

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>Hon. Marshall Whitley (Ret.)</i>	<i>415-772-0900</i>	<i>415-772-0900</i>
Street or P.O. Box	City	Zip Code
<i>100 First Street 27th Floor</i>	<i>San Francisco, CA</i>	<i>94105</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.

LLM Law Degree, Georgetown University Law School, 1977

JD degree, University of Connecticut School of Law, 1973

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

-Mediating Trust & Estates Disputes, GGU Law Profs Choy & Whitley, Spring 2016 & 2015, 80 hours; Med & Arb Practice, Strauss Institute, Prof Tom Stipanowich, Fall 2015, 16 hours; Conflict Resolution GGU Law Profs Choy & Whitley, Spring 2014 & 2013, 52 hours; ADR Training, UC Berkeley, Ron Kelly Fall 2013

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.

- *Business Contract, service provider and customer*
- *Trust dispute involving financial elder abuse, fraud, and undue influence*
- *Employment dispute alleging unfair practices, civil rights violations, etc.*
- *Partnership redemption dispute*
- *Automobile sales dispute*

4. Check your areas of substantive expertise:

- | | | |
|--|--|---|
| <input 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 checked="" type="checkbox"/> Probate - Wills |
| <input type="checkbox"/> Construction | <input 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 type="checkbox"/> Landlord/Tenant | <input type="checkbox"/> Securities |
| <input checked="" type="checkbox"/> Elder Issues/Abuse | <input type="checkbox"/> Medical Malpractice | <input checked="" type="checkbox"/> Tax |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Neighborhood | <input type="checkbox"/> Other (specify) _____ |

5. If you are an attorney:

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

43 years; business/tax attorney 1973-1993, Superior Court judge 1993-2013, ADR 2013- present

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

C. What percentage of your practice has been representing plaintiffs 50% defendants 50%

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

Jury trials 25 Court trials 40 Judicial arbitrations; 10

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

Both

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

\$500.00/hour; sliding scale from \$00.00/hour for small cases

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

Arbitration & Special Master referrals accepted.

Mediation style is facilitative and evaluative of requested.