

VERDICTS & SETTLEMENTS

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Pays attention to priorities *Former judge Dennis Landín finds satisfaction in helping others make decisions*

By Shane Nelson

Special to the Daily Journal

Private neutral Dennis J. Landín spent more than 20 years on the Los Angeles County Superior Court bench, a job where he recalls encountering a fair bit of disappointment.

“One thing that would happen all the time when I’d do a jury trial - when the verdicts were read, I’d be looking at the party on the losing side, and I could see either the sadness or anger or frustration on their face,” Landín recalled. “And I’d feel bad for them.”

“There are so many things that can happen immediately before, during and after trial that could derail a slam-dunk case,” Landín continued. “I know that because I was a lawyer, and I tried hundreds of cases as a judge. If there’s a way to resolve it without going through the trial, I think it’s best for everyone.”

A 1980 UCLA School of Law graduate, Landín spent 20 years at the federal defender’s office in Los Angeles before his two decades on the bench, where he handled criminal and civil assignments.

Before his retirement in March 2023, Landín spent 14 months in a mandatory settlement conference assignment, often trying to resolve two cases on the same day.

“For all my judicial career, I had to make decisions,” he said. “But when you do mediations - or settlement conferences - you’re helping other folks make those decisions. And I just found that to be a lot more satisfying.”

Landín joined the ADR Services, Inc. roster of private neutrals right after his retirement last spring, and he’s since been handling personal



Justin L. Stewart / Special to the Daily Journal

injury, employment, business, trade secrets and intellectual property cases as a mediator and an arbitrator. He noted, however, that while he has several arbitrations lined up in coming months, he hasn’t yet conducted an arbitration hearing.

“I know the rules of evidence, and I also know how to move cases along and deal with difficult personalities,” Landín said. “I can’t say I’ve seen it all, but I’ve seen a lot. ... I’ll be efficient. I’ll know the rules. I’ll read everything - and more than once if necessary. On the other hand, I am pretty flexible. I know sometimes things don’t go as planned.”

Landín likes to receive briefs from all parties and speak over the phone with counsel before his mediations. He also likes to start his remote mediations with everyone involved all together.

“Unless the lawyers don’t want to, I will do a joint Zoom session just so both sides know who’s on the other side, and they can [put] a face to a name,” Landín explained. “Whether it’s the family of a loved one who’s harmed looking at the adjuster, or the adjuster looking at the family - I think it helps later on when I talk to them. And that only takes about five minutes.”

Hon. Dennis J. Landín

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Quick to describe himself as a much more facilitative mediator, Landín said he typically begins by speaking first with the plaintiff.

"I'll tell the defense counsel to go ahead and walk the dog or feed the cat," he said with a chuckle about his Zoom mediations. "I usually don't ask the plaintiff for a specific demand during the first session with them. I just want to let them talk. Sometimes plaintiffs just need to vent. And since I'm a retired judge, I think some of them want to vent and tell their story to a judge - or former judge. I let that happen, and I think that's appropriate."

Landín noted that when mediations reach a point where neither side is moving, he will adopt a more evaluative approach and ask parties if they'd like to hear his opinion. Landín said his take on the dispute has sometimes been welcomed, but on other occasions it hasn't.

"Often, they just want to let me know their views, and I get the impression that whatever I say may not change their mind about how

strong their case is, which is fine," he explained. "I'm pretty flexible, and I often ask the lawyers, frankly, in the initial conversation [on the phone] if they're going to want my opinion early on or not at all or later."

Costa Mesa defense attorney Kaitlin J. Hall worked recently with Landín on a breach of contract dispute that he settled with a mediator's proposal.

"He really took to heart everything that we prioritized in the mediation - the points we really felt strongly about," Hall said. "And he carried our priorities through to the end and tried to find something that worked for both sides as opposed to pushing either side to compromise on something that was important. It was one of those rare instances where the settlement sort of felt like a win for both sides."

Irvine plaintiffs' attorney Tamara S. Freeze has used Landín twice to resolve employment claims of wrongful termination and retaliation. She said he is very diplomatic and empathetic.

"He connects with clients very well, and I think he listens really well," Freeze said. "And he doesn't waste time. He's very good at figuring out the weaknesses of the case and getting explanations for it. He just has a really great connection with the lawyers and the clients and a great demeanor, where he's trying to help out. He's non-combative. He's not off-putting. ... Both of my clients really liked him."

Pasadena business litigator Warren O. Hodges Jr. used Landín recently to resolve a homeowner's dispute with a contractor and said the mediator "did a good job of never revealing his hand of leverage."

"I'm still not sure exactly what he told the other side to make them understand that they needed to get it settled," said Hodges, who represented the plaintiffs, "because the insurance company in our case had some pretty good defenses. But they put up a substantial sum of money."

Hodges also said Landín did a terrific job of making his clients feel like they were emotionally un-

derstood, which played a key role in resolving the matter.

"He got what they were saying. They felt heard and respected in the process, so they were content with the result," Hodges explained. "And he kept the pressure on the other side, and ultimately, they saw my clients I think the way he saw my clients. ... They understood we weren't grasping at straws, and we were really damaged, and if we had to put that case in front of a jury, it would be likely the jury would receive it the same way. He communicated that very well, and that's where the case settled. It settled on the personal parts."

Here are some attorneys who have used Landín's services: Kaitlin J. Hall, Ross, Wolcott, Teinert & Prout LLP; Warren O. Hodges Jr., Ritt, Tai, Thvedt & Hodges LLP; Tamara S. Freeze, Workplace Justice Advocates PC; Gregory G. Lynch, Lewis Brisbois Bisgaard & Smith LLP; Michael J. Larin, Lynberg & Watkins.

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