



Deborah Rothman, Esq.
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Profession Arbitrator, Arbitration Consultant, Mediator, Discovery Referee.

Education Yale College (BA, *magna cum laude* 1971); New York University (JD 1976); Princeton University (MA, Public Affairs 1976).

Work History Full-time Mediator and Arbitrator, Self-employed, 1991-present; Chief Executive Officer, [Baby Fair Enterprises](#), 1984-88; Litigation Attorney, Manatt Phelps Rothenberg & Tunney (now Manatt Phelps & Phillips), 1976-80.

Honors include:

- ✓ Past President, College of Commercial Arbitrators
- ✓ Martindale-Hubbell® AV Preeminent® Peer Review Rated™ lawyer
- ✓ **Tier 1 Best Law Firm** (Arbitration & Mediation), *US News & World Report* since 2013.
- ✓ [Best Los Angeles Attorney Arbitrator 2012](#), The Best Lawyers in America®
- ✓ One of the Top 32 Hollywood Reporter Esq. Power Mediators for 2007
- ✓ Who's Who Legal: California Arbitrators, 2009
- ✓ [Southern California Super Lawyers](#), (ADR) 2006 – present.
- ✓ Best Lawyers Los Angeles, Arbitration and Mediation, 2006 – present.
- ✓ Distinguished Fellow, International Academy of Mediators
- ✓ Executive Committee, National Academy of Distinguished Neutrals

Alternative Dispute Resolution Experience Nationally-recognized arbitrator and mediator with remarkably high success rate in the resolution of complex disputes in most areas of business and commercial law, both domestic and international (including intellectual property, biotech, employment, franchise, insurance coverage, reinsurance umpire, litigation management, business torts, wage and hour, entertainment, tax, securities, aviation, commercial real estate, construction, banking, probate and partnership law), in a wide variety of industries, including pharmaceuticals, fashion, textiles & apparel, aerospace/defense contractors, condominium and shopping center development & leasing, advertising, banking and savings and loans, gaming, food & beverages/restaurants, healthcare (doctors, pharmacies, health insurance, nursing homes,

home health agencies, HMOs, dentists and hospitals--failure to pay for Covered Provider Services, denials of Subscriber Claims), school districts, police departments, municipalities, security guard services, international beverage distribution, scrap metal export, agriculture (vegetables, migrant workers), direct marketing, multi-level marketing, U. S. Postal Service, law firms, accounting firms, medical, dental and other partnerships; media: radio, television, infomercials, motion picture, newspaper. In cases involving aviation/aircraft liability and pilot instruction; employment (discrimination - sex, race, religion, national origin, disability, sexual orientation and sexual harassment; wrongful termination; retaliation; non-disclosure; wage and hour; and breach of covenant not to compete and fiduciary duty; class actions); intellectual property and licensing, misappropriation of trade secrets, trade dress infringement and failure to de-identify; biotechnology--sale of patents; business torts; commercial contracts and leases, communications, computers/technology; consumer disputes; construction defect and earthquake damage; entertainment (radio, TV, motion picture production, songwriter credits/royalties, construction of recording studio, disputes re personal management contracts including right to residuals); franchisor-franchisee; First Amendment including slander and defamation; foreclosure; partnership disputes and dissolutions; medical and legal malpractice; negligence, personal injury; ADA & FEHA compliance and discrimination claims; trusts, conservatorships and estates; product and premises liability; software joint venture; securities industry (broker-dealer and customer-broker disputes); taxation-municipal and corporate; and unfair competition, commercial real estate development partnership disputes. Mediated multi-party construction defect matters including dispute by homeowners association against contractor, subcontractors, architect and engineers; SaaS applications, internet, website design and eDiscovery.

Arbitration Consultant: Mock arbitrations, case feedback & consultation re selection of arbitrator panel.

Construction defect Special Master.

Court-appointed Discovery Referee.

Reinsurance arbitration umpire.

Specialized Panels Member or former member of dispute resolution panels for American Arbitration Association's Large Complex Case Panel; Commercial, Real Estate, Employment, Healthcare and Franchise panels. International Centre for Dispute Resolution ("ICDR"). CPR: International Institute for Conflict Prevention & Resolution. Keybridge Foundation/Department of Justice, Mediation of Americans with Disabilities Act Claims. FINRA.

Multi-party and class action experience includes current membership on mediation panel for resolution of nationwide class actions alleging personal injury/death claims from asbestos exposure, former membership on mediation panel for resolution of nationwide class actions alleging gender discrimination against two major securities firms, mediating over 50 claims, including class representatives and entire branch offices. Wage and hour class action experience includes 50+ class action mediations or arbitrations involving misclassification of non-exempt employees, paystub and meal & rest break violations, off-the-clock, tip-pooling, etc. Mediated

consumer class actions (carpet steam cleaning; gift cards for gourmet food). Served as arbitrator of over 40 individual claims in class action against insurance conglomerate alleging fraudulent practices in the sale of whole life insurance products.

