

HON. EVELIO M. GRILLO (RET.)

MEDIATOR • ARBITRATOR • REFEREE



AREAS OF EXPERTISE:

Business/Breach of Contract
Civil Rights
Class Actions
Complex Litigation
Elder Abuse
Employment
Landlord/Tenant
Partnership Dissolution
Personal Injury
Probate and Trust
Real Estate
Wage & Hour/PAGA



Your Partner in Resolution

Hon. Evelio Grillo comes to ADR Services, Inc. with a strong background in mediation, settlement, and arbitration. Prior to joining ADR Services, Inc., Judge Grillo served as the Alameda County Superior Court's primary settlement judge from 2012 to 2017 and as the court's Supervising Settlement Judge from 2017 to 2019. As the first Supervising Settlement Judge, Judge Grillo spearheaded the formation of the court's Settlement Department, one of the first stand-alone dedicated settlement departments in the State of California, and a concept deemed revolutionary at the time. Judge Grillo established the first protocols and procedures for the Settlement Department, and introduced innovative settlement techniques such as the use of double-blind mediators' proposals, actuarial case evaluation and jury verdict analysis in judicial settlement conferences. After leaving the Settlement Department for Civil Direct Calendar and Complex Litigation, Judge Grillo, as the chair of the court's ADR Committee, successfully advocated for the replacement of the court's judicial arbitration program with court mediation, a transformation welcomed by both the plaintiffs' and the defense bars, and which opened up the court's ADR processes to the mediation community.

Judge Grillo has broad experience in settling single and multiparty civil cases, both simple and complex. These include cases involving significant economic and non-economic damages, as well as catastrophic injury and death. A partial list of the case types Judge Grillo has settled include single and multiple plaintiff statutory and habitability claims filed against management companies and property owners; single and multi-party employment claims for wrongful termination, sexual harassment and race discrimination; personal injury, wrongful death and disfigurement claims arising from simple negligence, industrial injury, or defective products; premises liability and dangerous condition of public property; real estate fraud, easement, boundary and cotenant disputes; breach of contract and business disputes; and statutory and common law elder abuse claims. Judge Grillo has earned a reputation for crafting innovative settlements to resolve complex, multi-party disputes, and he is at his best where interpersonal conflicts present barriers to settlement.

Judge Grillo is known throughout the legal community for his extraordinary legal acumen, superior listening skills and patience, qualities that contribute to his success as a settlement judge and mediator. Judge Grillo handled an average of five to eight cases per week as a settlement judge, and successfully settled over 1,000 cases during his judicial career. A proponent of both evaluative and facilitative mediation, Judge Grillo's problem-solving approach is grounded in a deep respect for the legal process and a belief in the importance of clear, reasoned communication. Judge Grillo demonstrates patience, thoughtfulness, and a blend of humility and wisdom, understanding that the best resolutions often come from listening carefully, asking the right questions, and allowing the parties to explore all possible avenues for agreement.

In addition to his experience as a settlement and trial judge, Judge Grillo has contributed significantly to the development of arbitration law in California through the publication by the California Supreme Court and the First District Court of Appeal of four of Judge Grillo's trial decisions on arbitration unconscionability, the enforcement of arbitration agreements by non-parties, and the validity of arbitration clauses waiving statutory remedies. *OTO, L.L.C.v.Kho* (2019) 8Cal.5th 111; *Vaughn v. Tesla, Inc.* (2023) 87 Cal.App.5th 208; *DeMarinis v. Heritage Bank of Commerce* (2023) 98 Cal.App.5th 776; *Mattson Technology, Inc. v. Applied Materials, Inc.* (2023) 96 Cal.App.5th 1149.

Judge Grillo's dedication to alternative dispute resolution includes over a decade of experience as a court-appointed discovery referee and court arbitrator prior to his appointment to the bench. Appointed to the Alameda County Superior Court in 2003, Judge Grillo presided over more than 200 jury and court trials across civil, criminal, and family law. Judge Grillo is a graduate of Harvard Law School and the University of California at Berkeley.

