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GUY O. KORNBLUM

KORNBLUM, COCHRAN, ERICKSON & HARBISON, LLP

Specializing in all types of civil litigation and representation of clients in trials, arbitrations, mediations and appeals, particularly all forms of insurance matters, personal and commercial (property and casualty, employment coverage, director's and officer's coverage, professional liability coverage, general commercial coverage as well as life, health and disability insurance; insurance "bad faith"; serious personal injury, professional liability, real estate, employment matters, and fraud claims involving employee welfare benefit plans, wrongful death and actions claiming punitive damages.

Previous Firms (San Francisco): Guy Kornblum & Associates (2000-2013); Bailey & Kornblum, LLP (1996-2000); The Kornblum Law Offices, and predecessors (1979-1996); Partner, Pettit & Martin in San Francisco (1972-1979); Assistant Dean and Professor at Hastings College of the Law (1970-1972); Associate Attorney, Bledsoe, Smith, Cathcart, Johnson & Rogers (1967-1970);

Indianapolis, Indiana: Ice, Miller, Donadio & Ryan (1966-1967).

**Professional
Certifications**

Certified in Civil Trial Advocacy and Civil Pretrial Practice Advocacy, the National Board of Trial Advocacy (certified through 2015).

Bar Admissions

Admitted to California State Bar (1966) and Indiana State Bar (1966); 1971, U.S. Supreme Court (1971); U.S. District Court, Northern, Eastern, Central and Southern Districts of California; Southern District of Indiana; U.S. Court of Appeals, Ninth Circuit (all 1966).

Military Service

1ST LT. U.S. ARMY – INTELLIGENCE

Active duty, January 1962 to November 1963; reserves until 1968.

Education

Hastings College of the Law

University of California (J.D. 1966)

San Francisco, CA

Editorial Board, Hastings Law Journal

Member, Order of the Coif



Member, Thurston Honor Society
Phi Delta Phi Graduate of the Year, 1966 (Hastings Chapter)

Indiana University (A.B. 1961)
Bloomington, IN

Member: Alpha Tau Omega, Phi Eta Sigma, Blue Key, various honoraries and organizations including the Indiana University Student Foundation and Inter-Fraternity Council.

Post J.D. Study: Attended New York University Law Center as a Ford Foundation Fellow in the summer of 1971.

Honors & Awards

Excellence in Law column, Time Magazine, Person of the Year Issue, December 23, 2013.

Fellow, American College of Certified Specialist Attorneys.

Charter Fellow, Litigation Counsel of America Trial Lawyer Honorary.

Northern California Super Lawyer, annually since 2006.

Platinum Member, The Verdict Club, recognizing lawyers with outstanding results for clients.

Life Member, Multi-Million Dollar Advocates Forum; Million Dollar Advocates Forum.

Legend Society Top Lawyer.

Silver Member, Elite Lawyers of America.

Named as a "Top Attorney," Personal Injury, 2013.

Named "Best Lawyer in the Bay Area," in a poll conducted by the Nob Hill Gazette, a prominent San Francisco Magazine, 2010.

Listed in Bar Register of Preeminent Lawyers, Martindale-Hubbell, 19th Ed. (Personal Injury and Insurance Law).



Top rating by Martindale-Hubbell, the preeminent lawyer rating service (*a.v.* received in first year of eligibility. 1971; also top rated “5” on its rating scale).

Rating of “10” (“Superb”) by AVVO.

25 Years of Continuous Listing in Marquis Who’s Who.

San Francisco Chamber of Commerce Featured Law Firm, 2004.

Law Firm of the Year, AIDS Legal Referral Panel (pro bono), 2004.

Nominated for California State Bar Pro-Bono Service Award, 2004.

Recipient, *Award of Excellence*, Senior Lawyers Division, American Bar Association, 1996.

Named “An Outstanding Insurance Trial Lawyer,” *National Law Journal*, 1991.

Founding member of Hastings College of Advocacy, the first post-trial practice program for lawyers sponsored by a law school from 1971-2001.

Co-founder and Member, Board of Directors and Executive Committee, Hastings Center for Trial and Appellate Advocacy, 1970-1982.

