

Human Touch

Mediator Mark Ameli wins praise for knowing what can solve tough disputes.

By **L.J. Williamson**
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LOS ANGELES — The most significant case in forming Mark Ameli's perspective on mediation was one that settled for zero dollars.

Ameli was still a litigator at the time, and his client was having a dispute with his business partner, who, during an argument, made a deeply offensive remark about the man's mother. Ameli's client took his partner to court and demanded \$200,000.

During the bench trial, the client wept as he recounted the incident, but refused to repeat the insult in English before the judge. He instead described it in Farsi, which Ameli speaks fluently.

The judge urged the parties to settle, but Ameli's client would not back down until Ameli asked him, "What is it that you want?"

His client said, "This son of a bitch never apologized to me."

The opposing party had made a settlement offer of \$25,000, but Ameli's client said he would settle only if there was an apology, given on the record. He added, "I don't want his \$25,000." The apology was all that was needed.

"So I started thinking," Ameli said. "We always stick to the legal aspects of the case, and we forget about the humanity."

Ameli, who has been a lawyer since 1980, specializes in mediating business, personal injury and workers' compensation cases.

In 1994, he began serving as a volunteer arbitrator for the Los Angeles County Superior Court, and felt such an affinity for the practice that he began his own solo mediation firm in 2005. Ameli remained solo until four years ago, when he connected with ADR Services Inc. at the Consumer Attorneys Association of Los Angeles convention, and signed on with firm.

Sharply attired and soft in speech, when Ameli describes the importance of the human dimension of his work, he factors not only clients but attorneys into his calculations.

"I've been a litigator, and I know what kind of pressure these attorneys are under," he said. "They're



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under pressure to perform for their clients even when their clients are unreasonable. They're under pressure by the courts to get everything together. They're under a lot of pressure from every different side, and it affects their humanity too."

Born in Iran, Ameli moved to the U.S. in 1966 to attend UC Berkeley and became an American citizen in 1983. Ameli said his approach to mediation also takes into account cross-cultural factors that he believes he is uniquely positioned to grasp.

Ameli said acknowledging the existence of cultural differences opens up a dialogue. Frequently, people are "more than happy to let you know where their mind is, but you have to spend a little bit of time with them."

Ameli's primary skill is that he is "quite diplomatic," and sensitive to cultural matters that others might miss, said José Paz, deputy city attorney for Compton.

Paz went through a mediation with Ameli in which the party, a man, included his mother in the conversations.

"My sense from the tenor of some things he was conveying during the mediation led me to believe it wasn't the plaintiff himself who was driving the settlement discussion, but the plaintiff's mom," Paz said.

While another mediator might have said to the woman, "With all due respect, you're not the client, your son is," Paz said it seemed clear that Ameli most likely shaped his

discussions with an eye toward the fact that "his audience was Mom."

After the mediation, Paz said the plaintiff's counsel spoke with him, and confirmed that his sense of the mother's importance to the discussions was correct.

Ameli's other contribution was his candor in terms of his assessment of the case, Paz said, as well as his skilled "bedside manner" in gently urging each party to consider the blemishes in their own cases.

"He didn't say anything that might lead anyone to believe 'you have a crap case and you're crazy.' He credited every viewpoint but was pretty facile explaining how somebody might have a different perspective," Paz added.

Ameli is an effective mediator who has "a wealth of knowledge with regard to various litigation issues," said Carlos Perez of The Law Offices of Ramin R. Younessi APLC.

"He's not a judge, but he has an aura around him. When he says something, it carries more value or weight than any typical lawyer," Perez said. "Especially in the employment context, he saw where the value of the case was, and did a good job of letting the defendant know why it makes sense to try to resolve it. It was more of a business negotiation."

Though he's not averse to cracking a joke here and there, Perez said, Ameli's demeanor is serious. "You feel like you're there to get something done, you're there to work.

Mark K. Ameli

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Some mediators are more lax, joking around. When he was working with my client, he conveyed the seriousness and the ramifications of litigation."

Some mediators "really drag it out," but Ameli is quick and gets to the point and doesn't overbill, said Ramin Younessi, of The Law Offices of Ramin R. Younessi APLC. Ameli is "very professional and really knows his cases," he said, as well as being "cordial, friendly, calm and understanding with the clients — he really explains the pros and cons of the case to the clients."

Younessi said he especially appreciated that Ameli doesn't take anything personally.

"If you disagree, he doesn't become affected, and you don't see a wall go up. He's receptive." Younessi added that defense attorneys really like to work with Ameli, "and that gives him a lot of credibility — that means they trust him and they like him."

In his approach, Ameli said that though clients may begin with discussions of legal matters and money, his first task in any mediation is to pull back the all-business veneer and locate the heart of the conflict.

"I'm mindful of the fact that we have the legal aspect on one side, but unless we deal with the human aspect, we're not going to be able to resolve these cases," Ameli said.

Here are some attorneys who have used Ameli's services: Asa Markel, Masuda, Funai, Eifert & Mitchell Ltd.; Carlos Perez, Law Offices of Ramin R. Younessi APLC; Jeffrey Bear, Sommer and Bear; Jason Farhadian, Newport Beach; José Paz, Compton city attorney's office; Laurie Cox, Mark R. Weiner & Associates; Marc Garber, Law Offices of Muhar Garber Av and Duncan; Ramin Younessi, Law Offices of Ramin R. Younessi APLC; Raymond Ghermezian APLC; Scott Greene, Meyers McConnell Reisz Siderman PC; Walter Weiss ALC.