

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>M. Scott Donahey</i>	<i>650-823-0338</i>	<i>650-941-4262</i>
Street or P.O. Box	City	Zip Code
<i>3790 El Camino Real Suite 171</i>	<i>Palo Alto, CA</i>	<i>94306</i>

TODAY'S DATE: *adr@scottdonahey.com*

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

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

Santa Clara University (J.D., Summa Cum Laude, 1978)

The Johns Hopkins University (M.A., Writing Seminars, 1968)

Stanford University (B.A., English, With Distinction, 1967)

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

-AAA Mediator Training, 10 hours. Numerous courses on arbitration. Served as trainer in international mediation programs sponsored by the Inter-Pacific Bar Association. Served as Trainer in international arbitration for the American Arbitration Association. Served as tutor in international arbitration for the Chartered Institute of Arbitrators. These last three activities have totaled between 100 and 200 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.

- *Mediator, software consulting dispute, sole provider.*
- *Arbitrator, patent and technology licensing dispute, sole provider.*
- *Arbitrator, manufacturer's representative dispute, health care, sole provider.*
- *Arbitrator, manufacturer's representative dispute, computers, sole provider.*
- *Neutral Observer appointed by AAA, software clean room development project.*

4. Check your areas of substantive expertise:

- | | | |
|--|---|--|
| <input type="checkbox"/> Banking | <input checked="" 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 checked="" type="checkbox"/> Intellectual Property | <input type="checkbox"/> Prof. Negl. (Non-Medical) |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Insurance | <input 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 checked="" type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Neighborhood | <i>Computer law, international,</i> |
| <input type="checkbox"/> Family Law | <input checked="" type="checkbox"/> Partnership | <i>electronic commerce on the</i> |
| | | <i>Internet, Biotechnology,</i> |
| | | <i>Pharmaceuticals, Technology</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?

Commercial litigation and alternative dispute resolution

C. What percentage of your practice has been representing plaintiffs 25% defendants 75%

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

Jury trials 3 Court trials 2 Judicial arbitrations; 3 Contractual arbitrations 35

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

I like to think both, but definitely evaluative/directive.

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

\$450.00/hour

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

I have special expertise in technology related disputes, especially in the area of intellectual property, such as licensing disputes and trade secrets. I have had twelve jury trials in state and federal court, including patent infringement.