**Professional
Associations**

Member, American Bar Association

Member, California and Indiana State Bar Associations

Member, American Association for Justice (formerly Association of Trial Lawyers of America)

Member, Consumer Attorneys of California

Member, San Francisco Bar Association

Member, San Francisco Trial Lawyers Association

Teaching

Instructor, Santa Clara University Law School, Spring 2007, “Strategy, Tactics and Diplomacy in Dispute Resolution,” Seminar for Third-Year Law Students.



Assistant Dean, Hastings College of the Law, University of California, 1970-1972;
adjunct faculty, 1972-1978, 1990.

Instructor, San Francisco Law School, “Insurance Law – A Consumer’s
Perspective,” Spring 2001; “Remedies – The Law Gets Down to Business,” 2002-
2003.

Recent Seminars

[Presented over 400 seminars to various state and national trial lawyer groups in 38
states and several foreign countries since 1970. Appeared as a speaker at the
Annual Meeting of the American Bar Association 20 times. Featured Speaker to the
Association of British Insurers (1987) and EuroForum (1994) in London.]

Judicial Technologies

Member of Faculty, CLE Programs, 2011

Lorman Seminars

“Handling Insurance Bad Faith Claims,” Webinar, March 2013.

“Underinsurance and Uninsured Motorist Claims,” Moderator, Webinar, November
2012

American Bar Association – Section of Dispute Resolution

“A New Level of Dialogue Between Litigators and Mediators—A Conversation
with San Francisco’s Finest Mediation Advocates,” Panelist, American Bar
Association Dispute Resolution Section, San Francisco, California, April 2010.

Marin County Bar Association

“What You Need to Know to Litigate Insurance Bad Faith Claims in 2013,” Corte
Madera, May 21, 2013.¹

“Insurance Bad Faith Litigation,” Corte Madera, California, September 2009.



San Francisco Bar Association

“Litigating Bad Faith Claims in 2013,” Moderator, San Francisco Bar Center, June 11, 2013.

“Mediation Ethics,” Moderator, San Francisco Bar Center, April 2012.

“Mediation Advocacy” CLE Programs: January 2008 and May 2009.

Sonoma County Bar Association

“Litigating Insurance Bad Faith Claims,” co-panelist with Charlie Cochran, January 11, 2014.

Thomson West Publishing Company

Series of Webinars (10 sessions) on “Mediation Advocacy,” 2010-2012, with Mediator Martin Quinn.

California Continuing Education of the Bar

“Hot Topics in Property and Liability Insurance,” Co-Panelist, San Francisco, California, March 5, 2010.

“Insurance Law for Real Estate and Corporate Counsel,” Co-Panelist, San Francisco, California, March 2006.

American Association for Justice (Association of Trial Lawyers of America)

“What You Need to Know to Litigate Insurance Bad Faith Cases in 2011,” Annual Meeting, New York, N.Y. 2011.

“Getting Results for Plaintiffs Through Early Mediation: Taking Advantage of the Marketplace for Resolving Lawsuits,” Annual Meeting, Toronto, Ontario, Canada, July 2005.

“Finding the Right Defendant in an Insurance ‘Bad Faith Case’ – Pinning the ‘Tale’ on the Right Donkeys,” Palm Springs Midwinter Meeting, Insurance Bad Faith



Group, February 2005.

“Games Insurers Play in Handling Claims,” Insurance Bad Faith Group, Annual Meeting, San Francisco, California, July 2003.

“Getting Results for Plaintiffs through Early Mediation: Taking Advantage of the Marketplace for Resolving Lawsuits,” Insurance Law Section, Annual Meeting, San Francisco, California, July 2003.

Center for Dispute Resolution, Hastings College of the Law, University of California

“How to be Effective at Mediation,” Panelist, U.S.D.C., Northern District of California, December 2004.

National Business Institute

“Powerful Evidence in California Civil Litigation,” San Diego, California, November 2004.

**Selected Appellate
Cases / Expert
Witnessing**

Waters v. USAA, California Courts of Appeal (1996) 41 Cal.App.4th 1063.

Melancon v. USAA Casualty Ins. Co. (Ariz. App. 1992) Arizona Supreme Court and Court of Appeal 849 P.2d 1374.

Linthicum v. Nationwide Ins. Co. (Ariz. 1986) Arizona Supreme Court and Court of Appeal 723 P.2d 675.

Hess v. Transamerica Occidental Life Ins. Co. (1987) California Court of Appeal 190 Cal.App.3rd 941.

