



Hon. Brian R. Van Camp (Ret.)  
Van Camp ADR Arbitration & Mediation

**Current Employer-Title** Arbitrator, Mediator, Neutral, Referee, Special Master and Early Neutral Evaluator.

**Work History** Retired Judge/Arbitrator/Mediator, Self-employed, 2012-present; Judge of the Superior Court, Superior Court of CA, County of Sacramento, 1997-12; Senior Partner, Downey Brand, LLP, 1991-97; Co-Founder/Partner, Law Offices of Van Camp & Johnson, 1978-91.

**Experience** Full-time Arbitrator, Mediator and Referee since Oct., 2012, specializing in business, contract, employment, real estate, construction and complex litigation cases.

From 1997-2012, served as Judge, Superior Court, during most of which time, presided over civil and complex civil cases involving business breakups, breaches of contracts, leases and trade secret agreements, medical and legal malpractice suits, wrongful termination/employment and personal injury lawsuits. Tried over 250 jury trials, over 40 bench trials and over 500 trials de novo from small claims court--all with written statements of decision.

From 1974-1997, practiced law as a partner with Diepenbrock, Wulff, Plant & Hannegan; Law Offices of Van Camp & Johnson and Downey Brand, LLP, specializing in corporate, securities, franchise, commercial, contract and partnership law, including disputes between partners, directors & shareholders, landlord-tenant, and also including formation, operation and financing of business organizations.

From 1971-74, served as California Commissioner of Corporations (appointed by Governor Reagan); oversaw the Department of Corporations' regulation of public offerings of securities, securities broker-dealers, franchise public offerings and franchisors and a variety of commercial lenders, including credit unions, finance companies and industrial loan law companies.

From 1970-71, served as Assistant/Acting Secretary of the State Business & Transportation Agency in Governor Reagan's Cabinet.

From 1967-'70, served as Agency Attorney, Redevelopment Agency of the City of Sacramento.

From 1965-1967, served as a Deputy Attorney General, State of California.

**Alternative Dispute Resolution Experience** Arbitration Cases Heard and Pending

1. Breach of Contract, Fraud— Purchaser of an insurance agency sued the seller for \$750,000 when the assets and customers' list fell short of representations in the

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sale documents. Seller cross-complained for breach of contract for monies still owed from the sale.

April, 2014, Sacramento.

2. Breach of Contract: Title Insurance company sued for failing to pay insured for not disclosing existence of recorded lien for \$150,000 note.

Santa Rosa, 2017.

3. Breach of Contract, Fraud, Elder Abuse--Buyer sued home-builder for return of \$250,000 paid as down-payment on home to be built when, 18 months later, construction had not commenced. Contractor cross-complained for \$425,000 for unlawful termination of contract, value of services and equipment rendered, lost profits and consequential damages.

July, 2014, Sacramento.

4. Breach of Contract, Negligence and Negligent Infliction of Emotional Distress--Father of decedent sues cemetery owner for \$3.5 million after thieves break into their private \$2 million mausoleum and steal gold urn containing son's ashes.

October, 2014, San Francisco

5. Order for Satisfaction of money judgment (CCP Sec. 708.205)--Judgment Creditor sues debtor/doctor to obtain \$600,000 in doctor's bank account, allegedly held for doctor's pension trust.

December, 2014, Sacramento

6. Landlord-Tenant--Chain supermarket tenant sues shopping center owner for breach of 40-year old lease, alleging breach, misrepresentation and failure to protect or maintain premises; shopping center owner cross complains for breach of lease.

December, 2014, Sacramento

7. Medical Malpractice--Patient sues surgeon for alleged negligence after surgery on spine resulted in excruciating pain in right arm and left leg.

March, 2015, Sacramento.

8. Class action Securities Fraud and Tax fraud--Four thousand investors sue for \$1 billion after alleged tax-favored investments were disallowed by IRS, resulting in large tax assessments and penalties. Serving as member of three-judge panel.

Spring, 2015, Los Angeles

In addition, while serving on Superior Court Bench, tried over 40 civil bench trials and over 500 trials de novo from small claims court--all with written statements of decision. Many cases involved business and partnership disputes, breaches of commercial contracts, real estate sales disputes, landlord-tenant, homeowner association's CC&R's compliance, public and private nuisances and public agency enforcement actions.

