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## Phyllis Pollack, Esq.

Los Angeles, California

**Current Employer-Title** USC Gould School of Law - Lecturer in Law, ADR Ethics  
PGP Mediation - Sole Practitioner

**Work History** Lecturer in Law, ADR Ethics, USC Gould School of Law, 2018 – Present; Sole Practitioner, PGP Mediation, 2000 – Present; Neutral, Agency for Dispute Resolution, 2013 – 2018; Law Office of Phyllis G. Pollack, 1994 – 2015; Attorney, Billet & Kaplan, Los Angeles (formerly Collison & Kaplan), 1993 – 1994; Attorney, Collison & Kaplan, 1990 – 1993; Office of the General Counsel, Sanwa Bank California, 1987 – 1990; Attorney, Burkley, Moore, Greenberg & Lyman, 1985 – 1987; Attorney, Murchison & Cumming, 1981 – 1985.

**Mediator Experience** Practice has involved consumer matters under the Song Beverly Consumer Warranty Act, Magnuson Moss Warranty Act, Fair Credit Reporting Act, The Rosenthal Fair Debt Collection Practices Act, and the Automobile Sales Finance Act.

Also mediated matters involving landlord-tenant issues, wage and hour issues, employment discrimination issues, breach of contract issues such as debt collection, trademark and copyright issues, American's with Disabilities Act issues, and insurance subrogation issues.

**Representative Issues Handled as a Mediator** In the consumer area, many of the issues involved new and used automobiles and recreational vehicles that allegedly were not operating as warranted.

In the credit area, issues centered on alleged false credit reporting and/or other violations of the federal and state statutes involved.

Landlord-tenant matters often involved rent that was due, while wage and hour cases involved alleged violations under the Labor Code.

Trademark and copyright cases involved alleged counterfeiting or misuse/infringement of trademarks and copyrights.

Americans with Disabilities Act cases involved businesses that allegedly were not in compliance with this Act.

Also handled simple debt collection matters in which one party alleges that another owes money.

**Mediator Style & Process Preferences** I attempt to assist each party to gain an understanding of the needs, interests, and goals of each party and assist them in looking at all of the information they need to make their decisions. I assist the parties in reaching a mutually satisfactory resolution. I do not make the decision but merely facilitate the process of cooperative problem solving among the parties. The only requirement is that each party has an open mind and is willing to truly listen to what the other parties have to say.

As may be necessary and at the request of a party – I may become evaluative after the mediation has progressed for a while.

**Education** Tulane University School of Law (J.D. - 1977); Newcomb College of the Tulane University (B.A.,

Sociology - 1973).

## **Professional Licenses**

Admitted to the Bar: California (1980), Louisiana (1977); United States District Court: all Districts of California, Eastern District of Louisiana; United States Court of Appeals: Ninth Circuit, Fifth Circuit; United States Court of International Trade United States Court of Federal Claims.

## **Professional Associations**

California Lawyers Association (ADR Sub-Committee of the Litigation Section); District of Columbia Bar Association; Louisiana State Bar Association; Dispute Resolution Section American Bar Association; Dispute Resolution Section Louisiana State Bar; United States District Court, Central District of California Settlement Officer Panel; First Appellate District, California Court of Appeals (San Francisco, Ca) Mediation Panel (2005 - 2012 Panel was disbanded); Second Appellate District, California Court of Appeal (Los Angeles, CA) Mediation Panel 2005-Present; Los Angeles County Superior Court Mediation Panel (2000-2012 when it disbanded); Southern California Mediation Association (2005 - Present); Los Angeles County Bar Association-member (more than 20 years)

## **Recent Publications & Speaking Engagements**

Presentation of mediation confidentiality as part of a 40-hour training class conducted by Clarc Fowler, mediate.com (May 2018, January 2019).

Presentation on mediation confidentiality and on Attorney Mediation Ethics as part of a 40-hour training class sponsored by the LA County Bar Association (January 2019).

Guest speaker on mediation confidentiality in the classes of Dr. Jack Goetz and Professor Lisa Klerman at USC Gould School of Law (2017-Present).

Assisted Professor Lisa Klerman as a mediation coach in a mediation clinic class which entails attending the class 2-3 times a year to supervise some of the students while they conduct a mock mediation. These students have also, at times, shadowed mediations. Co-mediated with students in Americans with Disability Act (ADA) cases filed in U.S. District Court - Central District of California. (~2008-Present).

Participated as a mediator in a first year Civil Procedure class at the USC Gould School of Law in which the students participate in a mediation, taking the roles of counsel and client to learn about mediation. Professor Lisa Klerman coordinates the program with Professor Daniel Klerman who teaches the Civil Procedure class. (2016-Present)

In connection with the State Bar of California Annual Conference, acted as the mediator on a mock mediation panel with a script used as a teaching tool concerning various issues that may arise during mediation such as preparation (or lack thereof) and ethics. This panel was presented at the State Bar Convention in Monterey, CA (2012) San Jose, CA (2013), San Diego (2014) Anaheim, CA (2015) and San Diego (2016).

Participated on a panel discussing implicit bias at the California State Bar Convention in San Jose, CA (2013).

Participated on a panel discussing implicit bias during a conference put on by Dentons, an international law firm, in Beverly Hills, CA (January 2014).

During mediation week, presented with Daniel Ben Zvi a one-hour discussion of ethics before, during and after mediation sponsored by the Southern California Mediation Association which was held at the Los Angeles County Law Library, Los Angeles, CA (March 25, 2015).

Participated on a three-hour panel with Mary Culbert, a professor at Loyola Law School discussing Mediation Confidentiality sponsored by the Southern California Mediation Association held at Loyola Law School, Los Angeles, CA (February 28, 2015).

Participated on a panel with Jan Schau at a U.S. District Court- Central District of California training program on the topic of mediation confidentiality at the U.S. Courthouse, Roybal Building, Los Angeles, CA (April 30, 2015). Participated on a 90-minute panel at the California State Bar Convention with Mary Culbert, a professor at Loyola Law School, on mediation confidentiality entitled "Strict Mediation Confidentiality? Not So Fast!" (October 8, 2015).

Participated in SCMA's mentoring program by having those participants in the program observe or shadow mediations (2017-Present). Participated on a panel at USC's First Annual ADR Symposium entitled "Ethical Issues Surrounding Mediation Confidentiality" (April 2016).

Participated on a panel at the California State Bar Convention entitled "Ethical Issues Surrounding Mediation Confidentiality" (September 30, 2016).

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| <b>Mediation Rate</b> | \$400 Per Hour           |
| <b>Languages</b>      | English                  |
| <b>Citizenship</b>    | United States of America |
| <b>Locale</b>         | Los Angeles, 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.