Mr. Kornblum’s expert testimony on insurance bad faith cited and relied on by the California Court of Appeal, First Appellate District in *United States Fire Ins. Co. v. Button Trans.*, A108419, April 26, 2006.

Mr. Kornblum’s co-authored book, California Practice Guide: Bad Faith, cited by Associate Justice M. Baxter, California Supreme Court in *Adams v. Mrakami*, 813 P. 2d 1348, 1359.



Books

Author, *Negotiating and Settling Tort Cases: Reaching the Settlement*, 2nd Edition, 2013, AAJ Press and Thomson West Publishing Co. [a second volume: Garretson, *Negotiating and Settling Tort Cases: Handling Health Care Liens, Medicare Set Asides, and Settlement Planning* is available; this is revision of 2007 2 Volume work].

Contributing Author, California Continuing Education of the Bar, *Effective Mediation and Settlement Technique in California*, 2005.

Co-author, *Litigating Insurance Claims* (Wiley & Sons 1993) with supplements (with W. A. Cerillo).

Co-author, *California Practice Guide: Bad Faith* (The Rutter Group 1986), and supplement (now part of *California Practice Guide: Insurance Litigation* (The Rutter Group 1995)) (with Justice M. Kaufman; H. Levine).

Published Monographs and Articles

“Thoughts on Selection of a Mediator from the Advocate's Point of View”
6 Litigation Commentary & Rev. 34 (July/August 2014)

“Is Mediation the Best Course?” *6 Litigation Commentary & Rev.* 6 (March/April 2014)

“The New Law Practice of Dispute Resolution: How to Avoid Having to Be a Warrior on Behalf of Your Client,” *FORUM*, March/April 2014, p. 14.

“Being a Better Advocate in Mediation: A Case Study” *5 Litigation Commentary & Rev.* 104 (December 2013)

“Adversarial System v. System of Justice: Are They Conflicting?”
5 Litigation Commentary & Rev. 75 (July/August 2013)

“Emotions and the Negotiation Process— Gaining Control Over a Client's Emotional Responses During Settlement Efforts” *5 Litigation Commentary & Rev.* 42 (April/May 2013)

“Mediation Ethics, Part I: Perspective on Confidentiality Concerns,” *The Update*, Summer 2012.

“An Overview of Third Party Bad Faith: Failure to Accept Reasonable



Settlements,” *San Francisco Bar Bulletin*, Spring 2012.

“Insurance Bad Faith in Uninsured and Underinsured Motorist Cases,” *San Francisco Bar Bulletin*, Fall 2011.

“Insurance ‘Bad Faith’ Basics, Part II,” *California Business Law Practitioner* (California Continuing Education of the Bar), Volume 24, Number 4, Fall 2009.

“Insurance ‘Bad Faith’ Basics, Part I,” *California Business Law Practitioner* (California Continuing Education of the Bar), Volume 24, Number 3, Summer 2009.

“Evaluation of an Insurance Bad Faith Case,” *FORUM* (Consumer Attorneys of California), March 2007, p. 8.

“Getting Results for Plaintiffs Through Early Mediation: Ten Basic Principles to Follow in Getting Your Client’s Case Settled Early,” *FORUM* (Consumer Attorneys of California), June 2005 at 9.

“Using Insurance Experts in Bad Faith Cases: Should I or Shouldn’t I?” *TRIAL* 30-37 (February 2000).

“Pre-suit Considerations in Bad Faith Cases,” *Trial* 72-74 (October 1998).

“Bad Treatment is Bad Faith!” *Insurance Litigation* 24-26, 39-40 (September-October 1998).

“Do the Law Schools Meet the Expectations of the Practicing Bar?” with R. Moss, *Experience* (Fall 1995).

“Evidentiary Issues in Coverage and First-Party Bad Faith Cases,” 61 *Defense Counsel Journal* 240 (April 1994).

“Avoiding Botched-Up Claims,” *Best’s Review* 92-11 (March 1992).

“Preventing Punitive Damages,” *Best’s Review* 88:8 (Property and Casualty edition).

“Defending an Insurance Bad Faith Action in the 1990’s: Strategy and Tactics (Part



I),” *5 Mealey’s Litigation Reports* 21 (July 2, 1991).

“Defending an Insurance Bad Faith Action in the 1990’s: Strategy and Tactics (Part II),” *5 Mealey’s Litigation Reports* 23 (July 16, 1991).

