of California, Santa Barbara, and University of Idaho Law School
- U.S. Agency for International Development (USAID), Advanced Trainer (Croatia Mediation Project)
- Institute for the Study and Development of Legal Systems – Mediation Trainer (Delhi High Court, India)
- American Arbitration Association, Court Mediation Skills Trainer
- Los Angeles County Bar Association, Dispute Resolution Services, Advanced Mediation Trainer
- Institute for Mediation Studies, Founder, Director and Lead Trainer (1994-2008)
- California Contractor's State Licensing Board – Trainer
- California Continuing Education of the Bar (CEB), seminar leader on ADR Ethics & Advocacy
- Trainer in mediation, conflict resolution and negotiation skills for Nationwide Insurance, Zenith Insurance, Children's Hospital, LexisNexis, Accountants, Inc., the Superior Courts of Los Angeles, Sonoma, Santa Barbara and Kern Counties.
- Trainer, speaker and workshop leader at dozens of national conferences on ADR, mediation, conflict resolution and negotiation skills.

### PUBLICATIONS & MEDIA

- Consultant on the book, "A Litigator's Guide to Effective Use of ADR in California", published by California Continuing Education of the Bar (CEB) University of California and State Bar of CA
- Co-Host of weekly talk show called "Talk It Over", [www.TalkItOverRadio.com](http://www.TalkItOverRadio.com)
- Regular appearances as mediator on "PAPA", a television talk show about parenting and divorce
- Mr. Berman has had articles published on ADR and negotiation in the following publications:
  - California Lawyer
  - Los Angeles Business Journal
  - Professional Insurance Association
  - Mediate.com
  - California Dispute Resolution Council News
  - Southern California Mediation Assn. News
  - Santa Barbara Lawyer, ADR Editor '99-2000
  - The Daily Journal, monthly column, "Mediation Strategies"
  - Los Angeles Lawyer
  - Santa Monica Business Journal
  - CaliforniaNeutrals.com
  - Brilliant Results Magazine
  - IAMED.org (Intl. Academy of Mediators)
  - NJEsq.
  - Many other websites around the world

### FEES

\$5,000 for an "unlimited day", which includes "unlimited" mediation session, pre-mediation conference calls, all study and travel time, and reasonable expenses. Also available at \$400. per hour, in which case travel time outside of Los Angeles billed at one half hourly rate. Cases outside of southern California will be billed at daily rate. All fees deposited two weeks in advance of mediation. Confirmed dates that are cancelled within 14 days will be billed a cancellation fee of one half of time booked. Other cancellations will pay a minimum of a \$450 rescheduling fee.

**Please see attached Client List for references.**