



HON. ERNEST H. GOLDSMITH
Judge of the Superior Court, Retired



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MEDIATION

Since joining ADR Services, Inc. as a neutral, Judge Goldsmith has served as a mediator, arbitrator, mock trial jurist, mock arbitrator and discovery referee/special master. He has successfully mediated to settlement numerous cases, including: personal injury, employment, real estate transactions, residential and commercial leasing, real estate non-disclosure, landlord-tenant, construction defect, contract, commercial disputes, probate and trust matters, health care, malpractice, insurance coverage and bad faith, consumer and employment class actions. He has utilized his experience as a Law and Motion and trial court judge to evaluate the strengths and weaknesses of cases in mediation which has proved highly valuable in assisting litigants toward settlement.

As a Judge of the Superior Court in San Francisco prior to joining ADR Services, Inc., Judge Goldsmith conducted hundreds of judicial settlement conferences in most areas of the law. He gained a reputation as one of the most successful settlement judges on the bench.

ARBITRATION

As an arbitrator at ADR Services, Inc. Judge Goldsmith has decided complex cases in construction defect, sale of businesses, partnership, probate, real estate, employment and commercial disputes.

MOCK TRIALS/MOCK ARBITRATIONS

Judge Goldsmith is highly experienced in participating as a judge in mock trials and mock arbitrations. These have included a mock trial concerning a \$600M contract dispute in the computer industry and a mock arbitration in a \$100M real estate development HOA construction defect case. Attorneys have stated that they have found Judge Goldsmith's analysis of their cases to be invaluable to them and their clients in evaluating their cases.

DISCOVERY

Utilizing his extensive experience in ruling on discovery matters as the Law and Motion Judge and in a trial court, Judge Goldsmith has been appointed by Superior and Federal courts as a discovery special master/referee in highly complex cases, including those involving computer software and other technology cases.

JUDICIAL EXPERIENCE

Judge Goldsmith served as a Judge of The Superior Court in San Francisco for twenty years. Most recently, he served in the Law and Motion Department for over three years, where he decided numerous motions for summary judgment/adjudication, discovery and all pre-trial motions. As a trial judge, he presided over cases in almost every area of the law including: torts, employment, commercial insurance, leasing, and real estate, among others.

In addition, Judge Goldsmith presided over complex environmental and pollution cases. He served as the Court's CEQA judge, where he decided several of the most important environmental cases in California. These included the Hunters Point Development case, fishing and water rights in the Klamath River tributaries, the Malibu Coast revision project, as well as numerous local development cases.

LEGAL EXPERIENCE PRIOR TO APPOINTMENT TO THE BENCH

Prior to his appointment to the bench, Judge Goldsmith was in civil practice where he specialized in commercial litigation and nonprofit organization law. He represented nonprofit corporations, foundations, and Asian mutual benefit associations.

Judge Goldsmith's practice was closely involved with the healthcare industry. He represented a full-service hospital, a comprehensive outpatient center, medical practices, as well as senior and assisted living facilities.

EDUCATION

Stanford University School of Law, LL.B.
University of California, Berkeley, M.A. in Political Science
University of California, Berkeley, B.A. in Political Science

PROFESSIONAL AFFILIATIONS AND AWARDS

Judicial Advisor to the State Bar (CLA) Litigation Section Executive Committee
Trial Judge of the Year, San Francisco Trial Lawyers Association
Chair, State Bar Nonprofit Organizations Committee
Chair, Revision Committee, Nonprofit Section, California Corporations Code

SPEAKING PRESENTATIONS

Judge Goldsmith is a frequent presenter at continuing education seminars and programs for attorneys and judges. Topics have included: evidence, discovery, electronic discovery, nonprofit corporation law, trial practice, motion practice, asbestos and toxic tort litigation, recent developments in California law, CEQA, environmental law, and expert witnesses. He has presented in California and nationally before the following organizations:

- Continuing Education of the Bar (CEB)
- California Judges Education and Research (CJER)
- The Brookings Institution
- The American Enterprise Institute
- Thomson West
- Bar Association of San Francisco
- Marcus Evans Seminars
- Harris-Martin Seminars
- Pincus Seminars
- The National Business Institute (NBI)
- The State Bar of California, now CLA