

KATHERINE L. GALLO

Discovery Referee/Special Master/Mediator
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PROFESSIONAL EXPERIENCE

- 1994 to present: **Discovery Referee, Special Master, Mediator and Arbitrator**
Since 1994, served as a court assigned or party selected private Discovery Referee or Special Master in over 200 hotly contested, complex litigated matters in the fields of business, insurance, construction, employment, real estate, family law and personal injury. These assignments have come from the Superior Courts of Alameda, Contra Costa, Los Angeles, Sacramento, San Benito, San Joaquin, San Francisco, San Mateo Santa Clara and Sonoma counties.
- Handled over 500 cases as a Mediator or Pro-tem Settlement Judge with a settlement rate in excess of 80% in the areas of real property (including eminent domain, easements and commissions), personal injury, product liability, elder abuse, construction defect (including liens and construction operations losses), employment (including wrongful termination, discrimination, harassment and wage and hour claims), business disputes, mortgage and foreclosure matters and Lemon Law.
- 2010 to present **Founder-Author at www.resolvingdiscoverydisputes.com**
Blogging on how to use discovery to reach your evaluation, mediation and trial goals. The blog statutory authority and current case law, so attorneys can rely on the blog for research to determine what their obligations are in propounding and responding to discovery.
- 1995 to present **Pro-Tem Judge for Settlement Conferences and Discovery Disputes**
Conducted mandatory settlement conferences for Contra Costa, San Mateo and San Francisco Superior Courts. Acted as a Pro Tem Discovery Judge for San Francisco Superior Court and a Discovery Facilitator for Contra Costa Superior Court.
- 1994 to present **Speaker and Trainer on California Discovery**
Speaking and providing interactive training on discovery on issues ranging from developing a discovery plan, serving and responding to discovery to filing a motion and seeking sanctions.
- 2007 – 2012 **Chaired Construction Litigation Form Interrogatories Committee**
Created and led a statewide committee in developing the Judicial Council’s Form Interrogatories for Construction Litigation.

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- 1992 – 1994 **Research Attorney for Law & Motion Department of Alameda County Superior Court.** Researched and drafted bench briefs for Law and Motion Judge regarding matters on the Law and Motion Calendar. Responsible for all discovery motions as well as mediating discovery disputes.
- 1987 – 1991 **Litigation Attorney.** Responsible for case load of 60 active files in the areas of personal injury, product liability and commercial litigation.

EDUCATION

Professional Training:

Bar Association of San Francisco Attorney/Client Fee Arbitration Training, 2014
San Francisco and Santa Clara Superior Court Judge Pro Tem Training, 2010-12
ABA Dispute Resolution Conference, 2010
ABA Dispute Resolution Conference, 2008
Strauss Institute, Mediating the Complex Case, 2007
Strauss Institute, Mediating Complex Construction Disputes, 2006
Rosenberg Mediation and Conflict Resolution Training, 1996

Law School:

McGeorge School of Law, University of the Pacific
Juris Doctorate, 1986
Emphasis: Labor Law

Undergraduate:

University of California, Irvine
Bachelor of Arts, 1981
Majors: Political Science, Social Ecology

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES

Panel Member of National Academy of Distinguished Neutrals
Panel Member of San Francisco Bar Association Attorney/Client Fee Dispute Program
Pro-Tem Settlement Judge for the Superior Courts of Contra Costa and San Francisco.
ADR Panel Member for Alameda, Contra Costa, San Francisco, Santa Clara, San Mateo Superior Court
Arbitration Panel for the Superior Courts of Alameda and San Mateo Counties
Member of the American Bar Association
Member of the San Francisco Bar Association
Member of the Santa Clara Bar Association
Member of the Italian American Bar Association

REPRESENTATIVE CASES HANDLED AS A REFEREE OR SPECIAL MASTER

- **Construction Delay and Fraud** action against a major general contractor and an architect involving a design build, multi-prime public works project. Responsibilities included case management, coordinating discovery, pre-approval of discovery, rulings during depositions and rulings on discovery motions.
- **Personal Injury** action where passenger fell off platform and was run over by a train. Claim of driver intoxication, transit rail platform design defect and spoliation of evidence. Responsibilities included case management, ruling on discovery motions and in camera review of personnel documents.
- **Product Liability** case against major cosmetic company involving claims of facial burns and permanent scarring from product usage. Responsibilities included ruling on discovery motions, in camera review of customer complaints to review third party privacy and relevance prior to production and supervising notice to those customers pursuant to *Colonial Life* (31 Cal. 3d 785).
- **Class Action** involving claims of fraud against life insurance companies marketing life insurance policies as annuities. Responsibilities included case management, rulings on discovery motions and *Colonial Life* notice to class members.
- **Wage and Hour** claims by 240 managers against a chain retail store. Responsibilities included case management, ruling on discovery motions, outlining procedure for trial and settlement negotiations.
- **Construction Defect and Fraud** claim against developer, experts, insurance company and law firm for alleged fraudulent settlements of prior construction defect claims. Responsibilities included case management, ruling on discovery motions, outlining procedure for trial and settlement negotiations.
- **Sexual Molestation** action. Responsibilities included ruling on claims of attorney-client, marital, physician-patient, psychotherapist-patient, clergy-penitent and self-incrimination privileges at depositions.
- **Legal Malpractice** action for failure to file an international patent for bio-tech company. Responsibilities included case management, ruling on discovery motions and rulings during depositions.
- **Class Action** involving the management of several limited real estate partnerships throughout the country and challenging the merger of two publicly traded companies. Responsibilities included case management, rulings at deposition and rulings on discovery motions.
- **Wrongful Termination, Sexual Harassment and Age Discrimination** cases. Responsibilities included case management, rulings at depositions, in camera review of personnel records and rulings on discovery motions.
- **Family Law** cases. Responsibilities have included court-supervised sale of property, case management, and rulings on discovery motions and trial issues.

