

**James R. Madison**  
**Attorney at Law Mediator & Arbitrator**

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**ADR Experience:** More than 35 years experience as an arbitrator and more than 15 years experience as a mediator. The majority of cases have involved design and/or construction or employment disputes. Other cases have covered a broad range from technology and biotech disputes to real property, franchising, intellectual property, advertising, international trading, and vegetable seed breeding. Arbitrations have included cases with Croatian, English, Finnish, Japanese, Korean and Taiwanese firms. Mediations have included French and Philippine interests.

**Legal Experience:** As a trial lawyer and counselor, experienced in construction, labor and employment, securities, banking, antitrust, unfair competition, real property, sports, media and other business matters. Practice in construction involved representing general contractors, subcontractors, specialty contractors, equipment suppliers, owners, developers, public agencies, lenders, and design professionals on public and private industrial, institutional, commercial, heavy engineering/highway and residential projects. Practice in labor and employment involved representing union and non-union employers in various lines of business and also employees in some cases.

**ADR Training:** American Arbitration Association Construction Industry Arbitrator II Training, San Francisco (2001); California First District Court of Appeal Mediator Training, San Francisco (2000); AAA International Arbitrator Training, San Francisco (2000), Los Angeles (1992); AAA Mediator Retreat, Denver (2000); AAA Large Complex Case Panel Retreat and Panel Chair Workshop, Arizona (1999); AAA Advanced Employment Mediation, Oakland (1997); AAA Construction Mediator Training, San Francisco (1997); AAA Construction Industry Arbitrator Training, Palo Alto (1997).

**Teaching:** Adjunct Professor of Law, USF Law School (1999 to date); Instructor in Trial Advocacy, USF Law School and Stanford Law School (1997 to date); AAA Introduction to Arbitrator Training, San Francisco (1995); AAA Advanced Arbitrator Training, San Francisco (1990, 1995), Honolulu (1992); AAA Basic Arbitrator Training, San Francisco (various); AAA Managing the Hearing Training, Honolulu (1992); AAA Demystifying the Arbitration Process, Oakland (1991); AAA Arbitrator Decision Making and Documentation, San Francisco (1991).

**ADR Credentials:** AAA Large Complex Case Panel; International Panel; Construction, Commercial and Employment Panels. California First District Court of Appeal Mediation Panel. San Mateo and Santa Clara Superior Court Panels. San Francisco Superior Court Judicial Arbitrator Panel. Bar Association of San Francisco Attorney-Client Fee Dispute Panel.

**Professional Licenses:** State Bar of California (admitted 1960); Bar of the U.S. District Court, Northern (admitted 1960), Central (admitted 1970), Eastern (admitted 1981), and Southern (admitted 1988) Districts of California. Bar of the U.S. Court of Appeals, Ninth Circuit (admitted 1960). Bar of the U.S. Supreme Court (admitted 1973).

**Memberships:** Bar Association of San Francisco (ExCom ADR Section and former Chair, Arbitration Committee); San Mateo County Bar Association (ExCom ADR Section); American Bar Association (Dispute Resolution Section and Forum on the Construction Industry); American Society of Civil Engineers; California Dispute Resolution Council (past President); Northern California Human Resources Association; Associated General Contractors of California (former chair, Legal Advisory Committee); The Mediation Society (Member, Board of Directors); College of Commercial Arbitrators; Dispute Review Board Foundation.

**ADR Publications:** "California Supreme Court Upholds Confidentiality in Mediation," ADR CURRENTS, September-November 2001; "Is Mediation Confidential: A Critique of the Olam and Foxgate Decisions," ADR CURRENTS, June-August 2000; "Pre-Dispute Employment Arbitration Agreements Face Legal Uncertainty," NORTHERN CALIFORNIA HUMAN RESOURCES BULLETIN, February 2000; "Remedies Available in Arbitration" and "Arbitration of Construction Disputes," Chapters in THE ALTERNATIVE DISPUTE RESOLUTION PRACTICE GUIDE, Lawyers Cooperative 1993; latest revision, West Group, 2002; "Drafting the Arbitration Clause," "Vacating the Award," and "Drafting Mediation Agreements," chapters in CALIFORNIA ADR PRACTICE GUIDE, McGraw-Hill, 1992; latest revision Lexis-Nexis, 2001; "A Side Issue: Examining Party-Appointed Arbitrator Clauses," SAN FRANCISCO DAILY JOURNAL, January 10, 1996; "On Further Review: When May Arbitration Awards Be Vacated," SAN FRANCISCO DAILY JOURNAL, September 27, 1995; chapter on suitability of ADR for construction disputes in ADR: A PRACTICAL GUIDE TO RESOLVE CONSTRUCTION DISPUTES, AAA, 1994; chapter on mediation of employment claims in MEDIATION AND ARBITRATION, A HANDBOOK FOR ATTORNEYS AND THEIR CLIENTS, AAA, 1991; "In Search of a Standard for Judicial Review of Legal Error in Commercial Arbitration Awards," 2 GOLDEN GATE UNIVERSITY LAW REVIEW 245 (1991).

**Education:** Stanford University (B.S. Civil Engineering 1953; L.L.B. 1959)