

# VERDICTS & SETTLEMENTS

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## Experienced Perspective

*George Rosenberg relies on 40 years of trials experience to steer parties toward resolution.*

By Shane Nelson

Special to the Daily Journal

George M. Rosenberg believes the sooner disputing litigants can get into mediation the better.

“Certain cases have to be tried because the parties are so diametrically opposed in value and feel so strongly about their positions and liability that there’s just no way to reconcile,” The ADR Services Inc. neutral concedes. “But I’d say a good 90% of the time these cases should settle. Often, however, they go way too far into the legal process. ... I try to encourage people to get into mediation a lot earlier. They can avoid so much stress and save money if they do that. Some cases aren’t ready, but many cases really can be settled very early in the process.”

Rosenberg spent more than four decades trying cases for clients on both sides of the bar. He graduated from Loyola Law School in 1974 and worked for what is now Greene, Broillet & Wheeler in the 1980s, obtaining some of the first jury verdicts in Los Angeles County asbestos cases. He later spent time as a consultant to then California state controller Gray Davis, and focused further on major tort litigation in the 1990s and 2000s. He also did pro bono mediation for a time at the Los Angeles County Superior Court.

In 2019, Rosenberg joined ADR Services full time as a mediator and arbitrator.

“I love it,” he said. “I feel like I can share my knowledge and experience. And I really can explain to the parties how beneficial it is to settle cases.”



Justin L. Stewart / Special to the Daily

Playa del Rey defense attorney Christopher P. Ramsey opposed Rosenberg when he was representing clients and has since used the neutral to resolve personal injury disputes. Ramsey described Rosenberg as a top-notch mediator whose perspective as a former trial attorney distinguishes him from private neutrals who are retired judges.

“George was trying cases, he was evaluating his clients, he was evaluating what he thought a jury would do, and all of that’s very helpful to the parties in a mediation,” Ramsey explained. “It’s not that judges don’t do the same thing, but his perspective is a little bit different having been seated at the counsel table as opposed to on the bench.”

Before a mediation, Rosenberg likes to receive briefs from each side, but he also encourages parties to exchange them. He pointed to personal injury cases as an example in which fully sharing information can be especially helpful.

“The personal injury attorney should understand the defense attorney is typically answering to an insurance adjuster,” Rosenberg explained. “And I definitely encourage sharing everything that’s possible that can help the plaintiff get their case settled. Share all of that with the other side, so they can give you a proper evaluation. ... That goes for the defense as well. If they have a really solid defense or some really significant witnesses that dispute liability,

### George M. Rosenberg

ADR Services Inc.  
Los Angeles

#### Areas Of Specialty:

Personal Injury  
Construction Defects  
Employment  
Business  
Insurance

let the other side know their position because then expectations get more in line with the reality of the case.”

Rosenberg isn't a fan of joint sessions, but he did say he will make mediator's proposals if both sides agree beforehand. And while he noted that he uses a facilitative approach to connect with parties and build rapport, Rosenberg isn't afraid to let disputants know what he thinks.

“I typically employ a much more evaluative mediation process, and the parties seem to respond very positively to that,” he said. “I do give them my opinion, but I don't do that early on in the process. As we get closer to trying to get a resolution, I start to give them more of that type of feedback.”

As an arbitrator, Rosenberg said he's primarily been handling personal injury disputes involving uninsured motorists since he started at ADR Services. Rosenberg said

in that role he reads everything, listens intently to testimony and does his best to come to a fair decision.

“In arbitrations, there's a winner and a loser,” he said. “Just like in trial work, there's a finality to it, but hopefully, parties find that I'm careful, reasonable, listen to the testimony and do my best to come to a just result based on the evidence.”

Pasadena defense attorney Frank J. D'Oro has used Rosenberg several times to successfully mediate personal injury disputes. D'Oro described Rosenberg as a people person.

“He's not a yeller. He's not aggressive,” D'Oro said, noting Rosenberg's time representing plaintiffs can be especially useful. “He's invaluable to the defense attorney because he knows what the process is that the plaintiffs' attorney is going through to get the case settled. ... He knows

the economics of the plaintiffs' side, and he's able to evaluate the presentation of witnesses.”

Ramsey agreed that Rosenberg has a very good feel for the bottom line in cases.

“He understands the economics of the attorney taking the case to trial,” Ramsey said. “But he also understands the economics of how you can win the battle and lose the war, and he brings that perspective very well to both sides.”

San Francisco employment attorney Carolyn A. Knox used Rosenberg last year to resolve a case involving allegations of trade secret theft by a former corporate executive. Knox said Rosenberg was extremely well prepared at the start of the complex mediation.

“I thought he did a very good job of reviewing and understanding the issues,” Knox said. “And not all mediators spend the time to understand the case.”

Knox recalled that the media-

tion went on past midnight, and Rosenberg worked very hard to keep everybody involved.

“I also think he did a very good job managing a bombastic defense counsel,” Knox said. “Not to be a sexist, but some men — I'm sure there are some women but fewer in my experience and I've been doing this a long time — some men just can't back down from their chest beating and their macho affect. And George was very effective, clearly based on the outcome, of getting the tone down in the other room.”

*Here are some attorneys who have used Rosenberg's services:* Frank J. D'Oro, Wesierski & Zurek LLP; Christopher P. Ramsey, Law Office of Christopher Ramsey; Carolyn A. Knox, Ogletree, Deakins, Nash, Smoak & Stewart PC; Gina S. Parsanj, Law Offices of Robyn S. Hosmer; David Gharakhanian Jr., GP Law Group Inc.