



## PETER J. MARX, ESQ.



### ***EDUCATION, RELATED EXPERIENCE***

- ◆ New York University Law School, L.L.B., 1966  
Author, Civil Servants and the First Amendment, NYU Law School Intramural Law Review, November 1966
- ◆ University of California, Berkeley, B.A., Psychology, 1963
- ◆ Law Clerk, Honorable Warren J. Ferguson, United States District Court, Central District of California (Los Angeles), November 1966 to September 1967

### ***MEDIATION AND OTHER ALTERNATE DISPUTE RESOLUTION SERVICES***

- ◆ Mediator, 1988 to the present. Trained and certified by Dispute Resolution Services. Experience in mediation of diverse matters, including, inter alia:
  - Business matters: contract disputes, involving various issues, such as non-conforming goods, non-payment, defective work and untimely or unsatisfactory performance, disputes as to the existence of and nature of business entities such as partnerships, dissolution of business entities, miscellaneous business disputes.
  - Employment: wrongful termination, including matters involving various forms of discrimination (disability, age, etc.), public policy issues, etc.
  - Construction: matters involving numerous subcontractors, lenders, mechanics' liens, etc.
  - Homeowners' association issues: disputes concerning excessive noise, unauthorized construction, failure to adhere to applicable rules, involving homeowners themselves and usually the homeowners' association as well.
  - Personal Injury: Mostly automobile accidents, small and large impact, minor and major injuries, occasionally involving Workers' Compensation liens and defective vehicles and/or road facilities. Also non-vehicle injuries, such as slip and fall, defective or improperly maintained equipment, premises liability.
  - Civil Rights: police misconduct, public accommodations.
  - Miscellaneous: By way of example, legal malpractice, date-rape, family matters such as marital dissolution, management and operation of family business and rights to insurance proceeds on death of a family member, labor union matters, community disputes.
- ◆ Approved member of following mediation panels:
  - Los Angeles County Superior Court:
    1. Party-Pay Panel
    2. Early Mediation Pilot Program For Compensated Mediators
    3. Volunteer Panel

- EEOC, Los Angeles Office
- National Association of Securities Dealers
- ◆ Private arbitrator, beginning 1996
- ◆ Independent investigator, alleged employee misconduct (Cotran) investigations

### **LAW PRACTICE**

- ◆ Private law practice, primarily with two law firms in the Los Angeles area, September 1967 to March 1971, focusing on litigation and transactional matters in various subject areas.

[Travel in Europe, April 1971 to June 1972; employed in ski shop in Chamonix, France, winter 1971 – 1972].

- ◆ Private law practice, as sole practitioner in the Los Angeles area, beginning July 1972, offering legal services in various areas, including, without limitation, business, labor, employment, entertainment, construction, criminal law and family law. Primary focus since approximately 1980 on litigation and transactional services in the following subject areas:
  - Business law: advising and representing diverse business entities concerning matters such as creation, organization and determination of appropriate entity, lease and/or purchase of business premises, employee relations and human resources (including preparation of personnel manuals and employee handbooks to establish appropriate procedures for grievances and other matters), negotiation and preparation of agreements for diverse purposes, internal organizational matters, customer relations, trade secrets and non-competition.
  - Labor and employment: wrongful termination, discrimination and similar disputes arising out of the workplace, mostly representing employees and advising employers in such matters, some representation of unions, representation of employees in 301/duty of fair representation actions, miscellaneous other labor relations matters.
  - Entertainment: primarily, but not exclusively, concerning music, advising and representing artists, managers, producers and operators of jazz venues, with respect to business planning and operation, and matters such as recording, public performance, songwriting and publishing rights. Occasional services in television and cinema, advising and representing artists, various crewmembers, suppliers of equipment, etc. (Much of the entertainment segment of the practice has involved services essentially in the realm of business law, and occasionally, employment and labor law.)

### **PUBLICATIONS AND PRESENTATIONS**

- ◆ Author:
  - “Focusing on True Interests of Parties Can Aid in Settlement”, Los Angeles Daily Journal, June 6, 2003.
  - “Court Has Chance to Address Fundamental Problem in “Rojas”” [concerning mediation confidentiality], Los Angeles Daily Journal, October 22, 2003.
- ◆ Editorial Advisory Board: Litigating Employment Discrimination Cases, by Andrew H. Friedman, James Publishing, Inc., 2005.

- ◆ Continuing legal education speaker and/or panelist, including, by way of example:
  - “Mediating with Difficult People”, Beverly Hills Bar Association, ADR Section, September 23, 2004.
  - “Success in Employment Mediation: Prepare and Negotiate Like a Winner!”, Beverly Hills Bar Association, ADR Section and Labor and Employment Section, May 29, 2003.
  - “Is It Malpractice If An Attorney Fails to Advise A Client About ADR?”, Beverly Hills Bar Association, ADR Section, October 29, 2002.
  - “Preparation of Client and Attorney for Mediation; Fundamental Considerations of Practice and Ethics”, Culver Marina Bar Association, September 17, 2002.
  - “Targeting International Child Abduction” (mediation in international child custody disputes), Beverly Hills Bar Association ADR Section, September 25, 2001.
  - “Mediation 101 For Lawyers”, Beverly Hills Bar Association ADR Section, March 14, 2000.
  - “Arbitration – Getting It Right The First Time”, Los Angeles County Bar Association Dispute Resolution Services, October 14, 1998.
  - “Nuts and Bolts of Judicial Mediation: A Program for Litigators and Mediators”, Los Angeles County Bar Association, October 8, 1996.
- ◆ Speaker before business and legal organizations and consular officials on the subject of mediation and related aspects of litigation and arbitration.

### **AFFILIATIONS**

- Chairperson, Alternative Dispute Resolution Section, Beverly Hills Bar Association, 2000 – 2001. Member Executive Committee of said section from 1996 to present.
- Los Angeles County Superior Court Alternative Dispute Resolution Committee (representing Beverly Hills Bar Association ADR Section), 1999, 2000, 2003.
- Executive Committee, Alternative Dispute Resolution Section, Los Angeles County Bar Association, 1993 – 1996.
- Member, California Dispute Resolution Council.
- Executive Committee, Labor and Employment Section, Beverly Hills Bar Association, 2003 to present.
- Admitted to the Bar of the State of California, January 1967, and various federal jurisdictions at that time and thereafter.

### **MISCELLANEOUS**

- Fluent in French