

CURRICULUM VITAE
OF
MITCHELL LEE LATHROP

September 2022

Mediator and Arbitrator Qualifications and Appointments:

Chartered Arbitrator

Fellow, Chartered Institute of Arbitrators (U.K.)

National Panel Arbitrator, American Arbitration Association (“AAA”)

International Panel Arbitrator, International Centre for Dispute Resolution (“ICDR”)

Distinguished Neutral, International Institute for Conflict Prevention and Resolution (“CPR”)

Arbitrator, Financial Industry Regulatory Authority (“FINRA”)

Arbitrator, London Court of International Arbitration (“LCIA”)

Arbitrator, Japan Commercial Arbitration Association

Arbitrator, Vienna International Arbitration Center

Arbitrator, Cairo Regional Centre for International Commercial Arbitration

Member, Swiss Arbitration Association

Member, Association for International Arbitration (“AIA”)

Member, International Council for Commercial Arbitration (“ICCA”)

Mediations and Arbitrations Conducted:

Served as mediator, sole arbitrator, party arbitrator or counsel in over 300 mediations and arbitrations in the United States and abroad over the past 45 years, including commercial, consumer and “representative cases” in mass arbitrations. Due to the confidential nature of mediations and arbitral proceedings, further information cannot be provided except as required by disclosure rules of the particular jurisdiction or by the mediation/arbitral provider in a specific proceeding.

Mediations and Arbitrations Conducted (cont'd):

Financial Industry Regulatory Authority (“FINRA”) Publicly Available Awards for Cases Involving Public Customers in which I was a Panel member are available at https://www.finra.org/arbitration-mediation/arbitration-awards-online?ao_radios=all&field_case_id_text=&search=Mitchell%20Lee%20Lathrop&field_forum_tax=All&field_special_case_type_tax=All&field_core_official_dt%5Bmin%5D=2010-01-01&field_core_official_dt%5Bmax%5D=2021-01-01

Licensed to Practice Law:

Admitted to practice law in the following jurisdictions and courts:

California
New York
District of Columbia
U.S. Supreme Court
U.S. Courts of Appeals for the Second, Fifth, Ninth, Tenth,
District of Columbia and Federal Circuits
U.S. District Courts for the Northern, Eastern, Central and Southern Districts of California, the Northern, Southern, Eastern and Western Districts of New York, the Eastern District of Michigan, the Southern District of Texas and the District of Columbia
U.S. Court of Appeals for the Armed Forces
U.S. Court of International Trade
U.S. Court of Federal Claims

Publications - Articles:

- (1) “Mediating Reinsurance Insolvency Disputes,” American Bar Association Section of Business Law, June, 1996.
- (2) “Insolvency and Reinsurance: The Search for Assets and the Battle for the Funds,” New York State Bar Reinsurance Litigation and Arbitration Program, November, 1996.
- (3) “Trigger of Coverage and Allocation of Losses Between Reinsurers and Cedents,” Reinsurance Association of America, Environmental Conference, January, 1997.
- (4) “Insurance Implications of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards,” Zurich Reinsurance Centre, Inc., Conference on Emerging Issues in the Professional Liability Arena, January, 1997.

Publications - Articles (cont'd):

- (5) “Insurance Implications of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards,” 1 Jour. Ins. Coverage 30 (1998).
- (6) “The Changing Face of Expert Evidence,” 52 F.D.C.C. Quarterly 409 (2002).
- (7) “Interim Awards and Freezing Assets,” International Institute for Conflict Prevention and Resolution (January 2007)
- (8) “A Comparative Look at International Arbitral Rules and Statutes,” Center for International Legal Studies (February 2007)
- (9) “Subtle Differences: A Look at Some Widely Used Arbitral Rules,” International Institute for the Prevention and Resolution of Disputes (May 2007)
- (10) “Court-ordered Interim Measures in Aid of the Enforceability of Pending Foreign Arbitration,” Journal of the Chartered Institute of Arbitrators (July 2007)
- (11) “Widely Used Rules in International Arbitration,” *International Dispute Resolution*, Kluwer Law International, 2010
- (12) “Responsive Pleadings and Arbitration,” *Alternatives to Litigation*, 2012
- (13) “Jurisdiction Issues in International Arbitration,” 2 Global Bus. L. Rev. 29 (2011)
- (14) “Arbitrator Bias in the United States: A Patchwork of Decisions,” 80 Defense Counsel Journal 146 (2013)
- (15) “Class Arbitration”, Insurance Counsel Journal (2018)
- (16) "Brokers' Dilemma", Insurance Journal (2019)
- (17) "The Arbitration Legacy of Sandra Day O'Connor," Vienna International Arbitration Center (2020), with Daniela Karollus-Bruner and Kevin F. Truxillo
- (18) “Carve-outs and Injunctive Relief in Arbitration Cases,” Defense Counsel Journal (2021)
- (19) “Unconscionable Arbitration Provisions,” AAA Webinar (2022)

