

SANTA CLARA COUNTY SUPERIOR COURT  
BACKGROUND INFORMATION / CIVIL DIVISION ADR PANEL

*Instructions: DO NOT ALTER THIS FORM IN ANY WAY. DO NOT ATTACH ADDITIONAL PAGES.*

Name	Phone	Fax
<i>Mark Divelbiss</i>	<i>510-339-1755</i>	
Street or P.O. Box	City	Zip Code
<i>5938 Rincon Drive</i>	<i>Oakland, CA</i>	<i>94611</i>

**TODAY'S DATE:**

Check each panel for which you have been accepted:     mediation                     neutral evaluation

1. Describe your education, including degrees and the dates received.

*J.D., University of San Francisco School of Law, Cum Laude (1989)*

*B.S., Santa Clara University, Santa Clara, CA, Economics (1986)*

2. Briefly describe the ADR training you have received. For each training, give the trainer's name, the dates attended, and the total hours.

*-40 hours specific Mediation training-Stephen Rosenberg*

*-14 hours Advanced Mediation training-Stephen Rosenberg*

*-Two day seminar for Insurance Claims Adjustors on ADR and mediation in London, England.*

3. Describe the subject matter of five disputes for which you have been an ADR provider in the past five years, with the dates. Identify the process and state whether you were a sole- or co-provider.

- *Construction Defect Claim involving HOA and 1 subcontractor (December 2012-sole)*
- *Mortgage lending dispute between bank and individual (March 2013-sole)*
- *Construction contract dispute between GC and homeowner (October 2012-sole)*
- *Personal injury auto case (October 2012-sole)*
- *Business contract, unfair business practices, conversion claim (June 2012-sole)*

4. Check your areas of substantive expertise:

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Banking           | <input type="checkbox"/> Health Care                   | <input checked="" type="checkbox"/> Partnership Disputes              |
| <input checked="" type="checkbox"/> Business/Contract | <input type="checkbox"/> Housing                       | <input checked="" type="checkbox"/> Personal Injury                   |
| <input checked="" type="checkbox"/> Civil Rights      | <input type="checkbox"/> Intellectual Property         | <input type="checkbox"/> Probate - Wills                              |
| <input checked="" type="checkbox"/> Construction      | <input checked="" type="checkbox"/> Insurance          | <input checked="" type="checkbox"/> Professional Negligence           |
| <input checked="" type="checkbox"/> Defamation        | <input checked="" type="checkbox"/> Labor - Employment | <input checked="" type="checkbox"/> Real Estate                       |
| <input type="checkbox"/> Disabilities                 | <input checked="" type="checkbox"/> Landlord/Tenant    | <input type="checkbox"/> Securities                                   |
| <input type="checkbox"/> Elder Issues/Abuse           | <input type="checkbox"/> Medical Malpractice           | <input type="checkbox"/> Tax  |
| <input type="checkbox"/> Environment                  | <input checked="" type="checkbox"/> Neighborhood       | <input checked="" type="checkbox"/> <i>Other (specify) Employment</i> |

5. If you are an attorney:

A. How many years have you been in active practice? If none, please explain.

*25 years*

B. What is or was the nature of your practice?

*Civil trial litigation and mediation*

C. What percentage of your practice has been representing plaintiffs 35% defendants 65%

D. How many of the following have you completed in the past five years?:

Jury trials 3 Court trials 3 Judicial arbitrations; 2

6. Is your ADR style facilitative or evaluative/directive?

*A little bit of both, but mostly facilitative.*

7. Describe your fee schedule, including any sliding-scale or pro-bono provisions.

*\$350/hour split between parties for 2-3 parties. \$395/hour for 4 parties or more.*

8. Give any other information that should be considered by parties or counsel.