## **Alternative Dispute Resolution Training**

AAA ACE 19 Case Finances: What Arbitrators Need to Know, 2019; Arbitrator Performance and Demeanor ~ Meeting Participant Expectations, 2018; AAA

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The AAA provides arbitrators to parties on cases administered by the AAA under its various Rules, which delegate authority to the AAA on various issues, including arbitrator appointment and challenges, general oversight, and billing. Arbitrations that proceed without AAA administration are not considered "AAA arbitrations," even if the parties were to select an arbitrator who is on the AAA's Roster.

Clarity in Award Writing, 2017; AAA Protecting Your Award from Appellate Challenge, 2016; AAA eDiscovery: Arbitration in a Digital World ACE12, 2016; AAA Imposing Sanctions in Arbitration: Just How Far Can You Go?, 2015; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards, 2014; AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2014; AAA Principled Deliberations: Decision-Making Skills for Arbitrators 2014; The Mediation Society, "Mediation Today: Where Have We Been, and Where Are We Going?" Golden Gate Univ., 2013; Straus Institute for Dispute Resolution, "Strategic Negotiation Skills," Pepperdine University, 2012; Harvard Negotiation Institute, "Mediation Workshop," 2010; American College of Business Court Judges, "Settlements and Using ADR," 2010; The National Judicial College, "Dispute Resolution Skills," 2007; Straus Institute for Dispute Resolution, "The Art of Facilitating Settlement," 2002; Straus Institute for Dispute Resolution, "The Masters Forum," Pepperdine University, 2001

**Professional Licenses** California State Bar Association

**Professional Associations** American College of Business Court Judges  
American Bar Association, Sections of Dispute Resolution, Litigation and Business Law  
California Bar Association, Sections of Dispute Resolution, Litigation and Business Law  
Sacramento County Bar Association, Sections on Dispute Resolution and Civil Litigation

**Education** University of California, Berkeley (BA-1962; JD-1965)

**Publications and Speaking Engagements** "Stirrings of Legal Reform in China: Will Juries Ever Sit in Judgment?" The Sacramento Lawyer, Sept./Oct., 2012.

"Looking for Justice In All the Right Places: A Close-up View of the International Courts at The Hague," The Sacramento Lawyer, Mar./Apr., 2009.

"The Craft of Effective Closing Arguments—A Review, The Sacramento Lawyer," Nov./Dec., 2009.

"Jurors Questioning Witnesses—Confounding, or Promoting, the Search for Truth?" The Bench, (Journal of the Calif. Judges Assoc.), Summer, 2009.

"Doubt the Value of Juries? Look Around the Globe," The Sacramento Bee ("Viewpoints"), May 14, 2009.

"From Boardroom to Courtroom: Trying the Securities Fraud Case in State Court," The Bench, (the Journal of the Calif. Judges Assoc.), Spring, 2005

"Medieval Courts, Foreign Covenants and Mad Englishmen: Changes Afoot in the British Legal System," The Bench, (The Journal of the Calif. Judges Assoc.), Spring, 2004

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"Franchising in One State or Fifty: What You Need to Know," The Daily Recorder,

March 25, 1996.

**Awards and Honors**

Honored as "Judge of the Year," by the Capitol City Trial Lawyers Association (2004), and "Judge of the Year," by the P.J. Robt. M. Puglia Chapter of The Federalist Society, 2014.

**Citizenship**

United States of America

**Languages**

English

**Locale**

Sacramento, California, United States of America

**Compensation**

Hearing: \$500.00/Hr

Study: \$500.00/Hr

Travel: \$350.00/Hr

Cancellation: \$500.00/Hr

Cancellation Period: 30 Days

Comment: Expense reimbursement for travel outside of Sacramento: No charge for travel to & from San Francisco Bay Area for multi-day hearings. Otherwise, for travel after the first 50 miles beyond Sacramento (courthouse), time will be charged at one-half hourly rate. Time spent traveling by air will be charged a flat \$350. each way. Mileage will be billed at 50 cents/mile, or coach airfare, whichever is less. For overnight stays, per diem charge will be \$350 in state, and \$450 out-of-state.  
Cancellation policy: Full-day matters: notice of 14 days or less requires full payment: For Multi-day matters: notice of 30 days or less requires full payment.

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