

Tenacious and Creative

Daniel Ben-Zvi of ADR Services leaves no stone unturned to resolve disputes.

By **Matthew Sanderson**
Daily Journal Staff Writer

LOS ANGELES — Daniel Ben-Zvi (pronounced BenzVee) likes to tell people he wages peace.

Since 1995, he has mediated more than 2,500 disputes with highly successful results and is currently a mediator and arbitrator working with ADR Services, Inc.

Before becoming a mediator, Ben-Zvi said he was a passionate trial lawyer, which should not be surprising considering “To Kill a Mockingbird,” “Perry Mason” and other legal dramas greatly inspired him as a kid. As an adult, he’s also enjoyed writing about great lawyering, working briefly on the television show “LA Law.”

“I left Connecticut for the entertainment capital,” Ben-Zvi said about his early career path. “It was probably the only thing that could have lured me away from my exciting litigation career. ... But, I soon discovered that rather than being a writer, I preferred real-life drama. So, based in LA, I went back to being a multistate litigator and ultimately a neutral.”

Michael A. Taitelman, an entertainment litigator at Freedman & Taitelman LLP, calls Ben-Zvi “a really capable mediator.”

“I really like his style,” he said.

One case involved a restaurant chain in Los Angeles, Taitelman said. Another mediation case involved a property dispute in San Fernando Valley.

“He’s got a really good personality and good way about him,” Taitelman said. “He has a way of getting people comfortable and [getting them to] respond to him in how he reads the case.”

What drew Ben-Zvi to switch from



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litigation to mediation can be traced back to the summer of 1977, following his junior year at Rutgers University. He served as a dispute resolution counselor in a pilot program of a New Jersey municipal criminal court.

“I ended up that summer resolving hundreds of minor criminal complaints, like harassment, noisy neighbors and bounced checks,” he said. “It was then I discovered my talent in helping fighting parties end their disputes.”

Ben-Zvi served as a press liaison for a year at the Nazi war criminal trial of Ivan Demjanjuk in Jerusalem in the late 1980s. While observing and studying the trial, he said he learned how a fair, independent system of justice — something that slowly eroded in Nazi Germany — is the bulwark against a potential spread of racist ideologies.

“I left that experience with a greater commitment to do my part in implementing justice and resolving dis-

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putes,” he said.

Ben-Zvi has worked on various panels, such as the American Arbitration Association and Alternative Resolution Centers, but has happily remained exclusive with ADR Services since 2000. Ben-Zvi travels regularly between his offices in Century City, downtown Los Angeles, Irvine and San Francisco.

His practice as a neutral has been diverse and includes business, employment, personal injury, real estate, construction, intellectual property, entertainment, probate, malpractice and civil rights.

Lawyers say neutral navigates difficulties

“Not only do I mediate in diverse areas, I relish resolving disputes that are big as well as small,” he said. “Some days it’s an employment class action or a public works construction case in the eight digits. Other days it’s a feud between neighbors or a business dispute in the five digits. In the end, to each of those involved in a lawsuit or bitter dispute, the real, personal benefits and deep relief to ending their fight can be quite similar, no matter the size of the case.”

Ben-Zvi said he thinks of himself as persistent, and he aggressively tries not to leave any stone unturned.

“The same reservoir I tap for writing — I tap as a mediator,” Ben-Zvi said. “So I very consciously am tenacious and creative.”

He has co-written a book, “Inside the Minds – Alternative Dispute Resolutions,” as well as articles analyzing mediation. He also recently co-wrote a funny-but-true article called, “Believe it or Not: It Happened in Mediation.”

Since 2004, Ben-Zvi has been founder and chairman of the annual City of Los Angeles Mediation Awareness Week, which promotes public awareness of mediation. Two purposes for the weeklong event, he says, are publicizing the “significant benefits” of mediation to the public before going to trial or arbitration and also to remind the city to mediate their disputes. Participants include City Attorney Mike Feuer, Supervising Judge

Daniel Buckley, Councilmember Paul Koretz along with leaders of the Consumer Attorneys Association of Los Angeles, the Association of Southern California Defense Counsel, the American Board of Trial Advocates and the Southern California Mediation Association.

Melissa Tara Daugherty, vice chair of the employment practice at Lewis, Brisbois, Bisgaard & Smith LLP, has brought cases to Ben-Zvi and she credits his creativity and pragmatism in navigating the sessions for the resolution in each occasion. She said his “substantive” legal background works well in mediating cases that “don’t fit perfectly into one box.”

“Dan is an exceptionally skilled mediator with an aptitude for bridging gaps and navigating difficult personalities,” she said. “Oftentimes, the toughest cases are those where the parties are not terribly far apart but are entrenched in their respective positions.”

John P. Dacey, co-managing senior shareholder of Bergman Dacey Goldsmith PLC, calls Ben-Zvi a consummate mediator and arbitrator. He has used Ben-Zvi’s services in public works construction disputes and added he is “at the forefront of his profession as a mediator and arbitrator.”

“He is always prepared and as a mediator is very tenacious about getting the parties to a negotiated resolution,” he said. “I would not hesitate to recommend Daniel as a mediator or arbitrator.”

Rosendo Gonzalez of Gonzalez & Associates, litigator and bankruptcy trustee, said the best quality of any mediator is to tell him the truth. In the last year, Ben-Zvi has helped Gonzalez complete two problematic cases. One was a consolidated case in state court, where Gonzalez represented the plaintiff. Ben-Zvi persevered, despite it “being kind of crazy because so many parties were involved.” A nearly \$3 million settlement was reached.

“I like his style in that he makes everybody comfortable,” Gonzalez said. “There’s some mediators and arbitrators that they think they’re helping, and in reality, they’re not helping. He tends to keep the temperature down and on the same token, he’ll say this is a good part of your case and this is a bad part. That’s the most important thing.”

Gonzalez mentioned another case. “Even after mediation, he was still communicating on it, still going through follow-up emails,” Gonzalez said of Ben-Zvi. Due to Ben-Zvi’s continued efforts, the case settled for nearly \$1.2 million shortly before trial.

Here are some attorneys who have used Ben-Zvi’s services: Melissa Tara Daugherty, Lewis, Brisbois, Bisgaard & Smith; John P. Dacey, Bergman Dacey Goldsmith; Michael A. Taitelman, Freedman & Taitelman LLP; Rosendo Gonzalez, Gonzalez & Associates PLC.