



## MICHAEL R. DILIBERTO, ESQ.

Mediator • Arbitrator



*Your Partner in Resolution*

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Michael R. Diliberto, Esq. is an internationally recognized mediator and arbitrator. Since 2003, he has settled thousands of cases with complex facts and legal issues, earning a reputation as an accomplished mediator who can resolve even the most difficult cases. He skillfully helps the parties engage in respectful and tactful conversations and works hard to keep that dialogue moving forward in a constructive manner along the bumpy road to a settlement agreement.

Mr. Diliberto has the skills of a diplomat who can reframe issues to avoid impasse, the experience of a trial lawyer who has walked the same path with similar clients, and the evaluation skills of a trial judge who has seen it all. His professional and life experiences (including work that enabled him to travel around the world and interact with various cultures), allow him to serve as a trusted neutral who can connect with the parties in a meaningful manner and find creative ways to settle disputes.

Mr. Diliberto recognizes that mediation presents the unique opportunity to solidify relationships between attorneys and their clients, repair and restore relationships between the parties when applicable, and help parties make wise choices to untangle themselves from conflict and move on with their lives. He is adept at gracefully guiding the parties towards an agreement, instead of strong-arming a settlement at all costs.

### AREAS OF EXPERTISE

**Business/Commercial:** Breach of contract and commercial agreements; partnership and corporate matters; dissolution and winding up of partnerships and corporations; buy-sell agreements; joint venture and franchise disputes; attorney/client fee disputes; professional malpractice claims; insurance coverage and bad faith claims. Mr. Diliberto also conducts arbitrations for securities violations claims brought before the Financial Industry Regulatory Authority (FINRA).

**Employment:** Wrongful termination; discrimination (FEHA, Title VII, ADEA, and ADA); sexual harassment; whistleblower and retaliation; individual and PAGA claims for wage and hour violations; executive and personal services contracts; and ERISA. Mr. Diliberto conducts administrative hearings for public employee termination appeals for the City of Los Angeles Civil Service Commission, and retirement benefits appeals for the Orange County Employees Retirement System. Mr. Diliberto also conducts Board of Rights hearings for police officer use of force, officer-involved shootings, and other disciplinary matters for the Los Angeles Police Department.

**Entertainment:** Motion picture, television, music, advertising, internet, new media, and publishing disputes; copyright and trademark infringement; idea submission; misappropriation of name and likeness; First Amendment; defamation; rights of publicity; licensing agreements; royalty accounting; and profit participation. Mr. Diliberto also conducts international motion picture arbitrations involving production agreements, financing agreements, film exhibition agreements, royalties, and above-the-line employment issues brought before the Independent Film & Television Alliance (IFTA).

**Intellectual Property:** Copyright, trademark, trade dress, and patent infringement; rights of publicity, trade secrets, unfair competition, and domain name disputes.

**Real Estate:** Residential and commercial purchase and sale contracts; homeowners associations; partnership disputes; breach of fiduciary duty claims; design and construction defects; boundary lines and easement rights; premises liability; and environmental matters.

#### **LITIGATION AND TRIAL EXPERIENCE**

- Kleinberg & Lerner, LLP, Partner, Los Angeles, California, 1993-2003
- Sheldon & Mak, LLP, Associate, Los Angeles, California, 1990-1993
- Allen, Allen & Hemsley - Solicitors, Sydney, Australia, 1989
- Diliberto, Booth, Sibley & Guttieres, Associate, Miami, Florida, 1987-1989

#### **EDUCATION**

- J.D., University of Miami School of Law, 1987
- Temple University School of Law, Summer Session, Rome, Italy, 1985
- B.A., University of Miami, 1981

#### **SELECTED PROFESSIONAL AFFILIATIONS**

- Appointed Chair, ADR Section, Los Angeles County Bar Association
- Articles Coordinator, Los Angeles Lawyer Editorial Board, Los Angeles County Bar Association
- Appointed Member, Los Angeles County Bar Association Delegation to Conference of California Bar Associations
- Member, Los Angeles Copyright Society
- Past President, Italian American Lawyers Association
- Fulbright Senior Specialist, Council for International Exchange of Scholars
- Administrative Law Judge Pro Tem, Office of Administrative Hearings

#### **SELECTED SPEAKER ENGAGEMENTS**

- Adjunct Professor, Loyola Law School, Los Angeles, California
- Visiting Professor, Elon University School of Law, Greensboro, North Carolina
- Continuing Education of the Bar, Los Angeles, California
- U.S. Department of State, Washington D.C.
- Academy for Training of Judges and Prosecutors of the Republic of Macedonia, Skopje, Macedonia
- Corte Provincial de Justicia, Loja, Ecuador
- Universidad Técnica Particular de Loja, Loja, Ecuador

#### **SELECTED PROFESSIONAL RECOGNITIONS**

- Mediator Profile: "Pursuing Harmony," Daily Journal, Verdicts & Settlements [Feb. 7, 2020]
- Southern California Super Lawyers: Alternative Dispute Resolution
- Mediator Profile: "In Tune at the Table," Daily Journal, Verdicts & Settlements [Nov. 25, 2011]
- Mediator Profile: Daily Journal, Extra [April 19, 2004]

#### **LANGUAGES**

- Fluent in Spanish