



AAA Mediation.org™

Harold Coleman Jr., Esq.

San Diego, California

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Current Employer-Title Mediation.org, a Division of the American Arbitration Association

Panelist Video <https://www.adr.org/videoresume?paramName=215549577>

Work History Executive Director and Mediator, Mediation.org a Division of the American Arbitration Association, 2013 – Present; Adjunct Professor, San Diego State University, 1999 – Present; Adjunct Professor, Thomas Jefferson School of Law, 1993 – Present; Lead Faculty, Graduate Law and Ethics University of Phoenix, 1991 – Present; Adjunct Professor, Southwestern College, 1988 – Present; Full-Time Arbitrator/Mediator/Trainer, Harold Coleman Jr. Ltd., 2003 – 2013; Partner and Head of ADR Group, Gaglione Coleman & Greene LLP, 1998 – 2003; Senior Vice President and Corporate Counsel, Pacific 17 Inc., 1997 – 2000; Senior Litigation Attorney (Construction and Development Group), McInnis Fitzgerald Rees Sharkey & McIntyre, 1990 – 1997; Adjunct Professor, Construction Management, San Diego Mesa College, 1990; Project Manager, County of San Diego Office of Architecture and Engineering, 1980 – 1990; Project Engineer, City of Phoenix Engineering Department, 1979 – 1980; Structural Engineering Technician, Maricopa County Highway Department, 1978 – 1979; Civil Engineering Technician, Arizona Department of Transportation, Highways Division, 1975 – 1978.

Mediator Experience As a mediator and ADR trainer, well versed in alternative dispute resolution [ADR] techniques. Mediated (from 1992 to date) several hundred technical and business disputes as a mediation panelist with the San Diego Superior Court's Civil Mediation Program and the San Diego Association of Realtors' Real Estate Mediation Panel. Mediation practice has run the gamut - encompassing business, consumer, public agency, real estate, construction, employment and personal injury disputes. Mediated disputes by, between and among land-development professionals (e.g., developers, realtors, appraisers, prime contractors, subcontractors, suppliers, inspectors, design professionals, consultants, owners and public agencies), business partners, corporate shareholders, franchisees and licensees, homeowner associations, commercial and residential landlords, and commercial and residential landlords and tenants.

Representative Issues Handled as a Mediator Illustrative issues mediated during the past 16 years include: design errors and omissions; professional negligence; architect/engineering malpractice; construction payment claims; construction delay claims; total cost claims; job disruption claims; constructive change claims; cardinal change claims; contractual indemnity claims; equitable indemnity claims; tenant improvement claims; owner interference; eminent domain; progress payment overpayment; cost overruns; financial accounting; actual fraud, deceit and punitive damages; constructive fraud; breach of contract; breach of expressed warranty; breach of implied warranty; strict liability; negligence; negligent supervision; negligent inspection; negligent referral; harassment; hostile work environment; statutory penalties; prompt-payment penalty; conversion; nuisance; insurance coverage; first-party coverage; third-party coverage; insurance bad faith; interference with prospective economic advantage; interference with contract; commercial misappropriation; invasion of privacy; diminution in value; product misuse and abuse; product warranty; disclaimers; sufficiency of notice; notice of change; patent deficiencies; latent deficiencies; drafting ambiguities;

contract documents interpretation; employment issues; and business and partnership.

Mediator Style & Process Preferences Illustrations of Coleman's ability to listen attentively, courteously, tactfully, and impartially with others, especially under difficult or adversarial circumstances, relate to Coleman's role of professional mediator. Parties often come to the mediation process with considerable emotion and negative energy. But, as Coleman has well learned from experience, mediation is not for the impatient. Through his empathic listening and reassuring style, Coleman routinely redirects the negative energy toward productive ends and diffuses potentially hostile encounters between the parties. He uses facilitative questioning techniques to permit a party to vent while shedding light on the issues in question. He makes use of private caucuses strategically to gather information in a safe and confidential atmosphere. He "reframes" potentially negatively charged language in at least neutral, if not positive, language to assist in communicating the tenor of the message while mitigating some of its negative sting. In this manner the other party is better able to receive the hard, but important, information so that all may better engage in problem solving.

Coleman embraces a facilitative yet evaluative process, depending on the parties and the unique dynamics of the matter in mediation. He provides the parties with an objective and impartial assessment of the costs, risks and possibilities at the appropriate time in the process. He facilitates creative brainstorming in seeking to overcome impasse and to invent options for mutual benefit.

Education Thomas Jefferson School of Law (JD-1984); Western State University (BS, Laws-1982).

Professional Licenses Admitted to the Bar: California, 1990; U.S. District Court: Southern District of California, 1990; U.S. Court of Appeals: Ninth Circuit, 1990. Licensed Real Estate Broker, California, 2005. Certificated Instructor of Legal Studies, California Community Colleges District, 1988. Registered Construction Inspector, American Construction Inspectors Association, 1990.

Professional Associations California Bar Association (Bar Examiners Committee); State Bar of California (Litigation Section; Real Property Law Section); San Diego County Bar Association (Construction Law Section; General Civil Litigation Section; Alternative Dispute Resolution Section; American Corporate Counsel Association; National Bar Association; San Diego Mediation Center (Director); San Diego Volunteer Lawyer Program (Director); Christian Legal Society; California Dispute Resolution Council (Director); National Association of Realtors; California Association of Realtors; San Diego Association of Realtors; American Arbitration Association (Past Board of Directors).

Recent Publications & Speaking Engagements "ADR Perspectives," DISPUTE RESOLUTION TIMES, Neutrals Handbook Series, American Arbitration Association, July 2008; "Mediation Self-Determination," THE SAN DIEGO DAILY TRANSCRIPT, Lifestyles Section, March 26, 2006; "Collaborative Case Management: A Winning Strategy," DISPUTE RESOLUTION TIMES, Neutrals Handbook Series, American Arbitration Association, March 2005.

Mediation Rate \$395 Per Hour

Languages English

Citizenship United States of America

Locale San Diego, CA

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.