

SANTA CLARA COUNTY SUPERIOR COURT
BACKGROUND INFORMATION

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

Name	Phone	Fax
<i>Philip Fagone</i>	<i>650-654-0574</i>	<i>650-745-1186</i>
Street or P.O. Box	City	Zip Code
<i>2814 Alhambra Drive Suite C</i>	<i>Belmont CA</i>	<i>94002-1352</i>

TODAY'S DATE: _____ *philip.fagone@alum.wpi.edu*

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

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

Doctor of Jurisprudence, 1994 – Golden Gate University School of Law;

Master in Business Administration, 1980 – Suffolk University;

Bachelor of Science in Civil Engineering, 1974 - WPI

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

-Advanced Mediation Training with Ron Kelly, 1997; 40 hours

-Advanced Mediation and Collaborative Negotiations training with Bill Lincoln, 1999; 36 hours

-Advanced Mediation Training with Steven Rosenberg, 2003; 14 hours

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.

- *Binding arbitrator for dispute between homeowner and contractor, 11/09*
- *Mediator for dispute before 1st District Court of Appeal between Homeowner and Contractor 11/09*
- *Mediator of employment dispute, 10/09*
- *Mediator between Trustee and Beneficiaries of Trust, 12/08*
- *Mediation of subrogation claim between insurers and contractors, 11/08*

4. Check your areas of substantive expertise:

- | | | |
|--|--|--|
| <input type="checkbox"/> Banking | <input type="checkbox"/> Health Care | <input type="checkbox"/> Personal Injury |
| <input checked="" type="checkbox"/> Business (Commercial - Contract) | <input type="checkbox"/> Housing | <input type="checkbox"/> Probate - Wills |
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Prof. Negl. (Non-Medical) |
| <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Real Estate |
| <input type="checkbox"/> Defamation | <input type="checkbox"/> Labor – Employment | <input type="checkbox"/> Securities |
| <input type="checkbox"/> Disabilities | <input type="checkbox"/> Landlord/Tenant | <input type="checkbox"/> Tax |
| <input type="checkbox"/> Elder Issues/Abuse | <input type="checkbox"/> Medical Malpractice | <input type="checkbox"/> Other (specify): |
| <input checked="" type="checkbox"/> Environment | <input type="checkbox"/> Neighborhood | |
| <input type="checkbox"/> Family Law | <input type="checkbox"/> Partnership | |

5. If you are an attorney:

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

Active practice in California since 1994.

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

Resolution of Business, Construction, and Real Estate Disputes.

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 0 Court trials 1 Judicial arbitrations; 3

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

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

\$275 per hour (excludes conference room for sessions).

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

Mediated or arbitrated more than 170 disputes; over 35 years business & construction experience