

GUY O. KORNBLUM

Professional Resume

GUY O. KORNBLUM
GUY O. KORNBLUM, A Professional Law Corporation
1388 Sutter Street, Ste. 1210
San Francisco, California
T: 415-440-7800
C: 415-730-3485
gkornblum@kornblumlaw.com
www.kornblumlaw.com

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: Kornblum, Cochran, Erikson & Harbison LLP (2014-2020); 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: Associate Attorney, Ice, Miller, Donadio & Ryan (1966-1967).

Professional Certifications

Certified in Civil Trial Law and Civil Pretrial Practice Advocacy, the National Board of Trial Advocacy.

Bar Admissions

Admitted to California State Bar (1966) and Indiana State Bar (1966); 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)**
[now UC Law, San Francisco]
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

35 Years Continuous “a.v.” rated by Martindale-Hubbell (highest rating available).
Named “The Best Lawyers in America,” 2016-2020.
Peter Perlman Award for Community Service, Litigation Counsel of America, 2019.
Listed in 23d Edition of “The Best Lawyers in America” (Insurance Law, Litigation-Insurance, Personal Injury Litigation-Plaintiffs.)
Lifetime Member, Best Attorneys in America.
Distinguished Justice Advocates, Charter Member, 2017-2020.
Named “Top Attorneys of North America,” 2016-2020.
Named, “Lawyer of Distinction”, Civil Litigation, 2017.
Named, “America’s Top 100 High Stakes Litigators.”

Listed in Global Who's Who Best Lawyer, 2019.

Named, National Trial Lawyers, "Top 100 Trial Lawyers," 2019.

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

Fellow, American College of Board Certified Attorneys.

Charter Fellow, Litigation Counsel of America Trial Lawyer Honorary.

Northern California Super Lawyer, annually since 2006; recognized for over 15 years continuous listing.

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

Named as a "Top 100 Attorney," Personal Injury, National Academy of Jurisprudence.

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, currently 5.0 out of 5.0, by Martindale-Hubbell, the preeminent lawyer rating service (*a.v.* received in first year of eligibility, 1971.)

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.

**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. 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.

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

Webinars/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.]

National Academy of Continuing Legal Education

“The Ethics of Witness Preparation: Does ABA Rule 508 Change the Dynamics and Rules of Witness Preparation?” Webinar with B. Levine, December 26, 2023.

“Negotiating the Serious and Catastrophic Injury Case,” Webinar with B. Levine, November 9, 2023.

“Negotiating and Settling Tort Cases: Reaching a Resolution,” Webinar with B. Levine, August 31, 2023.

“Depositions in Insurance Coverage and Bad Faith Cases: Advanced Strategy,” Webinar with B. Levine, April 28, 2023.

“Case Selection, Evaluation and Beyond -Yes or No,?” with B. Levine, Webinar, November 7, 2022.

“Evaluating and Negotiating Insurance Bad Faith Cases,” with B. Levine, Webinar, March 14, 2022,

““Key Points for Success In Virtual Mediations,” with B. Levine, Zoom Webinar, July 15, 2021.

“Expert Witnesses in Insurance Coverage and Bad Faith Litigation” with B. Levine, Webinar, April 27, 2021.

“Intriguing Insurance Issues in 2021,” Zoom Webinar, January 6, 2021 (solo presentation)

San Francisco Bar Association

“Taking Killer Depositions of Key Witnesses,” Webinar, April 11, 2023, with J. Brydon and A. Fernandez.

“Plaintiff’s View of COV-ID 19 Cases,” Webinar, July 5, 2020

“Intriguing Insurance Issues in 2019/2020,” March 11, 2020.

“Settlement Ain’t A Bad Word,” May 16, 2019.

“Using Experts in Insurance Coverage and Bad Faith Cases,” January 3, 2016.

“Bad Faith Cases Arising Out of Uninsured and Underinsured Motorist Claims,”
March 25, 2015.

“How to be an Effective Advocate in Mediation,” February 17, 2015.

“What You Need to Know About Insurance Bad Faith, 2013 and Beyond,”
Moderator, San Francisco Bar Center, June 11, 2013.

“Mediation Ethics,” Moderator, San Francisco Bar Center, April 26, 2012.

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

Strafford Seminars

“Negotiating and Settling Tort Cases: Reaching the Settlement,” with S. Hausner,
and J. Myerson. Webinar, January 11, 2024, Webinar, January 11, 2024.

“Depositions in Insurance Coverage and Bad Faith Litigations,” with B. Levine and
R. Boone. Webinar, February 22, 2022 (repeated live May 5, 2023).

“Using Experts in Insurance Coverage and Bad Faith litigation,” with B. Levine,
Webinar, October 21, 2020.

“Insurance Litigation: Leveraging Daubert/Frye Admissibility Standards for Expert
Testimony in State and Federal Courts,” Webinar, March 5, 2020.

“Using Experts in Bad Faith and Coverage Cases,” August 5, 2015.

MYLAWCLE

“Claims Adjusters Depositions in Bad Faith Cases,” Webinar with B. Levine.
December 20, 2022.

CELESQ

“The Ethics of Witness Preparation: Does the ABA Ethics Rules Change the
Dynamics for Preparing Witnesses?” Webinar with B. Levine. December 19, 2023.