“How to Curb Discovery Abuses,” *The Practical Litigator* 61 (July 1991).

“Environmental Claims and Bad Faith: Contract Obligations that Mature into Extra-Contractual Lawsuits,” with J. Ferry and K. Lee, *52:4 Ohio State Law Journal* 1245 (1991).

“Defending an Insurance Bad Faith Action,” *20:2 The Brief* 47 (Winter 1991).

“What You Should Know About Alternative Dispute Resolution,” *2:1 The Practical Litigator* 73 (January 1991).

“Challenging a Punitive Claim: A Defense Strategy,” *Daily Journal Report* (December 2, 1990) at 38.

“Voluntary Private Dispute Resolution: Complement or Competitor to the Courts System,” *57 Defense Counsel Journal* 370 (July 1990).

“Update on Third Party Actions Since *Moradi-Shalal*,” *Daily Journal Report* at 13 (May 19, 1989).

“Proposition 103 and Its Impact on California Insurance Law,” with C. Imre, *Daily Journal Report* at 7 (December 16, 1988).

“The Punitive Remedy: Statutory and Judicial Reforms,” with C. Imre, *1:3 California Litigation* (Spring 1988).

“Voir Dire, Opening Statement and Closing Argument,” *23:7 Practical Lawyer* 11 (October 15, 1977); republished in *Personal Injury Annual*, Matthew Bender Co. (1979); *Manual of Trial Practice*, ALI-ABA Joint Committee on Continuing Legal Education (1979).

“Punitive Damages on Parade: An Update of Recent California Appellate Decisions Affecting Punitive Damage Claims,” *676 Insurance Law Journal* 247 (May 1979).



“Punitive Damages on Parade II: A Further Update of Recent California Appellate Decisions Affecting Punitive Damage Claims,” 680 *Insurance Law Journal* 495 (September 1979).

“The Role of Insurer’s Corporate Counsel in Defending First-Party Extra-Contract Litigation,” with Wilson, 664 *Insurance Law Journal* 255 (May 1978).

“The Role of the Life, Health & Accident Insurer’s Medical Director in Extra-Contract Litigation,” 28 *Defense Law Journal* 205 (1979). Also, 62 *Transactions 61 Journal of the Association of Life Insurance Medical Directors of America* (1978).

“The First-Party Extra-Contract Case: The Defense Viewpoint,” 1977 *Insurance Law: Excess Liability-First-Party Insurance*, 7:1 Defense Research Institute Monograph (1977).

“The Defense of the First-Party Extra-Contract Case: Strategy in Negotiations and Discovery,” 12:2 *Forum* 721 (Winter 1977).

“The Seismic Impact of Punitive Damages in Actions Against Insurers,” with J. Thornton, 77 *Best’s Review 10 Property/Casualty and Life/Health and Accident* editions (January 1977).

“The Use of Videotape in Discovery and Trial Preparation,” with E. Short, 23 *Am. Jur. Trials* 95 (1976).

“The Prerecorded Videotape Trial: A Status Report,” with J. McCystal, 25:2 *Federation of Insurance Counsel Quarterly* 121 (Winter 1975).

“The Expert as Witness and Consultant,” 20:3 *The Practical Lawyer* 13 (March 1974); republished in *Personal Injury Annual*, Matthew Bender Co. (1974).

“The Oral Civil Disposition: Preparation and Examination of Witnesses,” 17:5 *The Practical Lawyer* 11 (May 1971); republished in 1971 *Personal Injury Commentator [Annual]* 297, Matthew Bender Co. (1971); Massachusetts Continuing Legal Education Committee (1971); *Civil Advocate’s Manual*, College of Advocacy, Hastings College of the Law; *Manual of Pre-Trial Discovery*, AFI-ABA Joint



Committee on Continuing Legal Education (1972).

“Videotape in Civil Cases,” 24 *Hastings Law Journal* 9 (1972); republished in *Personal Injury Annual*, Matthew Bender Co. (1972).

“The Law School’s Role in Post-J.D. Specialty Education,” 5 *Journal of Law Reform* 436, University of Michigan (Spring 1972).

“Specialty Curricula in the Law Schools: A Must for the J.D. Program,” 22:2 *Brief Case* 5 (May 1972).

