



THOMAS DENVER, ESQ.

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Thomas Denver, Esq. has been exclusively committed to dispute resolution since 2000, following a 27-year career handling civil litigation matters. The strength of his reputation as a neutral is built upon his ability to effectively resolve multifaceted and complex cases. His sharp legal mind, coupled with creative problem-solving skills, has enabled him to facilitate lasting resolution in thousands of cases.

Mr. Denver has achieved an extraordinarily high settlement rate while mediating in excess of 1,000 matters. In addition, he has arbitrated over 600 matters and has served as a referee or special master in dozens of cases in both state and federal courts, by court appointment and at the request of the parties. As a litigator, Mr. Denver has tried over 50 jury trials and is a current member of the American Board of Trial Advocates (ABOTA). Mr. Denver is a founding member of Mediation Masters. He is consistently listed among Northern California's 'Super Lawyers'.

Mr. Denver has substantial expertise with alternative dispute resolution, having served as a settlement Judge Pro Tem for the Santa Clara County Superior Court for more than 25 years, and serving as a Judge Pro Tem for both State and Federal Courts. He has also been a frequent lecturer in CLE educational programs, teaches at the Stanford University Law School Trial Practice Program, and has been an instructor for the Santa Clara County Bar Association and Superior Court.

AREAS OF EXPERTISE

- Complex/Commercial Litigation
- Employment
- Insurance Bad Faith
- Intellectual Property
- Personal Injury / Products Liability
- Professional Liability (Medical and Legal Malpractice)
- Real Estate

ADR EXPERIENCE

- U.S. District Court, Northern District of California, Mediator and Early Neutral Evaluator
- Santa Clara County Bar Association, Approved Mediator, Arbitrator, and Special Master
- Santa Clara County Bar Association, Former ADR Task Force Chair
- Center for Public Resources Institute for Dispute Resolution, Distinguished Neutral
- Association for Conflict Resolution, Member

TRAINING & CERTIFICATION

- Harvard Law School, Basic and Advanced Mediation Skills Programs
- Harvard Law School, Negotiation Project Program
- Straus Institute for Dispute Resolution, Basic and Advanced Mediation Programs
- World Intellectual Property Association, Trained and Certified Mediator
- International Centers for Arbitration, Certified Arbitrator and Mediator

EDUCATION

- Hastings College of the Law, University of California, J.D.
- University of Washington, M.S.
- Syracuse University, B.S.

REPRESENTATIVE MATTERS

Complex/Commercial Litigation: Served by Court appointment or parties' request, in both State and Federal Court, as a mediator, discovery referee and fact finder in cases varying from one under the Perishable Agricultural Commodities Act, to allocation of insurance payments in a flood case, to the full range of Intellectual Property cases, including patent disputes, customer lists, violation of non-disclosure agreements and breach of various contracts for the sale, design, construction and operation of various computer technology facilities and equipment.

Employment: Mediated numerous employment based disputes, including wage/hour, break and mealtime issues, overtime, and discrimination and/or harassment in all forms, including racial, ethnic, sexual and sexual orientation. Cases have varied from those involving mom & pop shops and restaurants to a class action based on discrimination and wage/hour issues against a major Silicon Valley employer. Arbitrated several wrongful termination claims, as well as claims involving allegations of misclassification and executive compensation and vesting.

Insurance Bad Faith: Conducted several bad faith jury trials to successful conclusions and draw on that experience in mediating such disputes. Mediations have been conducted in the context, among others, of alleged arson, fraud in the application and appraisal issues. Several cases involving definitions of total disability and cause of death questions have been successfully resolved. Served as discovery referee on a case involving claims of misleading and deceptive application materials and processes for Fire Loss Coverage implicating approximately 200,000 policies.

Intellectual Property: Mediated or served as a Discovery Referee on numerous cases in several Intellectual Property areas, including Non-Disclosure Agreements (NDAs), customer lists, patent disputes and whistleblower claims. Dealt with cases filed in both State and Federal Court.

Personal Injury/Products Liability: Mediated or arbitrated many hundreds of cases, including auto, pedestrian, construction site, wrongful death in many settings, often in cases where the parties were represented by the very best attorneys in the State and beyond. Product liability cases have

involved punch presses, firearms, farm equipment, vehicles, seatbelts, motorcycle and bicycle helmets and many others, with injuries ranging from relatively minor to catastrophic, including multiple deaths. Cases have been venued in virtually all Northern California counties, Los Angeles, Orange County, San Diego, the Central Valley, as well as in Texas, New York, Florida and Alaska.

Professional Liability: Have arbitrated or mediated more than 100 cases in this area, including medical, dental, veterinary and accountant malpractice claims. Have served as an Arbitrator on many medical claims, involving surgical misadventures, failure to diagnose, delayed treatment and many others, with alleged negative outcomes including death. Have served as an Arbitrator in the Kaiser system for well over twenty years.

Real Estate: Routinely mediate real estate matters, including assertions of non-disclosure. Have arbitrated a number of cases, including those arising out of purchase and sale agreements, lot line and other neighbor disputes, easement issues and issues regarding deposits.