“Advance Depositions: Strategies for Taking Depositions in Insurance Bad Faith Cases,” Webinar with B. Levine. September 12, 2023.

Litigation Counsel of American Trial Lawyer Honorary

“Mediation and Arbitration Strategies,” Panelist, Spring Meeting, Santa Barbara, California, May 2, 2019

Aids Legal Referral Panel

“Litigation Management: Settlement and Negotiation Strategies – Direct Negotiations vs Mediation,” April 24, 2019.

Primerus

“Mediation and Settlement Strategies,” Primerus Annual Fall Conference, Silverado Resort, April 2016.

Consumer Attorneys of California

“Bad Faith in Uninsured and Underinsured Motorist Cases,” 2014 Annual Meeting, San Francisco, November 15, 2014.

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.

“Insurance Bad Faith Litigation,” Corte Madera, California, September 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 (6 sessions) on “Mediation Strategies,” September – November, 2014.

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

“Advanced Strategies for Negotiating Claims with Insurance Adjusters,” Webinar (“Crafting Superior Demand Letters” and “Mastering Key Negotiation Styles and Strategies”), February 21, 2024.

“Uninsured/Underinsured Motorist Litigation from Start to Finish,” Webinar, November 30, 2023.

“Personal Injury Bootcamp,” Webinar, October 13, 2023.

“Calculating Damages, Drafting Demand Letters, and Negotiating Auto Cases,” Webinar, July 12, 2023

“Advanced Insurance Bad Faith in California,” [“Institutional Bad Faith, Industry Standards, etc. – A Pouporni of Thoughts!”] Webinar, January 27, 2022

“Powerful Evidence in California Civil Litigation,” San Diego, California, November 2002.

**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

Negotiating and Settling Tort Cases: Reaching the Settlement, 2024. 5th ed., Thomson Reuters Publishing Co.

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).

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

Published Monographs and Articles

"The ethics of witness preparation: does ABA Formal Opinion 508¹ change the dynamics and rules of witness preparation? FORUM January/February 2024 p. 40.

¹ ABA ethics opinions are written by the Standing Committee on Ethics and Professional Responsibility. These opinions are advisory, and not binding on any court. Formal opinions are on matters deemed to be of interest to a large number of attorneys.

“The Elegance of Our Law Practice,” FORUM November-December 2023, p. 36.

“Some New Developments in the Insurance Bad Faith World!” FORUM
September-October 2023, p. 34.

“Settlement A’int A Bad Word,” FORUM July-August 2023, p. 42.

“Preparation of Your Client for Deposition,” FORUM, May-June 2023, p. 38.

“Careful Case Intake,” TRIAL. June 2023 w/B. Levine.

“Six thoughts for a more effective mediation!” FORUM, March-April 2023, p. 38.

“Expert witnesses – theirs,” FORUM. January-February 2023, p. 40.

“Expert witnesses – yours and theirs!” FORUM, November-December 2022, p. 36.

“Dealing with evidentiary issues at trial,” FORUM, September-October 2022, p. 38.

“Direct negotiations,” FORUM, July-August 2022, p. 42.

“Thoughts on direct examination: winning ways to achieve successful proof of your
client’s case,” FORUM, May-June 2022, p. 42.

“Trial practice – from start to finish, FORUM, March-April 2022, p. 12 (first of a
series of bi-monthly columns).”

“It’s a Zoom, Zoom, Zoom, Zoom World,” San Francisco Bar Association Bar
Bulletin, May 2021.

“Presenting expert testimony where there are no pictures: Keeping a jury’s interest
in what the expert has to *say!*” FORUM, September/October 2020, at p. 50.

“The Role of Medical Specials in Evaluating Injury Cases – Big or Small, FORUM,
January/February 2017 at 10 (with D. Cardone).

“Is Mediation the Best Course For Resolving Disputes?” The Trial Lawyer, SFTLA
Magazine, Spring 2015, p. 12.

"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.

"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).

“California Leads the Way in Insurance Bad Faith, But No One Wants to Follow: Recent Trend in California First-Party Bad Faith Law,” with G. Olsen, 14 W. St. U. L. Rev. (1986-1987).

“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 W. 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. McCrystal, 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).

The 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).

“Preparing to be Effective at Mediation,” 9 *Litigation Commentary and Review* 8
(January/February 2017)

“My Fantasy Mediation,” 7 *Litigation Commentary & Review* 8
(March/April 2015)

“‘Settlement’ Ain’t a Bad Word,” 6 *Litigation Commentary & Review* 63
(October/November 2014)

“Thoughts on Selection of a Mediator from the Advocate’s Point of View,”
6 *Litigation Commentary & Review* 34 (July/August 2014)

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

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

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

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

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

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

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

“The Timing For Mediating – Looking For The ‘Plateau,’” *4 Litigation Commentary & Review* 191 (February/March 2012)

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

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

“Clichés That Apply To Negotiation and Settlement, Part I,” *4 Litigation Commentary & Review* 78 (June/July 2011)

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

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

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

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

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

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

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

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

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

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

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

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

“Five Factors that Suggest a Case is Ripe for Mediation,” *Litigation Commentary & Review* (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* (March/April 2009).

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

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

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

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

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

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

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

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

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

“Listening to the Story as a Tool in Mediating,” *Litigation Commentary & Review* (January 2008).

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

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

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