Publications - Books:

- (1) *Computer Technology in Civil Litigation*, Bancroft-Whitney, 1990.
- (2) “Computers and the Law Office,” *54 Am Jur Trials*, Bancroft-Whitney, 1990.
- (3) *Environmental Insurance Coverage: State Law and Regulation*, Juris Publishing, Inc., 1991-2004. (No longer in print)
- (4) *Insurance Coverage for Environmental Claims*, LexisNexis Matthew Bender, 1992. Updated annually. Last updated released: October 2021.

Professional Memberships & Offices Held:

- (1) American Board of Trial Advocates
- (2) Judge Advocates Association, 1968-Present (Chairman, Southern California Chapter, 1978)
- (3) State Bar of California
State Bar Court, Executive Committee, 1978-1988
State Bar Court, Review Department, Referee, 1980-1982
State Bar Court, Assistant Presiding Referee and Chairman, Review Department, 1982-1985
State Bar Court, Presiding Referee, 1985-1987

Education:

B.Sc., Engineering, United States Naval Academy, Annapolis, Maryland.

J.D., University of Southern California, Los Angeles, California.

Diplomate in International Arbitration Law, College of Law of England and Wales.

Advanced mediation training, Straus Institute for Dispute Resolution, Pepperdine University School of Law

Advanced mediation training, International Institute for Conflict Prevention and Resolution, New York

Military Service:

On active service from 1959 to 1964. Active reserve, 1964 to 1998. Presently, Captain, Judge Advocate General’s Corps, U.S. Naval Reserve (Retired).

Professional Employment:

2012-Present: Independent arbitrator, mediator, and expert witness. Practice consists of domestic and international arbitration and mediation; and insurance and reinsurance matters. Expert witness engagements limited to insurance, reinsurance, and lawyers professional responsibility.

2009-2012: Member, Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C., New York and San Diego. Practice consisted of domestic and international arbitration and litigation; insurance and reinsurance matters; environmental law; commercial, banking, securities and complex civil litigation. Expert witness engagements limited to insurance, reinsurance and lawyers professional responsibility.

2003-2009: Partner and Of Counsel, Duane Morris LLP, New York and San Diego. Practice consisted of domestic and international arbitration and litigation; insurance and reinsurance matters; environmental law; commercial, banking, securities and complex civil litigation. Expert witness engagements limited to insurance, reinsurance and lawyers professional responsibility.

1994-2003: Partner, Luce, Forward, Hamilton & Scripps LLP, San Diego, New York, San Francisco and Los Angeles. Practice consisted of domestic and international arbitration and litigation; insurance and reinsurance matters; environmental law; commercial, banking, securities and complex civil litigation.

1986-1994: Senior partner, Adams, Duque & Hazeltine, New York, Los Angeles, San Diego and San Francisco. Member of the Executive Committee of the Firm. Firm Chairman, 1992-1993. National environmental counsel for groups of property and casualty insurance companies. Practice consisted of environmental law; insurance coverage issues; reinsurance arbitration and litigation; civil litigation involving the defense of accountants and attorneys; and complex business litigation.

1980-1986: Partner, Rogers & Wells, New York and San Diego. Partner-in-Charge, San Diego Office, 1980-1986. Practice consisted of complex civil litigation, principally involving environmental law, federal and state securities laws; and insurance and reinsurance law.

1971-1980: Partner, Macdonald, Halsted & Laybourne, Los Angeles and San Diego. Partner-in-Charge, San Diego office, 1976-1980. Practice consisted of civil litigation, principally in the areas of federal and state securities laws; complex business litigation; the defense of accountants, attorneys and officers and directors of publicly-held companies; and insurance and reinsurance arbitration and litigation.

1968-1971: Associate Attorney and subsequently Partner, Brill, Hunt, DeBuys & Burby, Los Angeles. Practice consisted of civil litigation, primarily in the areas of aviation defense, eminent domain, products liability and professional liability defense; and reinsurance arbitration and litigation.

Professional Employment (cont'd):

1966-1968: Deputy County Counsel, County of Los Angeles. Practice consisted of civil litigation, primarily in the area of general liability defense. Principal clients were the Los Angeles County Sheriff's Department and Los Angeles County General Hospital.

Current Office Location:

One America Plaza
600 West Broadway
Suite 500
San Diego, California 92101-3357
Telephone: (619) 955-5951
Facsimile: (619) 566-4034

E-mail: mllathrop@earthlink.net
E-mail: mlathrop@ADRServices.com
Website: www.LathropADR.com