



AAA Mediation.org™

## John W. Garman, Esq.

Huntington Beach, California

**Current Employer-Title** Garman Law

**Profession** ADR Neutral, Arbitrator, Mediator

**Work History** Neutral, GarmanLaw, 2001 – Present; Attorney and Partner, Hasch & Partners (Vienna, Austria), 2001 – Present; Attorney and Partner, Deissenberger & Partners (Vienna, Austria), 1996 – 2000; Managing Attorney, Law Office of John W. Garman, 1984 – 1995.

**Experience** Neutral in international and domestic matters including franchise, licensing, distribution, commercial business transactions, real estate syndication, personal injury, products liability, medical and legal malpractice, automobile accidents, premises liability, and foreclosure/loan modification.

Currently teaches courses in the areas of negotiation, mediation, arbitration, and have taught a course on the Convention on the International Sales of Goods (CISG) at the University of Southern California, Gould School of Law. These courses focus on negotiation and alternate dispute resolution in the area of business, with a particular emphasis on commercial transactions.

Experience involves dealing with complex commercial transactions in the area of real estate, business development, insurance and risk management. International experience in the area of Convention on International Sales of Goods (CISG), real estate transactions, international franchising, international business and investments. Represented U.S. and foreign corporations on a variety of issues including business disputes, sale of assets, joint ventures, licensing and distribution contracts, commercial contracts, communications and general business litigation. Experience also encompasses Negligence, Wrongful Death and Products Liability cases. Acted as a Settlement Officer in United States Federal Court matters involving Wrongful Death and Real Estate Foreclosure/Loan Modification cases. Insurance related matters involving Claims management practices, large deductible/self-insured retention programs, Property/Casualty Insurance, Professional Liability Insurance. Coverage Related matters involving allocation of loss among multiple insurers, Casualty and environmental coverage, Professional liability coverage, Various other first-and third-party coverage.

**Mediator Experience** Member of the AAA's Commercial Arbitration and Mediation panels. Cases involve contract interpretation, breach and enforcement, franchising matters, business disputes, licensing and distributorships. Experience involves dealing with complex commercial transactions in the area of real estate, business development, insurance and risk management. International experience in the area of Convention on International Sales of Goods(CISG), real estate transactions, international franchising, international business and investments. Represented U. S. and foreign corporations on a variety of issues including business disputes, sale of assets, joint ventures, licensing and distribution contracts, commercial contracts, communications and general business litigation. Fellow with the Chartered Institute of Arbitrators, Europe and North American Branches. Has served as a settlement officer in the Los Angeles Superior Court and Mediation Program Panelist on the Court of Appeal, Second Appellate District, Appellate Mediation Program. Also a neutral with the Los Angeles County Superior Courts, Alternative Dispute Resolution Program. Experience also encompasses

Negligence, Wrongful Death and Products Liability cases. Acted as a Settlement Officer in United States Federal Court matters involving Wrongful Death and Real Estate Foreclosure/Loan Modification cases.

**Representative Issues  
Handled as a Mediator**

Issues fall into the area of insurance law include products liability and their harm to the public, failure of auto tires resulting in auto rollovers, improper design of bus interiors resulting in rider injuries when busses involved in accidents. Premises liability involving slip and falls, improper lighting and construction of decks, stairways and landings. Breach of contract cases where the issues involved improper or delivery of inferior goods, failure to pay, breach of implied fitness for a particular purpose. Family trust matter where the issue was breach of fiduciary duty and improper use of trust funds.

**Mediator Style & Process  
Preferences**

My overall view in mediation is that of a facilitator. I involve the parties in the process and get them to commit to decision making. My goal is to get the parties to communicate with each other and me as the mediator. I try to create an environment in which parties work together collaboratively as problem-solvers. The technique is to place full responsibility for resolving the dispute on the shoulders of the participants. Special attention is given to improve the rapport and communications between the parties. Assistance is given to get the parties to identify both sides interests, generate options for settlement, and shape their own creative resolution of the dispute.

**Education**

University of California at Los Angeles, John Anderson, Graduate School of Management (Management Diploma-1996); McGeorge Law School (LLM, Transnational Business-1996); University of LaVerne (JD-1978).

**Professional Licenses**

Admitted to the Bar: California (1980), District of Columbia (1998); England & Wales (1999).

**Professional Associations**

California Bar Association; Chartered Institute of Arbitrators (Europe/North America); Law Society of England & Wales (International Section; ADR Section).

**Recent Publications &  
Speaking Engagements**

International Arbitration in the Pacific Rim: The Use of Reliance Documents and Expert Witnesses-Efficiency and Fairness, Chartered Institute of Arbitrators/ International Centre for Dispute Resolution/ Los Angeles County Bar Association, Los Angeles, 2013; British Hospitality- When is a Bed a Bribe?, Entertainment and Sports Lawyer, Spring, 2012, ABA Forum on the Entertainment & Sports Industries; "Arbitrators Disclosure of Conflicts," ABA Section of International Law, Los Angeles, 2011; "The Top Four Errors to Avoid when Drafting a Reasoned Arbitration Award," ABA Section of Dispute Resolution, San Francisco, 2010; "Debates on Current International Arbitration Issues-Arbitrator Bias," International Centre for Dispute Resolution/State Bar of California, Santa Clara, 2009; "Debates on International Arbitration Issues," International Centre for Dispute Resolution/International Law Section, State Bar of California, Santa Monica, 2008; "Ethical Dilemmas in International Arbitration," International Centre for Dispute Resolution/International Law Section, State Bar of California, San Francisco, 2007; "Resolving Conflict in International Arbitration-Civil Law vs. Common Law," International Centre for Dispute Resolution, Mexico City, 2005; "Mediator's Liability - Do We Need to Worry More?," JOURNAL OF INTERNATIONAL RESOLUTION, February 2005; "Mediator's Liability", International Bar Association, Auckland, New Zealand, October 2004; "Venture Capital - Do You Get It?," Austrian Federal Chamber of Commerce, February 2000; "Alternatives in International Dispute Resolution," INTERNATIONAL BUSINESS PRACTICE, February 1999. Course Director and tutor for Fellowship training qualifications with the Chartered Institute of Arbitrators.

**Mediation Rate**

\$500 Per Hour

**Languages**

English

**Citizenship**

United States of America

**Locale**

Huntington Beach, 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.