CASES HANDLED AS A MEDIATOR/PRO TEM JUDGE

- Personal Injury
- Product Liability
- Elder Abuse
- Construction Defect (including liens and construction operations losses)
- Probate
- Lemon Law
- Mortgage/Foreclosure disputes
- Employment (wrongful termination, discrimination and wage and hour claims)
- Real Property (including eminent domain, easements and commissions)
- Professional Malpractice
- Business Disputes (including commercial contracts and partnership dissolutions)
- Landlord/Tenant

SEMINARS GIVEN ON CONSTRUCTION LITIGATION

“The Special Master Program--Is it Getting the Job Done?”

In house seminar for AIG, October 2014

11th Annual AIG-CS Construction Defect Seminar - May 2006

"New Trends in the Investigation and Discovery of a Construction Defect Claim"

MC Consultants 19th Annual West Region Construction Litigation and Insurance Coverage Seminar Regional Seminar - September 2013

"The Insurer's and Defense Counsel's Perspective--New Trends in the Investigation and Discovery of a Construction Defect Claim"

CLM Webinair – July 2013

"Form Interrogatories for Construction Litigation—What it means to you"

In house seminar for Financial Pacific Insurance, April 2012

In house seminar for Travelers Insurance, March 2012

In house seminar for AIG, November 2012

“Emerging Trends in ADR for California Construction Litigation”

ABA 10th Annual Section of Dispute Resolution Spring Conference - April 2008

“The Critical Path to Resolution—The First 200 Days”

Lorman Seminar, San Jose - October 2007

“Emerging Trends in Complex Litigation: Litigating in the Brave New World After Jeld-Wen”

Santa Clara Bar Association - September 2007

“The Aftermath of Jeld-Wen”

In house seminar for Wood, Smith, Henning & Berman - February 2007

SEMINARS GIVEN ON DISCOVERY

“Civility in the Courtroom Series Part I of IV: Discovery”

Bar Association of San Francisco, March 2014

"Sanctions Denied"

Santa Clara Trial Lawyers, November 2013

In House Seminar for Borton Petrini, October 2013

San Mateo County Bar Association, October 2012

“E-Discovery is Discovery—It’s Just Another File Cabinet”

Santa Clara Bar Association, May 2011

“E-Discovery —Are You Ready?”

Santa Clara County Bar Association – January 2009

“Discovery Plans -The First 200 Days”

In House seminar for Van De Poel & Levy - July 2006

In House seminar for Paul Hastings - July 2005

“Ethics of Discovery”

Queens Bench of San Francisco County Bar Association – October 2002

Santa Clara County Bar Association - December 1996

“How to Win Your Discovery Motions”

San Mateo County Bar Association – June 1999

“What You Should Know Before You Take a Deposition”

San Mateo Clara County Bar Association – April 11, 1997

“How to Ethically and Strategically Propound and Respond to Discovery”

San Mateo County Bar Association – October 1996

Santa Clara County Bar Association - November 1995

“The Do's and Don'ts of Discovery”

San Mateo County Bar Association - November 1994

Santa Clara County Bar Association - July 1995

PUBLISHED ARTICLES

“What a Mediator Would Like to See in a Mediation Brief”

March 2014—*BASF Bulletin*--Bar Association of San Francisco

“Requests for Admissions—Tricky Little Discovery Devices”

February 2013—*BASF Bulletin*--Bar Association of San Francisco

“Sanctions Denied!”

January/February 2012--*The Forum*—Consumer Attorneys of California

“How to Write Requests for Admissions”

January/February 2012--*The Docket*—San Mateo County Bar Association

“Answering Requests for Admission--Beware of Traps.”

January/February 2012--*The Docket*—San Mateo County Bar Association

“It Is Too Relevant!”

April/May 2011--*The Docket*—San Mateo County Bar Association

“Preparing and Opposing Motions to Compel?”

Fall 2010--*Comment Magazine*—Assoc. of Defense Counsel of No. Cal.

“Let the Games Begin.”

May/June 2010--*The Docket*—San Mateo County Bar Association

“The 1986 Discovery Act—Is it Working?”

Fall 2007--*Comment Magazine*—Assoc. of Defense Counsel of No. Cal.

“There’s This Case That Says. . . (Depositions)”

October 2007--*The Docket*—San Mateo County Bar Association

“The Codes—They Are a Changin’”

May 2005--*The Forum*—Consumer Attorneys of California

“Oops! Now What Do I Do?”

April 2004--*The Forum*—Consumer Attorneys of California

“I Have This Great Doctor You Gotta See”

August/September 2001--*The Docket*—San Mateo Bar Association

“Do You Have All Your Ducks (Experts) in a Row?”

November/December 1999--*The Docket*—San Mateo Bar Association

“The Ultimate Discovery Outline”

May/June 1999--*The Docket*—San Mateo Bar Association

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“Why Aren’t You Using Requests for Admissions?”

January/February 1999--*The Docket*–San Mateo Bar Association

“Let the Other Guy Do the Work–What Parts of Litigation-Related Investigations are not Protected from Disclosure?”

November/December 1998--*The Docket*–San Mateo Bar Association

“Five of the Most Annoying Discovery Objections by Opposing Counsel and the Rulings That Are Sure To Follow.”

August/September 1998--*The Docket*–San Mateo Bar Association