

Professional Resume

William B. Fitzgerald
Arbitrator Mediator
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Profession

Arbitrator, Mediator; Self-Employed.

Work History

Present: Practice limited to ADR. Partner, Morgan, Lewis & Bockius 2003, Counsel, 2004;
Partner, Brobeck, Phleger & Harrison 1995 - 03; Partner, Dickson, Carlson & Campillo, 1988 - 95;
Partner, Haight, Brown & Bonesteel, 1985 - 88; Partner, Carmody & Torrance, 1972 - 85; Partner,
Fitzgerald & Fitzgerald, 1962 - 72.

Experience

Attorney Fitzgerald has litigated, arbitrated, and mediated, as an advocate and a neutral, for over 35 years in diverse fields of law, including business and commercial disputes, breach of contract, breach of fiduciary duty, fraud, partnership and joint venture dissolutions, shareholder actions, business valuation buyout issues, complex real estate litigation, real property valuation, insurance, professional liability, construction, wrongful termination, healthcare, class actions, product liability, mass tort and broker/dealer matters, among others. As a trial lawyer, he was lead counsel in more than 100 jury and bench trials and arbitrations. He has appellate experience in the Supreme Courts of Connecticut and Nevada, the United States Court of Appeals, 2nd Circuit, and the California and Connecticut Courts of Appeal. See the EXPERIENCE page of this site for more detail.

Dispute Resolution Experience

Commercial Large Complex Case Panel, American Arbitration Association;

California Regional Panel of Arbitrators, CPR International Institute for Dispute Resolution;

ADR panel, Los Angeles County Superior Court (1994 – 06);

Served as arbitrator and mediator;

Attorney Trial Referee, Connecticut Superior Court (1982-85);

Adjudicated bench trials in highest trial court and served as Court

Settlement Officer;

American Arbitration Association Panel of Arbitrators, Connecticut (1970 - 85);

Advocacy in ADR proceedings before AAA, JAMS, NASD, and other facilitators in many venues, including New York, San Francisco, Houston, Dallas and Hartford.

Mr. Fitzgerald's former firm was National Coordinating Counsel for a lead defendant in the MDL Silicone Breast Implant Litigation.. As administrator of the client's national defense, he worked on claims resolution with the MDL Houston Claims Facility and the MDL Independent Settlement Program at Duke University Law School. He negotiated settlement of over 3,000 breast implant class action claims in many jurisdictions including Texas, Louisiana, California, Pennsylvania, South Carolina, West Virginia, Minnesota, Kansas and Connecticut.

Dispute Resolution Training

American Arbitration Association:

ACE programs, Los Angeles, 2005; Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics; Drafting Arbitration Awards: Arbitrator Ethics and Disclosure; Commercial Arbitrator II Training, Los Angeles, 2004; Neutrals Conference and Arbitrator Update, San Antonio, 2004; Symposium on B2B Disputes, Los Angeles, 2003; Arbitrator II, Advanced Case Management Issues, Los Angeles, 2004; Arbitrator I Training, San Diego, 2003;

American Bar Association Dispute Resolution Section:

Annual Conference programs; Atlanta, 2006, Los Angeles, 2005, New York, 2004; First Annual Arbitration Institute, San Francisco, 2004;

College of Commercial Arbitrators:

Annual Conference ADR programs, Chicago, 2006; Seattle, 2005.

CPR International Institute for Dispute Resolution:

Annual Conference, New York, 2005;

Juris Publishing Corp.

Best Practices in Commercial Arbitration, Washington, D.C., 2007;

Pepperdine University Law School:

Masters Forum, 2003; Mediating the Litigated Case, 2004;

Southern California Mediation Association:

Annual Conference programs, 2004 - 2007; Various other ADR training.

Professional Associations

Fellow, American College of Trial Lawyers (Dispute Resolution Committee);

Fellow, College of Commercial Arbitrators;

Los Angeles County Bar Association (President Elect and Board member, Dispute Resolution Section);

American Bar Association (Dispute Resolution and Litigation Sections);

State Bar of California (ADR, Business Law and Litigation Sections);

American Board of Trial Advocates;
California Dispute Resolution Council;
Connecticut Bar Association (ADR Section);
Southern California Mediation Association.

Admitted to Practice

California 1985

Connecticut 1961

United States District Courts, California (All Districts); Connecticut

United States Court of Appeals, Second and Ninth Circuits

United States Supreme Court

Education

Yale University B.A., *cum laude* 1958

Harvard Law School J.D. 1961

College d'Europe (Belgium), Certificat 1962

Selected Publications and Lectures

Panelist, "What Arbitration Can Do for You," American College of Trial Lawyers Annual Meeting, Tucson, 2008.

Panelist, "Arbitrating the Mega-Case," ABA Dispute Resolution Section, Los Angeles, 2008.

Panel Chair, Best Practices in Commercial Arbitration California Dispute Resolution Council Annual Conference, Los Angeles, 2006.

Panelist, Managing the Evidentiary Hearing; Juris Publishing Group, Washington, D.C., 2007.

Co-Presenter, "Thorny Questions for Arbitrators," AAA, Los Angeles, 2008.

Panelist, "Best Practices in Commercial Arbitration," AAA, Los Angeles, 2007.

Chair, Mealey's Class Actions Conference, San Diego, 2002.

Co-Chair, Mealey's Complex Litigation Conference, Palm Beach, FL 1997.

Lecture: Strategies and Tactics for Pharmaceutical Companies Defending Mass Tort Claims; Mealey's Fen-Phen Litigation Conference, New York, 1998.

Co-Chair Mealey's Breast Implant Litigation Conference, Palm Beach, FL 1998.

Lectured on litigation technique and strategy for:

Association of Trial Lawyers of America, National Conferences, Judicial Department, State of Connecticut, Travelers Insurance Company Home Office Legal Claim Department, University of Connecticut School of Law

Editor, Declaratory Relief Actions chapter of *California Civil Practice, Torts* (Bancroft Whitney, 1992).

Author: The Perils of CEO Depositions, *National Law Journal* (Feb 1995).

Author: Preparing the Witness, *For the Defense* (Defense Research Institute, July, 1992).

Author: Direct Examination of the Medical Expert. *The Trial Masters* (Prentice Hall, 1984).

Community Activities

Board of Overseers, Los Angeles Philharmonic

President, Royce Center Circle, UCLA Live, UCLA Performing Arts

Fraternity of Friends of the Music Center of Los Angeles County