



AAA Mediation.org™

## Ana M. Sambold, Esq.

8829 Complex Dr., San Diego, CA 92123

**Current Employer-Title** Sambold Law & ADR – Attorney/Mediator/Arbitrator/Conflict Resolution Specialist

**Profession** Attorney, Arbitrator, Mediator

**Work History** Arbitrator/Mediator, 2011 – Present; ADR Panelist and Trainer, National Conflict Resolution Center, 2011 – Present; Panel Mediator, San Diego Superior Court Mediation Panel, 2012 – Present; International Legal Consultant, Procopio Cory Hargreaves & Savitch LLP, 1999.

**Experience** Exceptionally qualified Attorney, Mediator, and Arbitrator with over a decade of experience as a conflict resolution specialist. Has served as a neutral in over 800 cases across a broad spectrum of civil litigation matters involving commercial, insurance coverage, insurance bad faith, employment and labor, civil rights, discrimination, harassment, hostile work environment, retaliation, wage and hour, wrongful termination, breach of contract, fraud, misrepresentation, partnerships management/dissolution, creditor - debtor, subrogation, uninsured motorist, vehicle accident, slip and fall, construction defect, defamation, personal injury, professional malpractice, attorneys' fees, real estate, co-ownership, partitions, easements, boundaries, landlord/tenant, HOAs, procuring cause, succession, trusts, family, elder abuse, business, consumer, auto manufacturer's warranty, and cases involving cross-cultural issues and multinational parties.

Serves on the ADR rosters of the American Arbitration Association (AAA) and several U.S. courts, federal and state agencies such as the U.S. Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DEFH). Frequent speaker and author on ADR topics. Former adjunct professor of law at California Western School of Law. Has taught extensively in conflict resolution, mediation and negotiation with the National Conflict Resolution Center (NCRC).

Currently serves as the appointed American Bar Association (ABA) Dispute Resolution Section Educational Programming officer, ABA Advanced Mediation and Advocacy Skills Institute Co-Chair, California Lawyers Association Litigation Section Executive Committee member, and San Diego County Bar Association (SDCBA) ADR Section Vice-Chair. Immediate past Co-Chair of the California Lawyers Association Litigation Section - ADR Committee and Board Director of the Chartered Institute of Arbitrators (CI Arb) North American Branch and the Southern California Mediation Association (SCMA).

Dually qualified attorney in the U.S. (California and U.S. Federal Court Southern District) and in Colombia. Speaks Spanish fluently and mediates and arbitrates regularly using both English and Spanish. Has worked with people of all nationalities and has a clear understanding of the dynamics of mediating and arbitrating across national boundaries. Internationally certified mediator by IMI and international ArbitralWomen. Received her training and credentials in dispute resolution from Harvard Law School, Pepperdine University School of Law - Straus Institute for Dispute Resolution, Chartered Institute of Arbitrators (CI Arb) and Columbia Law School.

**Mediator Experience** As a credentialed mediator, has successfully conducted over 800 mediations of litigated and non-litigated disputes. Has worked on a broad spectrum of civil litigation matters involving commercial,

insurance coverage, employment and labor, civil rights, discrimination, harassment, hostile work environment, retaliation, wage and hour, wrongful termination, breach of contract, fraud, misrepresentation, partnerships management/dissolution, creditor - debtor, subrogation, uninsured motorist, vehicle accident, slip and fall, construction defect, defamation, personal injury, professional malpractice, attorneys' fees, real estate, non-disclosures, co-ownership, partitions, easements, boundaries, landlord/tenant, HOAs, procuring cause, succession, trusts, family, elder abuse, business, consumer, auto manufacturer's warranty, and cases involving cross-cultural issues and multinational parties. Speaks Spanish fluently and mediates regularly using both English and Spanish. Has worked with people of all nationalities and has a clear understanding of the dynamics of mediating across national boundaries.

