



Jean M. Lawler, CIPP/US
Commercial + Insurance Mediator and Arbitrator
American Arbitration Association
Nationwide + for the London Market

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ROADS TO Resolution~Closure~Certainty

Podcast: <https://www.buzzsprout.com/1954887>

Videos: <https://www.youtube.com/@roadstoresolution/playlists>

WHAT SETS ME APART

- **Extensive Mediation Experience:** Have mediated thousands of cases, with a myriad of issues, over the course of my 40+ year legal career. Since 2017 have mediated hundreds of cases as the mediator, including conducting @350+ online mediation sessions since March 2020, addressing high-stakes disputes across industries.
- **Insurance Expertise:** Deep knowledge of insurance policies, claims, and the insurance industry, backed by years of experience as a trial attorney. Am a Fellow and founding Regent of the American College of Coverage Counsel.
- **Business + Legal Expertise:** As a former law firm managing partner, I know what it is like to run a multi-million \$\$ business. I know litigation and what it is like to try a case to a jury.
- **Diverse Dispute Resolution Skills:** Certified in privacy law (CIPP/US) and skilled in resolving data breach and ransomware claims, and cyber insurance matters. Known for adapting to the unique dynamics of employment, E&O, and business disputes, including personal and sensitive matters that take a special touch to resolve.
- **Empathetic + Effective:** Flexible in my approach, I understand the personal, emotional, business, insurance, and coverage issues that can be key components in resolving litigation. I am a quick study with the ability to simplify disputes and to not let parties give up during the negotiation process.

MORE ABOUT ME

After more than three decades in private practice as a commercial litigation and insurance coverage attorney, trying cases, arguing motions, drafting contracts and opinion letters, settling cases, and otherwise providing legal and practical advice to clients, in 2017 I left my law practice behind to devote 100% of my time to helping attorneys and parties resolve lawsuits and pre-suit disputes short of litigation or trial via Mediation or Arbitration. As I would tell you if asked: "I absolutely love what I do! I would be honored to serve as your Mediator or Arbitrator."

As a mediator I help attorneys and parties simplify and resolve Commercial, Insurance and Civil Litigation so that they can get on with their businesses and lives unencumbered by the uncertainties, risks, and expense of litigation. Mediation Day is a very important day for the Parties and I approach it as such — in every single matter. I also arbitrate disputes through the American Arbitration Association and have served as an umpire and panelist for private insurance arbitrations. Am keenly mindful of the need for the arbitration process to be efficient, economical and fair.

Wondering what I am like? Give me a call, listen to my podcasts, or watch one of my YouTube videos. I look forward to meeting you and working with you and your clients or attorneys to help get cases settled!

PRACTICE AREAS

Commercial Disputes	Insurance Coverage + Bad Faith
Data Breach/Cyber/Privacy/Tech	International
Employment Liability	Professional Liability/Directors +Officers
Environmental, Long Tail Exposures, Toxic Tort	Torts

ADR PANELS

- American Arbitration Association (AAA) Commercial Arbitration + Mediation Panels
 - United States District Court for Central District of CA Mediation Panel
 - Los Angeles Superior Court MVP Mediation Program Panel
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EDUCATION + PROFESSIONAL TRAINING

- Harvard Law School Program on Negotiation, *Negotiation Master Class*
- Straus Institute for Dispute Resolution, Pepperdine University School of Law, *Mediating the Litigated Case*
- *Advanced Mediation Trainings*, Edwards Mediation Academy, National Academy of Distinguished Neutrals, U.S. District Court, CA Central District, Association of Attorney Mediators
- American Arbitration Association – Basic and Advanced Arbitration Training
- JD, Loyola Law School, Los Angeles (Jessup International Honors Moot Court Team and Board)
- BBA (Finance), Loyola Marymount University, Los Angeles
- Admitted to the Bar in CA, OR (inactive) and the USDC, Southern, Central, Northern + Eastern Districts, CA.

