



AAA Mediation.org™

Michael H. Leb, Esq.

Pasadena, California



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Current Employer-Title Leb Dispute Resolutions – Arbitrator/Mediator

Panelist Video <https://www.adr.org/videoresume?paramName=246860753>

Profession Arbitrator and Mediator

Work History Arbitrator/Mediator, Leb Dispute Resolutions, 2008 – Present; Owner/Chief Executive Officer, Choctah LLC, 2014 – 2017; Plaintiff's Employment Attorney, Leb Law Firm, 2006 – 2009; Senior Vice President – People, Wal-Mart Stores Inc., 2005 – 2006; Plaintiff's Employment Attorney, Bononi Law Group, 2002 – 2005; Vice President – Labor Relations, Safeway Inc., 1994 – 2002; Plaintiff's Employment Attorney, Law Offices of Michael H. Leb, 1992 – 1994; Attorney, Latham & Watkins, 1985 – 1992.

Experience Practiced labor and employment law and commercial litigation for over 25 years. Experience as a practicing attorney includes dozens of labor arbitrations, over 20 jury and court trials in employment (plaintiff and defense) and business litigation matters, appellate advocacy before the California Supreme Court, California Court of Appeals and Ninth Circuit Court of Appeals, and litigation in virtually every forum handling disputes arising in the workplace, both public and private sectors.

Adjunct Professor at Pepperdine University's Straus Institute for Dispute Resolution and a Lecturer at USC Gould School of Law.

Experience as an arbitrator includes public sector (including transportation, education, government, law enforcement) and private sector including: manufacturing, transportation, distribution, retail, and healthcare).

Held senior-executive positions in Labor Relations and Human Resources for Safeway and Wal-Mart. In those positions, was responsible for dispute resolution procedures, labor negotiations, arbitrations, and compliance. Acted as corporate spokesperson in dozens of labor/employment law matters involving the federal government and various state agencies.

sServed as Vice President of Manufacturing for Safeway, was responsible for the operations of a 44-

plant, 2500 employee business unit doing \$3 billion in sales annually. From 2014-2018 - Founder/Owner/CEO of Choctall LLC, a start-up selling single-origin, super-premium ice cream throughout the United States.

Mediator Experience

Broad experience as a mediator. Mediated practically every type of litigated dispute including general business litigation, contractual disputes, partnership disputes and dissolutions, construction cases, financial services cases, entertainment disputes, insurance coverage cases, and real property disputes. Primary expertise, and the focus of ADR practice is labor and employment law.

Mediated virtually every type of case arising under the plethora of statutes governing the workplace. Mediated cases involving the following issues: ERISA, discrimination, harassment, wage/hour, qui tam, whistleblower, FMLA, CFRA, defamation. Mediated class action, multi-plaintiff and single plaintiff cases. Mediated cases involving EPLI insurance and cases where no coverage exists. Mediated cases where the settlements ranged from a cost waiver to eight-figure settlement funds.

Mediator Style & Process Preferences

Litigation is, perhaps, the least satisfactory way to resolve a dispute. Each case requires an investment of time, money, and emotion. Then, when the case ends, only the dispute is resolved. None of the root causes that lead to the dispute in the first place have been addressed. If anything, the litigation process has deepened the rift between the parties, worsened communication, and made future disputes more, not less, likely. Mediation, however, affords the parties an opportunity to change this dynamic.

When I conduct a mediation, I facilitate discussion, dialogue, and negotiation among the parties. As a neutral, I make sure the parties understand that I have no authority to make or impose any decision upon them. Although the power to decide to resolve the dispute and, if so, upon what terms, rests entirely with the parties, I view my role as creating the best possible process and environment to allow the parties to find their own way "out of the box." I do this by relying on three traits which, I believe, distinguish me as a mediator.

First, I have ability to distill quickly a complex set of facts to its essentials. Second, I have been recognized for my ability to garner trust from all different types of people in a variety of settings. Finally, the diversity of my work experience gives me a unique ability to see conflict from "all sides of the fence."

In addition to my extraordinary expertise in labor and employment law, my litigation experience includes both trials and appellate advocacy in state and federal court in employment, trade secret, intellectual property matters, and all manner of business disputes on behalf of individuals and multinational corporations. My transactional experience includes negotiating mergers and acquisitions, real estate transactions, and scores of commercial and government contracts. And, unlike virtually any other attorney or mediator, I have actually run a large business during my tenure as Vice President of Manufacturing for Safeway. In short, I have, at one time or another, sat in the same chair as the plaintiff's attorney, the defense lawyer, in-house counsel and the client.

The combination of my personal attributes and work experience allows me to work with the parties on "out of the box" solutions for getting out of the litigation box.

At bottom, the success of any mediation depends on the parties' commitment to the process. I expect that all parties will muster the best arguments and supporting evidence available at the time of the mediation, actively participate in the process, and make a good faith effort to find common ground. I will work tirelessly to achieve a settlement and I expect all parties and counsel to do the same.

Education

University of Michigan Law School (JD, cum laude-1985); Yale University (BA, cum laude-1982).

Professional Licenses

Admitted to the Bar: California, 1986.

Professional Associations

National Academy of Distinguished Neutrals
Academy of Court Appointed Neutrals
State Bar of California;
Los Angeles County Bar;
Southern California Mediation Association.

Publications in the Los Angeles Daily Journal over the past decade on various topics.

Recent Publications & Speaking Engagements

Locations Where Parties Will Not be Charged for Travel Expenses

Travel time will not be billed for any matter conducted within a one-hour drive of Pasadena, CA or as mutually agreed upon with the parties.

Mediation Rate

\$11,500 Per Day

Languages

English

Citizenship

United States of America

Locale

Pasadena, 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.