## **Representative Issues Handled as a Mediator**

- Business/Commercial: Effective resolution of disputes involving breach of contract, commercial transactions and debtor/creditor matters; banking, unauthorized and fraudulent transactions; claims arising out of insurance coverage, insurance bad faith, subrogation matters, reimbursement for payments made by an insurance company; claims arising out of the purchase and sale of businesses, trade secrets, disagreements in the management, dissolution of partnerships and distribution of assets between former partners; disputes over alleged damages caused by professional negligence and alleged misrepresentations; attorney's fees disputes; consumer complaints; claims involving quality of workmanship, construction defect and overcharges. Auto-manufacturer's warranty, Lemon law.
- Employment: Claims of discrimination based on gender, race, national origin, age, gender identity, sexual orientation, pregnancy, and disability, unlawful termination, violations of the Americans with Disabilities Act (ADA), Fair Employment and Housing Act (FEHA), failure to accommodate, retaliation, Title VII of the Civil Rights Act of 1964, violations of Pregnancy Discrimination Act (ADA). Claims involving transgender/transsexual employees, hostile work environment, harassment, severe sexual harassment, failure to engage in timely good faith interactive process regarding employee's disability under FEHA. Claims of intentional infliction of emotional distress, wage and hour violations under Private Attorneys General Act (PAGA). Non-compete agreements. Violations of the Age Discrimination in Employment Act of 1967, failure to promote, retaliation for filing the discrimination charge. Denial of disability accommodations, internal ethics investigation, defamation, denial of work opportunities, failure to pay overtime wages, minimum wages, to provide meal periods and compensation in lieu thereof, failure to authorize and permit paid rest periods, furnish accurate itemized wage statements, pay "nanny taxes", violations of California Labor Code §203 and Private Attorneys General Act (PAGA). Negligence, sexual battery, intentional infliction of emotional distress, sexual comments, unwanted sexual advances, unwanted touching, open sexual assault during employment, racist comments, denial of reinstatement of seniority, wrongful termination, work relocation, failure to hire, and negligent supervision. Real Estate: Resolution of cases arising out of the purchase and sale of real estate; disputes involving easements, boundaries, partition and title; claims of nuisance; necessary disclosures; loan refinancing and foreclosures; Resolution of neighbor disputes over property lines, view, use and access to property; civil harassment cases between neighbors. Landlord/Tenant disputes regarding breach of implied warranty of habitability, quiet enjoyment of property, Temporary Restraining Orders for alleged threats of physical violence, property damages, bad faith retention of security deposits, unpaid rent and utilities, mold related claims, constructive eviction, unlawful detainers, and trespass. Homeowners association disputes regarding compliance with CC&Rs, Sterling Act, liability and failure to pay for repairs, restoration of property, unauthorized improvements and breach of fiduciary duties.
- Personal Injury: Disputes resulting from motor vehicle accidents, wrongful death, tripping hazards, slip and fall, and other premises liability claims. Claims regarding injuries caused by medical and dental malpractice alleging improper diagnosis, treatment and surgery; dog bites, civil assault and battery claims.
- Family/Probate/Trusts: Caretaker and competency issues between adult siblings and their parents; elder abuse; Marvin actions; living trusts, wills, disputes between family members over management of family business.
- Cases requiring mediator fluent in Spanish.

## **Mediator Style & Process Preferences**

Fully committed to help parties resolve their disputes out of court. Believe mediation is an effective, reasonable, economic and efficient alternative to resolve any type of dispute. Work hard before, during and after mediation to get a case resolved in the most satisfactory way to everyone involved.

My role as a mediator is to facilitate a fair process that permits each party to participate in the result. I do this by ensuring that all the relevant information is exchanged and heard, while providing both parties with the opportunity to vent their frustrations. I help parties to objectively analyze the legal and factual claims of the case and patiently work with everyone to help them through the process and find their unique solution. Known to be creative, persistent, patient, analytical, thoughtful, perceptive and very intuitive. I often am able to discover the underlying issues quickly and move toward a positive conclusion.

Mediation is a multi-disciplinary skill. It requires knowledge of not only the law and subject matter but also of the dynamics of conflict, cultural nuances, a sensitive approach and good human nature. I take pride in my ability to assist the parties in solving their disputes using all these skills to facilitate countless positive outcomes and durable settlement agreements. My general approach to each mediation changes in each case according to the nature of the dispute and the personalities involved. Sometimes evaluative, sometimes facilitative and sometimes a combination of both but always encouraging the parties to invent their own solutions and be creative and take an active role. My ultimate goal is bringing so much needed closure to the parties.

## **Education**

Columbia Law School & Chartered Institute of Arbitrators “CI Arb” (Comprehensive Course on International Arbitration-2019); Harvard Law School (Program on Negotiation, Advanced Mediation Workshop; Mediating Complex Disputes-2016); Pepperdine University School of Law – Strauss Institute for Dispute Resolution (Mediating the Litigated Case-2012); University of San Diego School of Law (Master of Laws-2008); Javeriana University (JD-1993)

## **Professional Licenses**

Admitted to the Bar: California, 2015; U.S. District Court: Southern District of California, 2015; Colombia, 1993

## **Professional Associations**

American Bar Association (ABA); International Bar Association (IBA); California Lawyers Association (CLA); San Diego County Bar Association (SDCBA); Southern California Mediation Association (SCMA); California Employment Lawyers Association (CELA); Consumer Attorneys of San Diego; Association of Business Trial Lawyers (ABTL); Lawyers Club of San Diego; Latinas in the Law; ArbitralWomen international.

