

JAMES LAFLIN, ESQ.

CONCILIUM, Mediated Negotiations

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Curriculum vitae

Mr. Laflin received his bachelor's degree from the University of California, Berkeley, and his J.D. degree from the University of San Francisco, School of Law. He is a member of the California and Oregon bars. Mr. Laflin founded Concilium, a professional mediation firm, in 1991. For twelve years prior to that he practiced general civil litigation, with an emphasis on contract and tort liability, employment, construction, real estate, professional liability, personal injury, and insurance law. He now mediates throughout the western United States.

Mr. Laflin serves as a mediator and special master in a range of complex litigation including construction, real estate, environmental, insurance, professional liability, labor and employment, personal injury, and intellectual property matters.

Mr. Laflin has served on the Exec. Committee of the Bar Assn. of San Francisco's ADR Section, and was Chair of the BASF Mediation of Attorney Fee Disputes Committee. He is a member of the Association for Conflict Resolution.

Mr. Laflin has taught CLE courses on mediation and negotiation in conjunction with the State Bars of California, Washington and Idaho, the U.S. District Courts of N. California and Idaho, and the American Bar Association. Recent speaking engagements to industry, professional and academic groups include the University of California, Berkeley, the ABA Litigation Section/Corp. Counsel Committee, Alaska Academy of Trial Lawyers, NCPCR, Idaho State Bar, Lit. Section, Negotiation Strategy Institute, California Building Industry Association, and the California Society of CPA's.

Articles and publications:

1. *Mandatory Arbitration And The Outsourcing Of Justice*, © Daily Journal Corp., SF and LA Daily Journals, (2005); © Thomson-West, Cal. Tort Reporter, Cal. Ins. Law & Regulation Reporter, (2005);
2. *Negotiating Case-Value Relativity in Catastrophic, Mass Tort and Class Action Cases Where Inadequate Insurance Or Other Settlement Funds Exist*, © Thomson-West, Insurance Litigation Reporter, California Tort Reporter, California Insurance Law & Regulation Reporter, (2005);
3. *Another Look At the Microsoft Mediation: Lessons For the Civil Litigator*, © West Group, California Tort Reporter, (2001), BNA/PF, ADR REPORT, (2001); Excerpted and reprinted in Resolving Disputes: Theory, Practice, and Law, Folberg et al., Aspen Press, (2005);
4. *Irreconcilable Differences: Mediation Confidentiality and Dual Capacity Appointments in the CMO Process*, © West Group, California Tort Reporter, (2001), BNA/PF, ADR REPORT, (2001);
5. *Jump-Starting Stalled Settlement Negotiations*, © West Group, California Tort Reporter, (1999), BNA/PF ADR REPORT, (1999);
6. *Resolving the Trilemma Within the Cumis Triangle: A Progressive Negotiation Strategy*, © West Group, California Insurance Law & Regulation Reporter, (1998);
7. *Mediation of Insurance Bad Faith Cases*, © West Group, California Insurance Law & Regulation Reporter, (1998);
8. *Special Problems In Negotiating Professional Liability Cases*, © Newsletter of the Professional Liability Committee, Defense Research Institute (DRI) (1998);

9. *Negotiating & Mediating Cases with Complex Scope of Release Issues*, © ADR REPORT, BNA/PF,Inc. (1997);
10. *Co-Mediation of the Complex Construction Case*, © Shepard's McGraw-Hill, Construction Litigation Reporter, Laflin/Piazza (1995);
11. *Early Mediation Of The Sexual Harassment Case*, © BNA, Employment Discrimination Report, (1995)
12. *Mediation of Attorney/Client Fee Disputes*, © BASF, San Francisco Attorney, (1996).

Note: Monetary figures represent amount in controversy, not amount of settlement.