

# S. JEFFREY MINKER, P.C.

ATTORNEY/MEDIATOR/ARBITRATOR

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**EXPERIENCE:**

I have served as a mediator since 1994 and as an arbitrator since 1982. I have had 30 years of experience as a civil and criminal trial lawyer.

I have served as a Judge Pro-Tempore in Pima County, Arizona since 1984 presiding over approximately 30 trials. As of December 2009, I have been a settlement judge, private mediator or arbitrator in over 1,500 cases and have a successful mediation settlement rate over 90% in mediation.

The mediations have involved areas of law including: securities (\$10,000,000 loss), security class actions (\$21,000,000 cash settlement), contracts (\$1,800,000), products liability, employment termination (\$600,000 settlement), real estate, construction defects (\$8,000,000 settlement), discrimination, sexual harassment (\$1,000,000 settlement), medical malpractice (\$4,000,000 settlement), dental malpractice (\$250,000 settlement, legal malpractice (\$16,000,000 claim), accounting malpractice, personal injury claims (\$5,750,000 settlement & \$4,500,000 settlement), insurance bad faith (underlying legal malpractice case) (\$5,500,000 settlement) and divorce cases (assets of \$25,000,000 to \$50,000,000--settled after six years of litigation and \$2,000,000 in attorney fees), and a dispute over family assets (\$19,000,000 settlement).

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I was listed in THE 2010 INAUGURAL EDITION OF U.S. NEWS AND WORLD REPORT'S Best Lawyers "BEST LAW FIRMS" in America. (<http://bestlawfirms.usnews.com/firms/jeffrey-minker/overview/35041/>) and am in the 2011 edition.

I am a certified mediator for the National Association of Securities Dealers (NASD-FINRA SINCE 1997).

I was a certified arbitrator for the National Association of Securities Dealers (NASD-FINRA SINCE 1998-2009).

I was a certified arbitrator for the United States District Court for the District of Arizona from 1992-2004.

I served as an arbitrator for the American Arbitration Association from 1982 to 1998.

I was an arbitrator in the S.E.C. v. Prudential Security Inc. and the Dalkon Shield cases.

### **PROFESSIONAL AFFILIATION:**

I was a member of the Pima County Trial Commission from 1991-1995.

### **BAR ADMISSION:**

State Bar of Arizona in 1966. I have tried or argued cases before The United States District Court for Arizona, The Ninth Circuit Court of Appeals, The Tenth Circuit Court of Appeals, and The United States Supreme Court. I was admitted to practice before the Pascua Yaqui Tribal Court.

### **NATURE OF LAW PRACTICE:**

Until 1996, I had an active practice as a trial lawyer. Since 1966, I tried over 100 jury trials and argued before the Ninth and Tenth Circuit Courts of Appeal in approximately two-dozen cases and before the United States Supreme Court. My practice was primarily as a litigator in both civil and criminal matters. In civil matters I represented plaintiffs in a variety of cases including securities, personal injury, civil litigation, contracts, real estate, medical malpractice, dental malpractice, legal malpractice, probate, and products liability. I have also defended personal injury cases for self-insured defendants. In addition, I represented a large real estate company in Tucson for 20 years and defended them in errors and omission cases from 1969 to 1989.

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**EDUCATION:** University of Arizona/BA (1963)  
University of Arizona/LLB-JD (1966)

**EMPLOYMENT:**

I opened my current office on December 1, 2000.

Except for a period of time, between 1974 and 1978, when I was a founding member of a law firm, I was in private practice as a sole practitioner until January 1997 when the firm of Fleischman, Minker and Lopez, P.C. was founded.

**TEACHING:**

I was an Adjunct Lecturer at the University of Arizona from 1986-89 teaching a graduate course entitled Freedom of Expression that covered Libel law, First Amendment Rights and Media Access to the courts.

I lecture at the University of Arizona Law School on the subject of mediation annually.

**TRAINING SESSIONS, PRESENTATIONS AND SEMINARS:**

I was a co-trainer in a three day NASD Mediator Skills Training Program in Phoenix, Arizona in October 1997.

I was a presenter for the United States Department of Justice in a two day Advanced Mediation Training program in Phoenix, Arizona in July 1997.

I was a presenter for the United States Department of Justice DISPUTE RESOLUTION/ENHANCED NEGOTIATIONS SEMINAR in California in May 1998.

I presented A HANDS ON APPROACH TO CONDUCTING SETTLEMENT CONFERENCES IN DOMESTIC RELATIONS CASES for Domestic Pro Tempore Settlement Judges in Tucson on January 10, 2001.

I have been a speaker on many Bar Association programs discussing many aspects of mediation including:

EFFECTIVE USE OF MEDIATION and SETTLEMENT CONFERENCES  
for the Tucson Defense Bar 1/27/97;

EFFECTIVE USE OF MEDIATION and SETTLEMENT CONFERENCES  
for CLE-OPS 2/6/97;

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EMPLOY MEDIATION IN YOUR EMPLOYMENT CASE for the State Bar of Arizona Employment and Labor Section 2/24/97;

SUCCESSFUL STYLES OF MEDIATION TO RESOLVE LITIGATION for ADRA 2/25/97;

MEDIATION OR LITIGATION for the State Bar of Arizona Young Lawyers Division 3/13/97;

THE INS AND OUTS OF MEDIATION for the Pima County Bar 3/17/97;

MEDIATION IN A COMPLEX CASE for the Arizona State Bar Convention 6/12/98;

STRATEGIC USE OF PEER REVIEW PANELS, MEDIATION AND ARBITRATION IN EMPLOYMENT CASES (keeping your client out of court) for the Council on Education in Management 9/9/98.

BRIDGING THE GAP FOR THE STATE BAR OF ARIZONA 1/22/99

WINNING THE AUTOMOBILE ACCIDENT CASE, 99 WITHOUT TRYING for the State Bar of Arizona 3/26/99

MEDIATION IN FIRE AND CASUALTY CASES for State Farm Insurance in Las Vegas, Nevada 5/13/99

MEDIATION IN AUTOMOBILE CASES for Farmer's Insurance in Las Vegas, Nevada 5/14/99

THE INS AND OUTS OF SUCCESSFUL MEDIATION for the Clark County Nevada Bar Association in Las Vegas, Nevada 5/14/99

MEDIATION IN CONSTRUCTION DEFECT CASES for the Arizona Association of Defense Counsel in Phoenix 11/17/00

A HANDS ON APPROACH TO CONDUCTING SETTLEMENT CONFERENCES IN DOMESTIC RELATIONS CASES FOR DOMESTIC PRO TEMPORE SETTLEMENT JUDGES 1/10/01

2001 ANNUAL UPDATE OF ARIZONA LAW for Jones, Skelton & Hochuli in Phoenix 5/17/01

2005 DON'T JUST SETTLE for the Securities Regulation Section at the STATE BAR OF ARIZONA ANNUAL CONVENTION June 2005

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2007 TIPS AND TOOLS FOR CIVIL AND DOMESTIC MEDIATION  
State Bar of Arizona March 2007

EFFECTIVE MEDIATION HOW TO MAKE THE MOST OUT OF IT.  
Pima County Bar Association MAY 2009.