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Brandy A. Carestia

Brandy Carestia has taken pride in assisting clients, parties, and attorneys in resolving countless disputes over the past two decades. Her diverse legal practice, both in Montana as well as in San Francisco with a large national law firm, has afforded her the broad range of experience she brings to the table. Her training in recognizing and neutralizing emotional obstacles along with the ingenuity she applies in crafting solutions lends itself to her high success rate in mediating several hundreds of claims since 2003.

Brandy also serves as an arbitrator for civil claims, including class action claims across the United States against several major auto manufacturers. She founded Pax Dispute Resolution Services to expand innovative dispute resolution offerings, including the utilization of specifically tailored systems to refine negotiation, mediation, neutral evaluation, and arbitration.

ADR Experience

Attorney-Mediator/Arbitrator

Brandy A. Carestia, PLLC Alternative Dispute Resolution Services

Missoula, Montana

2002 - Present

- ▶ Mediate/arbitrate a wide variety of claims throughout Montana, including employment, contract, environmental, construction, product liability, personal injury, family, and wrongful death claims.
- ▶ Serve as both mediator and arbitrator for class action claims against various auto manufacturers across the United States including Ford, Porche, and several RV manufacturers.
- ▶ Trained as a mediator in courses by the Attorney-Mediators Institute and Association for Conflict Resolution, including both ACR Mediator accreditation and separate ACR Family Law Mediation accreditation.
- ▶ Gained a wealth of practical experience team-mediating for several years alongside one of Montana's premier ADR specialists, Dominic (Dee) Carestia.
- ▶ Taught mediation seminars at multiple CLE events.

Pax Dispute Resolution Services, PLLC

Missoula, Montana

2021 – Present

- ▶ Founded Pax Dispute Resolution Services, PLLC to offer innovative dispute resolution solutions, including online negotiation, mediation, neutral evaluation, and arbitration options as well as in-person dispute resolution methods utilizing specifically tailored systems to refine the mediation and arbitration processes.

Litigation Experience

Attorney at Law

Brandy A. Carestia, PLLC

Missoula, Montana

2007 - Present

- ▶ General litigation practice in many areas including personal injury, property damage, construction defect, contract, will and trust, landlord/tenant, social security, family, and criminal law.
- ▶ Represented clients in various Montana county state courts and federal courts in Montana, Idaho, Washington, Oregon, California, Alaska, North Dakota, Wyoming, and Arizona.

Hinshaw & Culbertson, LLP

San Francisco, California

1999 - 2002

- ▶ Practiced in national law firm mainly in the areas of professional liability defense, product and premises liability, insurance and subrogation, and appellate litigation.
- ▶ Handled legal malpractice cases alongside Ron Mallen, renowned expert who co-authored the leading five-volume treatise “Legal Malpractice” published annually by Thomson Reuters.
- ▶ Litigated product and premises liability cases including multi-party asbestos litigation.
- ▶ Appeared in San Francisco, Alameda, Los Angeles, and San Mateo County courts.
- ▶ Successfully briefed and argued before the Court of Appeal of the State of California, First Appellate District.

Worden Thane P.C.

Missoula, Montana

1996 – 1999

- ▶ Internship litigating commercial, contract, environmental, wrongful death, and personal injury cases, including investigation, client and witness interviews, medical record analysis, researching legal issues and drafting memoranda, pleadings, motions, briefs, opinion letters, and business agreements.

- ▶ Also practiced in the areas of commercial transactions and tax and estate planning.

Education

Juris Doctorate – 1999

University of Montana School of Law

- ▶ National Moot Court Team: First Place in Regional Competition, Regional Best Brief Award (6th in the Nation), Regional Best Oral Advocate Award
- ▶ Legal Writing Award
- ▶ Academic Scholarship

Bachelor of Science - 1996

University of Montana, School of Business Administration

- ▶ Major: Business Administration with Marketing Emphasis
- ▶ Minor: Communication Studies
- ▶ Degree completed in three years with high honors
- ▶ University Scholar, Honors Program; Scholar of the College of Arts and Sciences; multiple scholarships including high school valedictorian scholarship

Admissions

Montana and U.S. District Court, District of Montana
California and U.S. District Court, District of California

Professional Affiliations

Montana Bar Association
State Bar of Montana Dispute Resolution Section
California Bar Association
American Bar Association
Mediate.com
Legal Writing Institute

Publications and Speaking Engagements

“Choosing the Right Mediator for Your Case,” Montana Trial Lawyers Association 2008 Winter Seminar, Settlement Conferences: Soup to Nuts.

“Strategies for Successful Mediations in District Court,” Western Montana Bar Association’s Annual Professionalism CLE seminar, Missoula, Montana, 2005 (Mediator Panel - Brandy Carestia Cutting, Dennis Lind, Art Lusse, Hon. James Regnier.)

Toward More Successful Mediation. THE MONTANA LAWYER, Volume 30, No. 4, (December 2004/January 2005).