



HON. MICHAEL D. MARCUS
Judge of the California State Bar Court
(Retired)

MEDIATION and ARBITRATION EXPERIENCE

Judge Marcus has successfully mediated the following types of cases: employment, business, legal malpractice, personal injury, wrongful death, premises liability, medical malpractice, eminent domain, environmental/toxic tort, police misconduct and civil rights. He has developed a reputation as a skilled, knowledgeable, personable and forceful mediator.

Judge Marcus has arbitrated the following types of cases: employment, medical malpractice, professional liability, personal injury, fee disputes and insurance coverage.

SUMMARY OF LEGAL BACKGROUND

Judge Marcus brings an extremely broad legal background to mediation. He was an experienced and successful trial lawyer, former law firm partner and judge. Judge Marcus has taught at law schools, is a legal author and bar leader, as well as an efficient and effective mediator and arbitrator.

AREAS OF EXPERTISE

Professional liability including legal malpractice; employment issues; complex litigation; business disputes; tort causes of action including breach of fiduciary duty and fraud; legal ethics; fee disputes; discovery disputes and evidence.

EDUCATION

- Legal: UCLA School of Law, Los Angeles, California
 1964 – 1967
 Degree: JD

- College: University of California, Berkeley
 1962 – 1964
 Degree: BA in Political Science

- Oberlin College, Oberlin, Ohio
 1960-1962

JUDICIAL EXPERIENCE

- Judge of the State Bar Court, November 1995 – December 2001
- Supervising Judge of the Hearing Department, November 2000 – December 2001
- Assistant Supervising Judge of the Hearing Department, May 1996 – October 2000

- ◆ In his 6 years on the State Bar Court, Judge Marcus presided over approximately 160 trials involving such issues as breach of fiduciary duty, fraud, conflicts of interest, the failure to perform competently, misappropriation and client abandonment; wrote lengthy decisions containing findings of fact and conclusions of law for each of the trials and was involved in over 400 settlement conferences with a settlement rate of about 95%.

LEGAL EXPERIENCE BEFORE JUDICIAL APPOINTMENT

- **Partner**, Coleman & Marcus (1987 – 1995)
Los Angeles, California
- **Of Counsel**, Sanger, Grayson, Givner & Booke (1985 – 1987)
Encino, California
- Deputy District Attorney (1968 – 1985)
Office of the District Attorney
Los Angeles, California

PUBLICATIONS

Judge Marcus is a prolific writer who has written about trial preparation, legal ethics, prosecution discovery and the destruction of evidence for such organizations as the State Bar of California, the California Continuing Education of the Bar (CEB), the California District Attorneys Association, the San Fernando Valley Bar Association and the California Attorneys for Criminal Justice. He is also the author of *Trial Preparation for Prosecutors (2nd Edit.)*, Lexis Law Publishing 2002, and has contracted with the West Group to write *California Courtroom Conduct: The Do's and Don'ts of Litigation*.

TEACHING AND LECTURING

Judge Marcus taught evidence at the USC Law Center and he has lectured on legal ethics at the California State Bar's annual meeting, to the California Judge's Association, for the CEB and at many prominent law firms.

Judge Marcus has also been a member of the faculties at Southwestern University School of Law, The National College of District Attorneys in Columbia, South Carolina and was a clinical instructor at the UCLA School of Law as well as an adjunct professor on trial skills at Pepperdine University School of Law.

FORMAL ALTERNATIVE DISPUTE RESOLUTION TRAINING

"Mediating the Litigated Case," a 42 hour program offered by the Straus Institute for Dispute Resolution at Pepperdine University School of Law.

"Mediating Complex Construction Disputes," an 18 hour program offered by the Straus Institute for Dispute Resolution at Pepperdine University School of Law.