“The Alcoholic Driver: A Proposal for Treatment as an Alternative to Punishment,” with Martin G. Binder, M.D. Published as a study of the American Judicature Society Information Report Service (1972); republished in 590 *Insurance Law Journal* 133 (March 1972), 56:1 *Judicature* 24 (June/July 1972); “The Alcoholic Driver,” 77:6 *Case and Comment* 3 (November/December 1972).

“Do You Know Your Law School?” with M. Anderson, 46 *California State Bar Journal* 332 591 (May/June 1971).

“Clinical Legal Education: A Need for Reform,” with M. Anderson 47 *A.B.A. Journal* 591 (June 1971).

New Fillmore
Selected Articles

“Financial Elder Abuse: Watch Out for Life Insurance ‘Twisting’” (March 2006).

“Mediation and Arbitration Clauses in Contracts: You Can Lose Important Legal Rights!” (February 2006).

“First Amendment Rights and the IRS – a Sermon Risks Loss of Non-profit Status of a Church” (January 2006).

“Sales Fraud: Selling Annuities to Those Over 60 Years Old” (November 2005).



“Life Insurance and Annuity Sales Fraud to Those Over 60!” (October 2005).

“Is the Legal System Any Different from Lincoln’s Day?” (September 2005).

“Tort Reform – Part III: What Lies Ahead for the Reformers?” (August 2005).

“Slapping Around the First Amendment and Free Speech” (February 2005).

“Start the New Year on a Good Legal Footing” (January 2005).

“Communicating with Your Lawyer: A Critical Aspect of the Attorney-Client Relationship” (November 2004).

“A Modern Day David Versus Goliath Story: An Insurance Company Defeated in Effort to Defy Small Businessman’s Claim” (October 2004).

“The Lawyer-Client Privilege Against Disclosure of Confidential Communications Between Them: How Sacred Is It?” (September 2004).

“Thoughts on ‘Law in the Limelight’” (August 2004).

“The Future World of Dispute Resolution: The Mediation Alternative to Trial” (January 2004).

“Some Thoughts on Dispute Resolution” (May 2004).

“Would You Want Your Child to Be a Lawyer?” (December 2003).

“‘Bad Faith’ Claims Handling Leads to Punitive Award Against an Insurance Company Providing Uninsured Motorist Coverage” (October 2003).

“What Is Tort Reform and Is It Needed?” (June 2003).

“*Uninsured* and *Underinsured* Motorist Coverage is Most Important in Your Auto Policy” (May 2003).

“Does Your Doctor Help You When You Are Injured and Have to Sue?” (February



2003).

“Respect for the Law” (January 2003).

“What Happens When You Get Sued?” (November 2002).

“How to Have the Best Relationship with Your Lawyer” (October 2002).

“Alternative Dispute Resolution: The Preferred Alternative to Litigation” (August 2002).

“Your Personal Insurance Coverage: How Much Insurance Do You Need to Protect Your Financial Interests?” (July 2002).

“Dependent Coverage Under Your Medical Insurance: A Warning to Parents Who ‘Think’ They Have Coverage for Their Children” (June 2002).

“What Happens When Your Medical Care Provider Commits Malpractice?” (May 2002).

“Private Disability Insurance: Do Insurance Companies Live Up to Their Promises When You Are Disabled?” (March 2002).

“The Lawsuit Process: How a Case Proceeds in the Courts” (December 2001).

“Expectation of the Victim of Injury: What Happens When You Sue?” (November 2001).

“Welcome to the Personal Injury Compensation System” (October 2001).

“Don’t Let Your Insurance Company Treat You Unfairly!” (September 2001).

“What to Do When Your Client’s Insurer Refuses to Defend” (August 2001).

“How to Find the Lawyer You Need for *Your* Case!” (June 2001).

Litigation Counsel of America



“The Resolution Advocate” (Regular Column).

