

FRIDAY TUESDAY WEDNESDAY THURSDAY **TODAY**

JUDICIAL PROFILES

CORPORATE COUNSEL Q&A

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Steven Kuhn

By Catherine Ho

You could say mediator Steven Kuhn has unique training to make cases disappear.

Working as a magician to put himself through law school, Kuhn spent two years pulling slight-of-hand tricks, escaping from chains and slicing people in half at the Busch Gardens theme park. His roommate at the time, also a student at Southwestern University School of Law, worked as Frankenstein at Universal Studios.



Robert Levins / Daily Journal
Steven Kuhn

Performing in front of crowds helped train him to be comfortable in a courtroom, said Kuhn, now a veteran Orange County trial lawyer with 38 years of litigation experience.

As for mediating, he's been doing it his whole life. Growing up as the middle child of three boys, Kuhn brokered deals over who would get his own room. Now, with seven children of his own, and 10 grandchildren, mediation is more of a lifestyle than just a job.

Kuhn, former president of the Orange County Trial Lawyers Association, has been mediating professionally since 1998.

"I really enjoy being a mediator and getting to resolve cases without the uncertainty of going to trial," he said. "I know the costs of going to trial."

Kuhn joined Judicate West in 2006, and recently became a full-time mediator after his partner, David Belz, was appointed to the Orange County Superior Court bench last year. He plans to wind down his practice by September.

Kuhn's trial experience - from both the plaintiffs' and defense's perspectives - gives him unique insight into settling cases, said lawyers who've mediated with him.

"He used to try a lot of cases, and made a reputation for himself trying cases," said attorney Bob Gonter, who has known Kuhn for 20 years, and has brought several personal-injury cases to him for mediation. "Because of his vast experience trying and handling cases, and given his personal touch with clients, he's been able to move that over to mediation. He's handled so much of this for so long. He's a litigator who knows how to mediate a case."

John Rapillo, who's known Kuhn for 25 years, praised his straightforward approach and thorough preparation.

"As a practicing attorney, Steve was very thorough and prepared always, and he's the same way in mediation," Rapillo said. "He's straight-up, doesn't play games and is very effective."

His background as a lawyer rather than as a bench officer may explain his style, which Kuhn said is more facilitative than evaluative.

"I try to get the parties to be comfortable, explain the process and help them weigh the cost and uncertainty of going to trial versus settlement," he said. "My experience handling more than 6,000 cases over my career gives me the ability to make parties feel at ease."

Kuhn grew up in Van Nuys and studied economics at UCLA, graduating in 1970. He earned his law degree from Southwestern in 1973 and began his legal career on the defense side of insurance law, at Parker Stanbury McGee & Babcock in Los Angeles. He

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SPECIAL REPORT**Real Estate**

Our 20 top California real estate transaction attorneys, plus a look at some of the latest transactional trends.



Friday, February 25, 2011

Corporate**Case Against Bank of America Dismissed**

A federal judge on Thursday dismissed a case against Bank of America Corp., rejecting investors' claims that the bank failed to disclose its practices related to the auction-rate securities market.

Government**Lawmakers Wade Into Court Leadership Fray**

Tension between many trial court judges and the Judicial Council has risen to an all-time high, highlighted by the introduction of legislation last week that would strip the Judicial Council of much of its authority over trial courts.

California Supreme Court**Moreno to Join Irell & Manella**

When Justice Carlos R. Moreno leaves the state Supreme Court next week he'll start work at Irell & Manella, a respected Los Angeles firm best known for intellectual property litigation, sources told the Daily Journal.

Litigation**State Bar Drops Investigation of Dole Lawyers**

The State Bar of California has decided not to file ethics charges against three attorneys representing Dole Food Co. who were accused of bribing witnesses in a toxic tort case alleging Nicaraguan banana farm workers were harmed by pesticides.

Law Practice**Winston Partners to Meet on Howrey**

Winston & Strawn LLP is holding an all-hands partnership meeting today, according to an attorney familiar with the matter, which is expected to seek approval for a large number of Howrey LLP partner hires.

Solo and Small Firms**Building on the Core**

Partners at the Peitman Weg & Kempinsky LLP bankruptcy boutique attribute their 12-year success rate to conservative growth and team-sharing.

Tax**Partial Offshore Tax Amnesty — Voluntary Disclosure 2.0**

Penalties U.S. taxpayers should know about if they fail to file a foreign bank account report. By **Dennis Brager** of Brager Tax Law Group APC.

Law Practice**WilmerHale Scoops Up Munger Tolles Partner**

next worked as an associate at Hunt, Liljestrom & Wentworth in Santa Ana, specializing in plaintiff personal-injury law before opening his own practice in 1979. He spent the next 19 years as half of a two-attorney firm focusing on personal injury, professional negligence and business litigation.