Publications and Speaking Engagements

Selected Publications: Contributor to chapter on eDiscovery, in forthcoming CCA Guide to Best Practices in Commercial Arbitration (4th Ed. 2017); "Elimination of ADR Programs Won't Create Catastrophic Backlogs," DAILY JOURNAL, January 31, 2013; "Gender Diversity in Arbitrator Selection," ABA DISPUTE RESOLUTION MAGAZINE, Spring 2012; "An Inside View of Class Action Settlements," DAILY JOURNAL, March 11, 2010; "Who Took the 'Me' Out of Mediation?," DAILY JOURNAL, January 15, 2010; Associate Editor, THE COLLEGE OF COMMERCIAL ARBITRATORS "Protocols For Expeditious, Cost-Effective Commercial Arbitration: *Key Action Steps for Business Users, Counsel, Arbitrators & Arbitration Provider Institutions.*" (2010) "Survey: Difficult Arbitration E-Discovery Process Questions Suggest Increasingly Complex Future Problems on Costs, Scope," CPR ALTERNATIVES, October, 2009; co-author, "Technology Survey Indicates Big Case Management Problems from E-Discovery Are Spreading . . ." CPR ALTERNATIVES, September, 2009; "eDiscovery: From the Arbitrators' Perspective," CALIFORNIA LITIGATION, vol. 22, no. 1, 2009; co-author, "Take Steps to Ensure Mediated Settlements Can Be Enforced," DAILY JOURNAL, October 20, 2006; "'Murphy' Won't Ease Settling Employment Claims Involving Emotional Distress," DAILY JOURNAL, September 15, 2006; co-author, "What Drives the Dispute? Analyzing Party Psychology Provides an Opportunity for Mediation Room Success," CPR ALTERNATIVES, July 2005; ADVOCATE, October 2004; co-author, "For the Defense: Keys to A Successful Mediation," CPR Alternatives, August, 2004; chapter author, "Resolving Securities Industry Disputes," ARBITRATION HANDBOOK 2001, Practising Law Institute; "Mediation of Class and Multi-Party Wage & Hour/Overtime Claims," CALIFORNIA STATE BAR LABOR & EMPLOYMENT LAW QUARTERLY, Fall 2001; "Betting the Odds: Increasing the Likelihood of Punitive Damages Awards in Arbitration," DAILY JOURNAL, November 10, 2000; "Carrying a Tune: Mediation in the Entertainment Industry," DAILY JOURNAL, December 3, 1999; "How to Lose at Mediation Without Hardly Trying," DAILY JOURNAL, May, 1999; "Sixth Sense: Neutrals Sometimes Rely on Intuition to Help Settle Disputes," DAILY JOURNAL, August 8, 1998; "Special Types of Contractual Arbitrations and Their Problems," Los Angeles County Bar Association LITIGATION SECTION NEWSLETTER, vol.15, no.1, Summer 1998; "Natural Selection: In Mediation, Familiarity Breeds Confidence," Los Angeles DAILY JOURNAL, April 10, 1996. Frequent contributor to *Los Angeles Daily Journal*; former co-editor of *Q & ADR* in VERDICTS & SETTLEMENTS.

Selected Speaking Engagements: ABA Women Rainmakers Webinar, "Ten Essential Tips for Success in ADR to Build Your Practice" August 10, 2016; Chartered Institute of Arbitrators "Arbitrating In North America - Now And Tomorrow" UCLA School of Law, June 2015; "Mediation." CAALA (Consumer Attorneys Association of Los Angeles), Las Vegas 2012; "Be Careful What You Wish For: Is Binding Arbitration Really Better Than Litigation?" LACBA Downtown LA Trial Practice Inn of Court, Los Angeles, CA December 2010; "Arbitration: Making Lemonade Out of Lemons." CELA full-day program, October 2008; "Cutting-Edge Mediation 2006. [Including 'Mediation of Class Actions' and 'Techniques for Dividing

