



BRADLEY A. BENING, ESQ.

Mediator, Arbitrator, Special Master



Bradley A. Bening, Esq. is one of the most effective and well-regarded neutrals in Northern California. He has successfully mediated more than 2,000 cases throughout his career with a settlement rate of more than 98 percent, particularly in the areas of insurance, business, real estate, construction, intellectual property, corporate and partnership disputes, and professional liability. As a mediator, Mr. Bening has garnered a reputation as a quick study capable of skillfully identifying the core issues at the heart of a dispute. His extensive trial experience and highly evaluative approach to settlement, coupled with his tireless commitment to the settlement process, have established him as a mediator to whom clients can trust their most complex matters with utmost confidence.

Local courts have frequently called on Mr. Bening to mediate or act as Special Master in cases which present unique challenges to case management and resolution. He has been appointed as Special Master and Referee in more than 50 cases in Superior Courts throughout the Bay Area and in Federal Court. As a Special Master, Mr. Bening has helped parties manage and resolve numerous complex construction, real estate, business and insurance matters, utilizing his skills as a mediator to achieve consensus among the parties.

Mr. Bening is an insurance coverage specialist, having represented both insureds and insurers in diverse matters for more than 25 years. He is recognized by both plaintiff and defense counsel as having a keen understanding of their perspectives, and is often selected as the mediator in cases where coverage for one or more defendants is at issue - many times in matters more significant than the dispute in litigation. With his in-depth knowledge of all aspects of coverage, he can readily and accurately assess the issues for plaintiffs, insureds, and insurers while taking into consideration how insurance impacts the settlement.

Mr. Bening has been included in *The Best Lawyers in America* since 2006, was named a *Northern California Super Lawyer* for six consecutive years, and is a member of the American Board of Trial Advocates (ABOTA). He has served on the board of Community Housing Developers, a large nonprofit developer of affordable housing, since 1988 and the board of the Children's Musical Theater of San Jose since 1994. He is also on the board of the American Cancer Society, and Artsopolis, an arts network nonprofit.

AREAS OF EXPERTISE

- Business Litigation
- Real Estate
- Construction
- Insurance
- Partnership Disputes
- Professional Liability
- Intellectual Property
- Personal Injury

LEGAL EXPERIENCE

- Willoughby, Stuart, Bening & Cook, Founding Partner, 1991-2021
- Hoge, Fenton, Jones & Appel, Shareholder, 1982-1991

HONORS & AWARDS

- *The Best Lawyers in America*, 2006-Present
- *Northern California Super Lawyer*, 2005-Present
- *Best Lawyers*, San Jose Insurance Law "Lawyer of the Year," 2012
- "Lifetime Commitment to the Theater," San Jose Children's Musical Theatre, 2011
- *Metro Magazine*, Best Litigator in Silicon Valley, 2011
- AV-Rated by Martindale Hubbell
- Bening Family Courtyard and Play Space, Dedication to Bening Family

PROFESSIONAL/COMMUNITY ACTIVITIES

- Children's Musical Theater of San Jose, Mentor Adult Member, 1994-Present
- Community Housing Developers, a Large Nonprofit Developer of Affordable Housing, Board Member, 1988-Present
- Association of Defense Council, Member
- American Cancer Society, Board Member
- Artsopolis, Board Member
- California State Bar, Member
- Santa Clara County Bar Association, Member

EDUCATION

- J. D., University of California at Davis School of Law, 1982
- B.A., Political Science, California State University, Chico, 1978
 - Honors: *Cum Laude*, Highest Honors