

STEPHEN H. MARCUS

AREAS OF MEDIATION AND LITIGATION EXPERIENCE:

Securities fraud, lender liability claims, construction defects, sophisticated fraudulent business schemes, fraudulent conveyances, landlord-tenant disputes, letters of credit, secured transactions, real property, trademark infringement and unfair business practices, insurance claims and coverage, transportation brokerage, tax shelter fraud, employment claims, property damage claims, employment law claims, ADA and consumer claims, and bankruptcy preference avoidance and non-dischargeability claims.

Mediations Conducted: 35+

FEES AND CANCELLATION POLICY:

Fees: \$375/hour, 3 hour minimum

Costs: There is no room fee for use of my offices. Any outside provider costs (if any) to be shared by the parties.

Cancellation: 50% of the minimum if cancelled less than 3 business days prior to the scheduled mediation.

EDUCATION

HARVARD LAW SCHOOL, Juris Doctor Cum Laude (1970)

Member of Board of Editors, Harvard Law Review (1969- 70)

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Science Bachelor in Mechanical Engineering (1967)

Elected to Tau Beta Pi Engineering Honorary

Elected to Society of Sigma Xi Science Honorary

DISPUTE RESOLUTION APPROACH

Litigation is but one of many tools utilized in resolution of commercial disputes. If a matter can be resolved satisfactorily short of litigation, such a resolution is usually more economic and expeditious than litigation. However, the threat of possible litigation is often a useful tool in reaching favorable pre-litigation results.

Mediation is a form of settlement negotiation where an intermediary (the mediator) enables the parties to engage in the process without worrying about “who will make the first move” or “if an offer to settle will make one side or the other appear weak”. If a matter cannot be resolved through direct negotiation, mediation should always be considered if there is a reasonable chance that it will prove fruitful.

As a Mediator, I utilize all appropriate approaches, including collaborative and evaluative techniques, as are appropriate for any given case. The primary tools I use in mediation are (a) recognizing and (if possible) accommodating the ideal and practical goals of each party, and (b) common sense. I try to get the parties to focus on the “big picture” - what would the parties see as a favorable or acceptable result when the litigation is over and the dispute is in the rear view mirror. When appropriate, I try to avoid looking at a dispute as a “zero-sum” game, and explore any possible “win-win” resolutions.

MEDIATION/ARBITRATION TRAINING

Mediating the Litigated Case, Pepperdine University Strauss School of Dispute Resolution, August 2012

FINRA Arbitration Training Course, April 2012

California Association of Realtors: Mediating Disputes Under the C.A.R. Residential Purchase Agreement, October 2013.

United States District Court, Central District of California: Advanced Mediation and Settlement Skills for Judges and Mediators, September 2014, Advanced Mediation Training, July 2017 and September 2018.

CURRENT PROFESSIONAL AFFILIATIONS

Member and Secretary of the Board of Trustees of the Los Angeles County Bar Association Attorney -Client Mediation and Arbitration Committee (Board of Trustees and Panel Arbitrator, 1996 to present)

Member of Mediation Center of Los Angeles panel of arbitrators (2018 to present)

Judge pro-tem of the Los Angeles Superior Court (2013 to present)

Mediation Panel Member, United States Bankruptcy Court for the Central District of California (2012 to present)

Mediation Panel Member, United States District Court for the Central District of California (2013 to present)

Mediation Panel Member, San Fernando Valley Bar Association Mediation Center (2015 to present)

Arbitration Panel Member, FINRA (2012 to present)

Mediation Panel Member, FINRA (2017 to present)

National Arbitration and Mediation, Employment Arbitration Panel Member (2018-present)

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