HONORS + EXPERIENCE

- CIPP/US – Certified Information Privacy Professional/United States (IAPP), 2020 - present
- Rated AV-Preeminent by Martindale, 1997 - present; Martindale's Bar Register of Preeminent Women Lawyers
- Southern CA Super Lawyer - 2006 - present (Insurance Coverage - 2006-17; ADR - 2018-present)
- Southern California Top Women Lawyers, since inception in 2011 (In 2016, 1 of only 20 for Insurance Coverage)
- Co-Moderator, *Will Work for Food: The New Possibilities Hour*, a weekly webinar for the global legal community where the price of admission is a donation to a foodbank. www.willworkforfood.news
- Lawler ADR Services, LLC – Commercial + Insurance Mediator and Arbitrator
- Murchison & Cumming, LLP, Los Angeles, CA – Senior Partner and firm-wide Managing Partner; Chaired firm's Insurance Law, Cyber & Privacy Law, International Law, and Business & Real Estate Transactions practice groups.

PROFESSIONAL AFFILIATIONS

- National Academy of Distinguished Neutrals (NADN), Diplomat Member
- American College of Coverage Counsel, Fellow and Founding Regent
- FDCC – Past President + Emeritus Member; As President, co-founded the inaugural "National Summit on the Right to Trial by Jury", 2005 (now ABOTA's 7th Amendment Summit)
- International Association of Privacy Professionals (IAPP), Women Leading Privacy
- PLUS (Professional Liability Underwriting Society); Loss Executives Association; The CLM
- Arbitral Women; American Bar Association, Women In Dispute Resolution; Association of Attorney-Mediators

RECENT SPEAKING ENGAGEMENTS ~ A SAMPLING

- *Fresh Eyes Win the ADR Prize*, CLM Focus Meeting (December 2024)
- *Mediation Series: The Landing and Preventative Maintenance - Closing the Deal*, FDCC Annual Mtg. (July 2024)
- *What Could Possibly Wrong Go?: Generative AI, Liability, and Insurance*, American College of Coverage Counsel Annual Mtg. (May 2024)
- *Cybersecurity Litigation Trends - Mediation*, American Bar Association (TIPS) Cybersecurity Data Privacy Conference (March 2024)
- *Heroes of Mediation - Part III - The Negotiations a/k/a The Back & Forth*, FDCC Winter Meeting (February 2024)
- *Tailoring the Dispute Resolution Mechanism to the Dispute*, American College of Coverage Counsel Annual Mtg. (May 2023)
- *Heroes of Mediation - Preparation and Pre-Mediation Planning*, FDCC Winter Meeting (February 2023)
- *Mediating ADA Cases - Tips & Recent Developments*, The New Possibilities Hour (September 2022)
- *Mediating Data Breach, Privacy, Ransomware & Cyber Insurance Claims*, The New Possibilities Hour (April 2022)
- *Arbitration and Appraisal: Getting Past Splitting the Baby*, FDCC Winter Meeting (March 2022)
- *Mediating Data Breach, Ransomware, Cyber & Privacy Lawsuits*, CLM (November 2021)
- *Let's Talk Privacy! Impacts of Privacy Legislation + Lawsuits on our Practices, Clients + Firms*, FDCC (April 2021)
- *9/11 Litigation and Mediation Lessons Learned*, FDCC (February 2021)
- *Mediating Cases Involving Liability When There is No Coverage Part 2 - Cases with Both Covered and Non-Covered Claims*, CLM (December 2020)
- *Settlement & Assignment Following Breach of the Duty to Defend*, American College of Coverage Counsel Annual Mtg. (September 2020)
- *Online Mediation Confidentiality*, Association of Attorney-Mediators (July 2020)
- Faculty, *Insurance Coverage Training Academy: CGL Boot Camp*, FDCC Winter Meeting (March 2020)
- *Mediating Before and After Judgment*, FDCC Annual Meeting (August 2019)

For more information about me and my activities, please visit my website, connect with me on LinkedIn, check out my Podcasts or YouTube Channel, call or email.

REPRESENTATIVE ISSUES HANDLED AS A MEDIATOR ~ A SAMPLING

ADA/DISABILITY RIGHTS: Numerous Title II and III ADA lawsuits regarding a wide range of accessibility issues and architectural barriers at business establishments open to the public, including nursing homes, care facilities, hotels/motels, medical/dental offices, restaurants, fast-food locations, gas stations, retail stores (including luxury stores), shopping malls, grocery stores, and small/local businesses. Hotel and retail website accessibility lawsuits.