“Thoughts on Selection of a Mediator from the Advocate's Point of View”
6 Litigation Commentary & Rev. 34 (July/August 2014)

“Is Mediation the Best Course?” *6 Litigation Commentary & Rev. 6* (March/April 2014)

“Being a Better Advocate in Mediation: A Case Study” *5 Litigation Commentary & Rev. 104* (December 2013)

“Adversarial System v. System of Justice: Are They Conflicting?” *5 Litigation Commentary & Rev. 75* (July/August 2013)

“Emotions and the Negotiation Process— Gaining Control Over a Client's Emotional Responses During Settlement Efforts” *5 Litigation Commentary & Rev. 42* (April/May 2013)

“Smart Dispute Resolution” *5 Litigation Commentary & Rev. 7* (January/February 2013)

“Mandatory Mediation Clauses in Insurance Policies and Other Contractual Relationships” *4 Litigation Commentary & Rev. 262* (September/October 2012)

“Let’s Look At Our Job as Litigators – Is There a Better Way Than a Complete Adversarily Posture?” *4 Litigation Commentary & Rev. 229* (June/July 2012)

“The Timing For Mediating – Looking For The “Plateau”” *4 Litigation Commentary & Rev. 191* (February/March 2012)

“Direct Negotiations v. Mediation – Why The Mediation Process Offers More” *4 Litigation Commentary & Rev. 181* (October/November 2011)

“Direct Negotiations V. Mediation – Why The Mediation Process Offers More” *4 Litigation Commentary & Rev. 121* (August 2011)

“Clichés That Apply To Negotiation and Settlement, Part I” *4 Litigation*



Commentary & Rev. 78 (June/July 2011)

“California Supreme Court Speaks On Mediation Confidentiality” *4 Litigation Commentary & Rev. 45* (March/April 2011)

“The Three C's Of Negotiation” *4 Litigation Commentary & Rev. 5* (January/February 2011)

“The Opening Demand at Mediation: How to View the First Shot Over the Bow,” *Litigation Commentary & Review* (Litigation Counsel of America) (November/December 2010)

“The Modern Approach to Resolving Disputed – The Case for Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America) (September/October 2010).

“Does Your Adversary and His or Her Client Have the Right Attitude on Mediation Day?” *Litigation Commentary and Review* (Litigation Counsel of America), February 2010.

“Do You Have the Right Attitude on Mediation Day?” *Litigation Commentary & Review* (Litigation Counsel of America), January 2010.

“Using Experts or Consultants at Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), November 2009.

“The Top Ten Reasons Why Cases Do Not Settle at Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), October 2009.

“Getting Around the Impasse at Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), September 2009.

“Economic Downturn,” *Litigation Commentary & Review* (Litigation Counsel of America), August 2009.

“The New Lawyer Settlement Strategies,” *Litigation Commentary & Review* (Litigation Counsel of America), July 2009.



“Negotiating and Settling Insurance Bad Faith Cases,” *Litigation Commentary & Review* (Litigation Counsel of America), June 2009.

“Five Factors that Suggest a Case is Ripe for Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), May 2009.

“Getting Results for Plaintiffs Through Early Mediation: Ten Basic Principles to Follow in Getting Your Client’s Case Settled Early,” *Litigation Commentary & Review* (Litigation Counsel of America), March/April 2009.

“The Opening Statement at Mediation – Yes, No, Maybe!” *Litigation Commentary & Review* (Litigation Counsel of America), January/February 2009.

“The Lawyer’s Role in Preparing the Mediator for Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), October/November 2008.

“Using Videos at Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), August/September 2008.

“Mediation as a Discovery Tool,” *Litigation Commentary & Review* (Litigation Counsel of America), July 2008.

“What is a Resolution Advocate?” *Litigation Commentary & Review* (Litigation Counsel of America), June 2008.

“Are You Ready for Mediation?” *Litigation Commentary & Review* (Litigation Counsel of America), May 2008.

“Preparing Your Client for Mediation: Winners Win, Whiners Lose!” *Litigation Commentary & Review* (Litigation Counsel of America), April 2008.

“What Type of Negotiation Personality Are You?” *Litigation Commentary & Review* (Litigation Counsel of America), March 2008.

“Do Lawyers Really Understand What They Need to Do to Prepare for Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), February 2008.

“Listening to the Story as a Tool in Mediating,” *Litigation Commentary & Review*



(Litigation Counsel of America), January 2008.

“The Three ‘C’s’ of Negotiations,” *Litigation Commentary & Review* (Litigation Counsel of America), December 2007.

“Some Basics of Negotiating at Mediation,” *Litigation Commentary & Review* (Litigation Counsel of America), November 2007.

“A Look Back at the Process of Dispute Resolution,” *Litigation Commentary & Review* (Litigation Counsel of America), October 2007.