Settlement Proceeds.'] Rutter Group, San Francisco, September 2006; "Going for Gold: Winning at Arbitration." CELA 2007. "Advanced Techniques for Settling Wage and Hour Class Actions." Beverly Hills Bar Association, Labor & Employment Law Section, October 2005; "Settling Employment Suits to the Benefit of Both Parties." Bridgeport Continuing Education Conference on Labor and Employment Litigation, 2005; "Wage and Hour Mediation," LACBA Labor and Employment Law Section Retreat, Rancho Mirage, CA, May 2004; "What Attorneys Wish Mediators Would and Would Not Do," ABOTA Masters in Mediation Program, Los Angeles 2003; "Handling a Class Action Labor Case: What to Do If a WalMart Client Steps Into Your Office (Besides Pull Your Hair Out)," Orange County Bar Association Business & Corporate Law / Labor & Employment Law Joint Section Meeting, Costa Mesa, CA March 2003. "What Lawyers and Arbitrators Need to Know About Commercial Arbitration," LACBA/AAA, January, 2014; "Ethical Issues in Mediations and Arbitrations," ABA Insurance Coverage Litigation Committee, Tucson, AZ, 2013; "Muscular Arbitration," Full-day program co-sponsored by AAA and UCI Law School 2011 [2 panels—"Discovery/eDiscovery" and "Streamlining The Case Management Conference"]; Faculty, ABA 6th Annual Arbitration Institute, 2011; "Managing Your First Arbitration," Co-sponsored by the College of Commercial Arbitrators, AAA, JAMS, ABA and LACBA, Los Angeles, December 2010; "Everything You Should Want to Know About Arbitration Made Neat -- Questions Answered!" LACBA Litigation Section Trial Practice American Inn of Court, December 2010; "Smart Women Arbitrate," Women Lawyers Assoc'n of Los Angeles, October, 2010; co-presenter, "How can Litigators & Arbitrators Streamline Arbitration to Increase Efficiency?" State Bar of California Annual Mtg., Monterey, CA, September, 2010; panelist, "The Cutting Edge of Arbitration: What You Need to Know," ABA Annual Meeting, 2010; "How Arbitrators, Outside Counsel, Clients and Providers Can Make Business-to-Business Arbitration Faster and Less Expensive (plenary program)" and "How Effective Use of the First Case Management Conference Can Work for Advocates, Arbitrators, Clients and Providers," ABA Dispute Resolution Section Spring Meeting, 2010; panelist, "eDiscovery in Arbitration," College of Commercial Arbitrators, 8th Annual Meeting, San Francisco, November 1, 2008; panelist, "Arbitrating the Mega-Case: Surviving and Succeeding in the Mega-Arbitration," American Bar Association Section of Dispute Resolution, Los Angeles, February 8, 2008; "Making Lemonade out of Lemons," organized and moderated full-day program on arbitration advocacy, CELA Annual Convention, Pasadena, October 3, 2008; CDRC 15th Annual Dispute Resolution Policy Conference, 2008 (eliminating "blind spots"); "Going for the Gold in Arbitration," CELA Annual Convention, San Jose, September 28, 2007. I served as a member of the AAA faculty that trained a group of Brazilian corporate counsel in mediation of contract disputes (Santa Clara, CA 2008).

Alternative Dispute Resolution Training ICDR 11th Annual Miami International Arbitration Conference, 2013; AAA Judicial Settlement Conference Service Launch, 2013; AAA/ICDR Neutrals Conference, 2012; College of Commercial Arbitrators Annual Meetings, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007; ABA, Dispute Resolution Section Spring Meeting, 2015, 2014, 2013, 2012, 2011, 2010; Faculty, ABA Annual Meeting, 2015, 2014, 2010; IAM Conference, 2012, 2011, 2010, 2009, 2008; Utah State Bar, Mastering Complex Mediations, 2010; College of Commercial Arbitrators National Summit on B2B Arbitration, 2009; Keybridge Foundation/DOJ, ADA Mediation Training, 2015, 2008, 1995; AAA Dealing With Delay Tactics in Arbitration (ACE004), 2006; Faculty, AAA Neutrals Conference, 2005;

AAA Arbitrator Ethics and Disclosure (ACE003), 2005; AAA Neutrals Conference, 2004; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2004; Straus Institute for Resolution, Pepperdine University, Masters Forum, 2003; AAA Employment Arbitrator II Training: Advanced Case Management Issues, 2002; Faculty, ABA, Advanced Mediation and Advocacy Skills Training, 2002; Faculty, ABA, Mediation Training for Judges, 2001; AAA Arbitrator Update 2001; AAA eCommerce Orientation, 2001; AAA Commercial Arbitrator Training, 2000; Pepperdine Masters Forum, Los Angeles, 2000; NASD, Mediation of Securities Disputes, 1997; California Department of Insurance, Mediation Training, 1996; AAA Mediation and Arbitration Training, 1996; EEOC Employment Law Mediation Training, 1996; AAA Employment Law Disputes Arbitration Training, 1996.

Professional Licenses Admitted to the Bar: California, 1976; U.S. District Court, Central District of California, 1978; U.S. Supreme Court, 1980. Formerly licensed as a California Real Estate Broker (expired).

Professional Associations

- International Academy of Mediators (Distinguished Fellow)
- College of Commercial Arbitrators (Past President)
- American Bar Association (Litigation and Dispute Resolution Sections)
- Los Angeles County Bar Association (Labor and Employment Law Section)
- Beverly Hills Bar Association (Executive Committee, Business Law Section; Past Chair, Labor and Employment Law Section; Past Chair, Alternative Dispute Resolution Section)

Languages Spanish; some French and Italian.