## **Recent Publications & Speaking Engagements**

### **Publications:**

“California Confidential: What happens in mediation may not stay in Mediation” California Litigation, April, 2019

“California’s Newest Approach to Mediation Confidentiality” ABA 2019

"The Art of Mediation"

“California Confidential: What happens in mediation may not stay in Mediation” California Litigation

### **Speaking Engagements:**

Speaker at California Lawyers Association (CLA) One and Done program on Ethical Decision Making in Mediation, San Diego (Jan. 2020); Co-Chair and Speaker at American Bar Association (ABA) 17th Advanced Mediation and Advocacy Skills Institute in Houston, TX (2019); Judge for ADR - ODR international and the European Center for Conflict Resolution international negotiation competition, Dubai, United Arab Emirates (2019); Speaker at ABA webinar: A New Dawn for Worldwide International Mediation (2019); Speaker at CLA Legal London Week on California and International Mediation, London, UK (Sept. 30, 2019); Speaker at Latin-American Family Office Forum by Procopio, San Diego (Aug. 23, 2019); Moderator at the CLA Litigation and Appellate Summit on Ethical Marketing and Branding in the Digital Age, Los Angeles (2019); Guest of the Singaporean Government for the official signing ceremony of the United Nations Convention on International Settlement Agreements Resulting from Mediation (“Singapore Convention”) (Aug. 7, 2019); Coach for International Mediation competition organized by Singapore International Mediation Institute (SIMI) (2019); Speaker & Organizer of the CLA International Arbitration Academy on international arbitration, Los Angeles (May 29, 2019); Speaker at the CLA Real Estate Annual Conference on Mediation New Disclosure Requirements and All the Key Confidentiality Issues, Newport Beach, CA (May 4, 2019)

Speaker at Orange County Bar Association on Mediation Confidentiality, Admissibility and Enforcement (March 2019)

Speaker at Pepperdine University School of Law, ADR Society (February 2019)

Speaker at the San Diego County Bar Association on New Requirements for Lawyers before Mediation, (January 2019); Speaker at CLA webinar: But you Didn’t Tell me that: New Mandatory

Disclosures Before Mediation (December, 2019); Speaker at National Autonomous University of Mexico (UNAM) on California Mediation, Mexico City, (November 8, 2018); Speaker at Mexico's Federal Judicial Council on California Mediation and Arbitration, Mexico City (2018); Speaker at the CLA Litigation and Appellate Summit on Effective Tips and Strategies for a Successful Mediation, San Francisco (September 2018); Moderator at the CLA webinar on SB 766 – New California International Arbitration Gold Rush (August 2018)

Speaker at the ABA ADR Section Annual Conference on Mediation, Washington D.C. (March 2018)

Speaker at the Centro Internacional de Arbitraje y Mediación (CIAM) Binational Forum on Mediation, Tijuana, Baja California (2018); Speaker at Southern California Mediation Association (SCMA) Annual Conference on Non-Traditional Career Paths for Mediators, Los Angeles (2017)

Speaker at the World Mediation Summit on Harnessing the Power of the Master Mediator in Madrid, Spain (2016)

Speaker at the SDCBA on Legal Malpractice and Mediation Confidentiality (2016); Judge for ABA National Mediation Competition (Washington, D.C. 2012, Chicago 2013, Miami, 2014, Seattle 2015, New York City 2016, San Francisco 2017, Washington, D.C. 2018, Minneapolis 2019).

Judge for Thomas Jefferson School of Law Mediation Competition (November 2015), California Western School of Law Mediation Competition (2020), Berkeley School of Law Mediation Competition (March 2019); Legislative liaison for the San Diego County Bar Association to the California Law Revision Commission on public policy issues related to mediation (2015 – 2017).

<b>Locations Where Parties Will Not be Charged for Travel Expenses</b>	San Diego to Los Angeles, Orange County or anywhere in Southern California. AVAILABLE TO CONDUCT MEDIATIONS AND ARBITRATIONS VIA ZOOM AND OTHER REMOTE ACCESS MEANS
<b>Mediation Rate</b>	\$2,450 Per Day
<b>Languages</b>	Spanish, English
<b>Citizenship</b>	United States of America, Colombia
<b>Locale</b>	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.