

CURRICULUM VITAE: JUDGE LAYN R. PHILLIPS

Layn R. Phillips, age 53, is a partner with the Los Angeles law firm of Irell & Manella. He is a former United States District Judge and United States Attorney, and founder of the Irell and Manella Alternative Dispute Resolution Center.

Judge Phillips was born and raised in Oklahoma. He attended undergraduate school and law school at the University of Tulsa in Tulsa, Oklahoma and Georgetown University Law Center in Washington D.C. In 1977 he joined the Federal Trade Commission's Honors Program and was assigned to the Bureau of Competition in Washington, D.C., where for the next three years he investigated and prosecuted civil antitrust cases involving mergers and monopolization claims. In 1980, he joined the United States Attorney's office in Los Angeles as an Assistant United States Attorney, serving as a federal prosecutor in the Central District of California until 1984. During the Reagan Administration, he returned to Oklahoma where he was appointed by the President to serve as the United States Attorney in Tulsa, Oklahoma.

In 1986, he was nominated by the President to serve as a United States District Judge for the Western District of Oklahoma in Oklahoma City. During his four years on the bench he presided over approximately 150 federal civil and criminal trials in the Tenth Circuit. In 1990, Judge Phillips was also designated by the Chief Justice of the United States Supreme Court to preside over cases in the Fifth Circuit in the Northern District of Texas based upon the needs of that district. While serving as a federal judge, he also gained extensive experience in the realm of settlement negotiations and mediation, presiding over dozens of settlement conferences in complex business disputes and class actions.

Judge Phillips also sat by designation on the United States Court of Appeals for the Tenth Circuit in Denver, Colorado, where he participated in dozens of panel decisions and published several opinions in the field of civil rights, business litigation, environmental law and summary judgment practice. In July 1991, he resigned from the federal bench and joined Irell & Manella as a litigation partner.

As an advocate, Judge Phillips has more than 50 trials to his credit. These trials span several substantive areas of the law, including allegations of environmental contamination, securities fraud, public corruption, money laundering, bank fraud, mail fraud, merger violations, professional malpractice, tax evasion, narcotics trafficking prosecutions, and transgressions of the RICO and Continuing Criminal Enterprise statutes. As a result of his trial work, he has been elected into, and now serves, as a Fellow in the American College of Trial Lawyers. He also received several distinguished litigation awards during his tenure with the Department of Justice.

Judge Phillips has also been elected into, and now serves as, a Fellow in the International Academy of Mediators. In addition, he has mediated hundreds of disputes referred by private parties and courts, and has been appointed a Special Master by various federal courts in complex civil proceedings. He has also served as special counsel to numerous corporations, conducting a wide variety of internal investigations on sensitive issues. He has also been nationally recognized as a mediator by the Center for Public Resources Institute for Dispute Resolution (CPR), serving on CPR's National Panel of Distinguished Neutrals.

Judge Phillips has also been active in a variety of bar association activities, as well as continuing legal education presentations and alternative dispute resolution organizations. During 2001, he served as the President of the Federal Bar Association in Orange County, California, and served on the Orange County Bar Association Board of Directors and Judiciary Committee. Judge Phillips has also served as the President of two American Inns of Court, and maintains the status of Master Emeritus in three separate Inns. He is a member of the California, Oklahoma, Texas and District of Columbia bar associations. Judge Phillips recently served in 2004-2005 as the Co-Chair of the Central District of California Lawyer Representatives to the Ninth Circuit Judicial Conference. In 2005 Judge Phillips was selected by the Central District of California federal judiciary to serve as the Chairman of the Magistrate Judge Merit Selection Panel. He is also a 2006 co-chair for the ABA's Litigation Section's Annual Meeting in Los Angeles.

As an undergraduate student, Judge Phillips graduated with highest honors as an economics major, receiving his college's Wall Street Journal Award for the Outstanding Economics graduate. He attended the University of Tulsa on a NCAA tennis scholarship, serving as the team's captain, winning the Missouri Valley Conference Championship at #1 singles, and receiving an NCAA post-graduate scholarship. Judge Phillips also graduated from law school with highest honors, finishing second in his class at the University of Tulsa. He then pursued an additional two years of graduate law studies at Georgetown University to complement his work in the field of economic regulation of industry.

For his years of commitment to public service, in 1989 he was named as one of the 10 Outstanding Young Americans by the U.S. Junior Chamber of Commerce, joining a select group of past recipients of this award such as John F. Kennedy, Gerald R. Ford, Nelson A. Rockefeller, and William Jefferson Clinton.

Judge Phillips now lives in Orange County, California with his wife Kathryn, and their three children Amanda, age 27, Parker, age 17, and Graham, age 12.

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ADR FEE SCHEDULE

| Mediator/Arbitrator | Fees |
|---|--|
| Former United States District Judge Layn R. Phillips | <p>Mediations/Arbitrations involving two parties ADR Hourly Rate: \$750.00 (plus expenses)*</p> <p>Mediations/Arbitrations involving more than two parties ADR Hourly Rate: \$850.00 (plus expenses)*</p> <p>Cancel/ Reschedule: Once ADR dates are scheduled, if the ADR session is cancelled or rescheduled <u>10 days or more</u> prior to the scheduled session, there is <u>no</u> cancellation charge. However, if the ADR session is cancelled or rescheduled <u>less than 10 days prior</u> to the scheduled ADR session, 100% of the full fee will be charged to the parties, unless Judge Phillips is able to reschedule a new ADR matter for the date that was cancelled or changed</p> <p>* There is no charge for use of the ADR Center facilities in Newport Beach. There is a 4 hour each way charge for travel to/from the Eastern United States. Otherwise, there is no charge for travel time.</p> |