EDUCATION

- Juris Doctor, Harvard Law School, 1985
- Masters of Public Policy, University of California, Berkeley, 1980
- Bachelor of Arts. Political Science, University of California, Berkeley, 1976

JUDICIAL EXPERIENCE

Judge of the Superior Court, Alameda County Superior Court, 2003-2024

- Complex Litigation, 2021-2023
- Judicial Council assignment, Coordinating Trial Judge for JCCP cases filed in Northern California, 2021-2023
- Superior Court Appellate Panel, Supervising Judge, 2021
- Superior Court Appellate Panel, Member, 2019, 2020
- Civil Direct Calendar, 2018-2021
- Settlement Department, Supervising Judge, 2016-2017
- Civil Law & Motion and Writs & Receivers, 2012-2016
- Civil Direct Calendar, 2009-2011
- General Criminal Law, 2006-2008
- Family Law, 2003-2005

Judicial Committees and Activities

- Alameda County Superior Court, Executive Committee
- Alameda County Superior Court, Civil Committee
- Alameda County Superior Court, Personnel Committee
- Alameda County Superior Court, Self-Represented Litigants Sub-Committee
- Alameda County Superior Court, Access Committee
- Alameda County Superior Court, ADR Committee

PROFESSIONAL EXPERIENCE

Partner, Grillo & Stevens LLP, Oakland, CA, 1995-2003

- Represented municipalities, businesses and individuals at the trial and appellate levels with emphasis on civil rights and employment, and business torts. Served for eight years as court-appointed discovery referee and special master in commercial and business litigation, and as a court-appointed arbitrator in business and personal injury litigation.

Attorney, San Francisco, CA, 1985-1994

- Represented corporations and partnerships in complex commercial and business litigation, including real estate, labor, breach of contract, lender liability and fraud claims, and individuals in general civil and personal injury litigation while associated with Pettit & Martin, Levy, Samrick & Bernard, Inc., and Arnelles & Hastie.

AWARDS

- Trial Judge of the Year, Alameda-Contra Costa Trial Lawyers Association (ACCTLA), 2021
- Trial Judge of the Year, Alameda-Contra Costa Trial Lawyers Association (ACCTLA), 2015
- Judicial Excellence Award, East Bay La Raza Lawyers Association

PROFESSIONAL AFFILIATIONS (PARTIAL)

- Alameda County Bar Association, Member, 1994-Present
- Alameda County Bar Association, Board of Directors, 1994-1997
- California Judges Association
- Complex Civil Litigation Judges' Workshop, 2022-2024

TEACHING EXPERIENCE

- Lecturer, Berkeley Law (formerly Boalt Hall), Civil Trial Practice, 2022, 2023, 2024
- Clinical Instructor, Stanford Law School Student Advocacy Workshop, 1995-1996, 1998, 2002-2010
- Instructor, Oakland College of Law, *Civil Procedure*, 1992-1993, 1994-1995, 1995-1996, 2000-2001, 2002-2003

PUBLICATIONS (PARTIAL)

- *California Civil Discovery*, Matthew Bender & Co. (2004-2020) (Co-Author and Editor).
- *Pretrial Proceedings*, California Forms of Pleading and Practice, Matthew Bender & Co. (1996).
- *Impact of New Sanctions Statute on Litigation in California*, California Forms of Pleading and Practice, Matthew Bender & Co., February 1995.
- *Union Bank v. Superior Court: California's Celotex*, California Litigation, Fall 1995.
- *Planning and Executing a Successful Motion for Summary Judgment*, Los Angeles Daily Journal, November 15, 1994.
- *More Thoughts on Summary Judgment*, Los Angeles Daily Journal, November 16, 1994.
- *Try Judicial Notice in Pre-Trial Process*, Los Angeles Daily Journal, September 24, 1992.