An avid golfer, Kuhn co-chairs the UCLA Golf Classic, and has played at more than 300 golf courses around the world, including St. Andrews Links during a trip to Scotland last year.

Here are some attorneys who have used Kuhn's mediation services: Robert Gonter, Gates, O'Doherty, Gonter & Guy LLP, Irvine; John Rapillo, Law Offices of John Rapillo, Newport Beach; Michael Cholodenko, Michael A. Cholodenko, A Professional Law Corp., Beverly Hills; Mitchell Jackson, Jackson & Wilson Inc., Laguna Hills; Michael Amaro, Prindle, Amaro, Goetz, Hillyard, Barnes and Reinholtz LLP, Long Beach; James Grandy, The Law Offices of Cullins & Grandy LLP, Laguna Hills; Jay McClaugherty & Associates, Arcadia

Wilmer Cutler Pickering Hale and Dorr LLP nabbed patent litigator Andrea Weiss Jeffries from Munger, Tolles & Olson LLP in a move to grow its Los Angeles litigation practice.

Alternative Dispute Resolution Identifying and Managing Histrionic Personality Clients

How to support a client with histrionic personality disorder while maintaining control of your case. By **Paul Fisher** of Pepperdine University.

Law Practice

Akin Gump Loses Six

Akin Gump Strauss Hauer & Feld LLP lost six of its 31 partners in Los Angeles Thursday to Indiana-based Barnes & Thornburg LLP, which is opening its first California office today.

Banking

Closing Arguments Held in Wells Fargo Discrimination Fight

The outcome of a years-long class action that accuses Wells Fargo bank of racially discriminatory mortgage lending is now in the hands of a jury, as lawyers for both sides delivered their closing arguments Thursday.

Corporate

PG&E Lawsuits To Be Heard in San Mateo

A judge has recommended that all of the lawsuits stemming from last year's catastrophic pipeline explosion in San Bruno be heard locally in San Mateo County.

The Rise of 'Nanny Corporations'

Are poison pills becoming a tool for boards to limit shareholders from exercising their rights? By **David M. Grinberg** of Manatt, Phelps & Phillips LLP.

Workers' Comp.

Dock Workers' Injury Claims Hang in Limbo

A recent decision by the 9th U.S. Circuit Court of Appeals to grant attorney fees in a longshore workers' comp case could put pressure on California ports to not risk footing the legal tab on long-pending claims.

Perspective

Shaping Public Opinion In High-Profile Trials

Kendall Coffey shares lessons learned from his high-profile trials, and a behind the scenes look at tactics and strategies. By **Thomas W. Logue**.

Labor/Employment

Workers Can't Be Forced to Arbitrate, Court Says

Arbitration agreements requiring employees to waive their right to bring wage claims before the state labor board are unenforceable, the California Supreme Court ruled Thursday.

Government

San Francisco DA Reshuffles Office

New San Francisco district attorney has eliminated the office's second-in-command position in a reshuffling.

Education

Former O.C. Congressman Named Chapman Law School Dean

Chapman University School of Law announces today that Tom Campbell, a former five-term

member of Congress and UC Berkeley business dean, is the law school's new dean.

Litigation

Is the Reliable Eyewitness An Oxymoron?

Lawyers may need to rethink the concept of witness credibility. By **Steven G. Mehta**.

U.S. Supreme Court

Push For Supreme Court Ethics Code

A coalition of more than 100 law professors, including 11 from California-based schools, urged Congress in a letter Wednesday to create a code of ethics that would guide the conduct of U.S. Supreme Court justices.

Securities

SEC Charges 3 in Alleged Hedge Fund Scheme

Securities and Exchange Commission lawyers in Los Angeles filed civil fraud charges against a broker-dealer in Malibu, his partner in Spain and a hedge fund trader in Canada for allegedly manipulating U.S. microcap stocks to gain more than \$63 million in illicit profits.

Government

Governor Names Two to Fair Political Practices Commission

Former Santa Clara County Counsel Ann Ravel will head the watchdog agency, and a Munger, Tolles & Olson partner will sit on the panel.

Judicial Profile

Judge Jeffrey B. Barton

Superior Court Judge
San Diego County (San Diego)

ADR Provider

Steven Kuhn

Neutral Steven Kuhn used his skills as a magician to help him become a successful trial lawyer. Now he uses his experience handling 6,000 cases to be a masterful mediator.

Construction

Public-Private Partnership Gets Judge's Green Light

The bitter legal war over the Presidio Parkway Project could be just a taste of the fights public-private partnerships could face in the future, as so-called P3s pick up steam as a tool to get massive construction projects off the ground.

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