COMMERCIAL/BUSINESS/REAL ESTATE: Numerous breach of contract claims in business v. business lawsuits. Real estate disputes re misrepresentations in purchase agreements, condition of property and other related claims. Commercial landlord/tenant disputes, including breach of lease. Appeal regarding the characterization of funds provided in connection with an IPO. Appeal from a judgment in favor of a commercial service provider for unpaid invoices. "Lemon Law" cases. Enforceability of Arbitration Agreements in commercial contracts. Fraud lawsuits. Law firm partnership dispute between a departing partner and his prior law firm. Fair Debt Collection Practices litigation. TCPA privacy litigation. Dispute due to seller's agreement to sell commercial real estate to two different buyers. Dispute arising out of defective construction and misrepresentations in a seller's escrow disclosure statement. Suit between commercial property owner, tenant and sub-tenant re conversion, eviction, and damages related to the condition of the premises, non-payment of rent, release of equipment and Covid-19 impacts. Suit re asset sale/purchase and lease termination. Litigation finance company vs. party whose lawsuit had been partially funded. Dispute between a Foundation and Municipality regarding charitable funding for a library collection. Data Breach and privacy liability. Investment fraud & misrepresentation.

EMPLOYMENT: Suit by business consultant for nonpayment of fees. Numerous disputes involving wages and status of claimant as an independent contractor or an employee - wage and hour. Disputes re misclassification of employee status - exempt or non-exempt. Claims of workplace sexual harassment and unwanted sexual advances. Law Firm partnership disputes. Wrongful termination/hostile work environment.

INSURANCE: Duty to settle cases where trial court judgment was in excess of the insured's policy limit. Duty to defend cases. Availability of reinsurance. Numerous lawsuits regarding insurance coverage issues and claims for declaratory relief, breach of contract, bad faith, and unfair business practices under first and third-party insurance policies. Coverage issues re insured status, insured location and other policy terms re underlying lawsuit stemming from drug overdose death of a resident at a rehab center. Underinsured motorist litigation. Matters re available indemnity under various types of commercial and professional liability insurance policies issued by different insurance carriers (including London Market policies). 2860 Cumis Counsel conflict reimbursement cases. First party property coverage suits due to commercial + residential wildfire losses. Commercial crime claim by auto dealer re employee theft, including agent/broker issues. Subrogation cases, including wildland fire, flood, data breach. Rescission of insurance policies for misrepresentation in the application. Dispute over ownership of life insurance policies and entitlement to proceeds. Insurer v. Insurer contribution and indemnification actions. Disputes between multiple insureds and insurers re coverage issues, allocation and funding agreements for defense and settlement of various underlying liability lawsuits involving multiple plaintiffs, including habitability, asbestos and other long-tail cases.

PROFESSIONAL LIABILITY: Suit against mortgage lender for damages arising out of alleged wrongful eviction, foreclosure and sale of home. Alleged hospital and nursing malpractice actions. Several matters re broker negligence re procurement of various types of insurance policies and policy limitations precluding coverage. Legal Malpractice, Suit vs. an IT managed service provider (MSP) following a ransomware attack. Claims vs. non- medical service providers. Alleged legal malpractice of an immigration lawyer.

TORT/PERSONAL INJURY: Numerous premises liability matters, including suits against various retail stores, grocery stores, a hospital, and the City of Los Angeles. Personal injuries from trucking and auto accidents. Appeals from seven-figure \$\$ verdicts from trucking accidents. Product liability lawsuits. "Settlement Days" to resolve multiple premises liability lawsuits v. national grocery store.

ADR EXPERIENCE AS AN ADVOCATE ~ A SAMPLING

When in practice, as party counsel, monitoring or coverage counsel, mediated hundreds upon hundreds of matters involving a wide range of issues, including litigation and matters involving insurance coverage and insurance bad faith claims arising out of underlying lawsuits such as defective products in the US and abroad, fraud, banking and D&O claims, Condo Association and HOA lawsuits, construction defect, habitability cases, cemetery malpractice, cyber/data breach losses, equine cases, farm crop claims, product recalls, wrongful termination/hostile work environment, employee-independent contractor issues, sexual harassment and clergy abuse, professional liability (attorneys, real estate/insurance agents + brokers, architects + engineers), environmental cleanup actions in CA and NV, including UST's, toxic tort chemical and pesticide exposure cases, fire and water damage losses, 17200 Unfair Business Practices claims, misappropriation of style of doing business and trademark infringement, breach of contract, class actions, wrongful death, defamation, ADA, and even a declaratory relief action and appeal involving a murder for hire.