The following is a list of law firms that have utilized Judge Marcus as a mediator and/or arbitrator:

Abrolat & Teren
Adorno & Yoss
Alschuler Grossman Stein & Kahan
Anderson McPharlin & Connors
Ault Schonfeld Jordan & Munro
Baker Keener & Nahra
Ballard Rosenberg Golper & Savitt
Barton Klugman & Oetting
Berger Kahn Shafton Moss, et al.
Berman Berman & Berman
Bird Marella Boxer Wolpert, et al.
Bononi Law Group
Bradley & Gmelich
Bryan Cave
Buchalter Fields & Younger
Callahan McCune & Willis
Carlsmith Ball
Carlson Law Group
Carlton DiSante & Freudenberger
Caskey & Holzman
Chapman Glucksman & Dean
Cohen, Barry L. & Associates
Cook Brown
Cox Castle & Nicholson
Daniels Fine Israel Schonbuch & Lebovits
DLA Piper Rudnick Gray Cary
Drinker Biddle & Reath
Fisher Sparks Grayson & Wolfe
Foley & Lardner
Ford & Harrison
Ford Walker Haggerty & Behar
Freeman Freeman & Smiley
Gibbs Giden Locher & Turner
Gilbert Kelly Crowley & Jennett
Girardi & Keese
Gordon & Reese
Greenberg Glusker Fields Claman
Greene Broillet & Wheeler
Grotsky & Olecki
Hahn & Hahn
Haight Brown & Bonesteel
Harrington Foxx Dubrow & Canter
Hill Farrer & Burrill
Hooper Lundy & Bookman
Howrey
Irell & Manella
Ivie McNeil & Wyatt
Jackson Lewis
Jeffer Mangels Butler & Marmaro

Katten Muchin Rosenman
Kirtland & Packard
Kreindler & Kreindler
Kroll Law Corporation
Labowe Labowe & Hoffman
LaFollette Johnson DeHaas Fesler & Ames
Landegger Baron Levenant
Lang Hanigan & Carvalho
Lapidus & Lapidus
Laughlin Falbo Levy & Moresi
Lavelly & Singer
LeBoeuf Lamb Greene & MacRae
Lewis Brisbois Bisgaard & Smith
Liebert Cassidy Whitmore
Lim Ruger & Kim
Lindahl Schnabel Kardassakis & Beck
Liner Yankelevitz Sunshine & Regenstreif
Lipsitz Green Scime & Cambria
Littler Mendelson
Locke Lord Bissell & Liddell
Loeb & Loeb
Lovretovich, Law Offices of Marcus
Mandell Law Firm
Manning & Marder Kass Ellrod Ramirez
Maranga Morgenstern
McCune & Harber
McDermott Will & Emery
McNicholas & McNicholas
Meserve Mumper & Hughes
Miller Brown & Dannis
Mitchell Silberberg & Knupp
Moldo Davidson Fraioli Seror & Sestanovich
Morgan Lewis & Bockius
Morris Polich & Purdy
Murchison & Cumming
Murphy Pearson Bradley & Feeney
Musick Peeler & Garrett
Nemecek & Cole
Nossaman Guthner Knox & Elliott
Novian & Novian
Parker Mills & Patel
Paul Hastings Janofsky & Walker
Peckar & Abramson
Proskauer Rose
Reback McAndrews & Kjar
Richards Watson & Gershon
RivkinRadler
Robie & Matthai
Rutan & Tucker

Schaffer Lax McNaughton & Chen
Schwartz Daniels & Bradley
Sedgwick Detert Moran & Arnold
Seed Mackall
Seyfarth Shaw
Sheppard Mullin Richter & Hampton
Snell & Wilmer
Squire Sanders & Dempsey
Stephan Oringer Richman Theodora
Steptoe & Johnson
Stolpman Krissman Elber & Silver
Sullivan Workman & Dee
Thelen Reid Brown Raysman & Steiner
Veatch Carlson Grogan & Nelson
VonEtten Suzumoto & Becket
Voss Silverman & Braybrooke
Walsworth Franklin Bevins & McCall
Wasserman Comden & Casselman
Weissman Wolff Bergman Coleman
Weston Benshoof Rochefort Rubalacava
White O'Connor & Curry
Wilson Elser Moskowitz Edelman & Dicker
Wood Smith Henning & Berman