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The right size

Neutral Gregory Keosian tackles dispute resolution with a flexible approach.

By Shane Nelson

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Before taking the bench, retired judge Gregory Keosian practiced litigation for 14 years alongside his father, regularly representing plaintiffs in personal injury cases.

“A lot of people would ask me, ‘How is it working with your dad? I could never work with a family member. I could never work with my dad,’” Keosian recalled with a chuckle. “But it really was an amazing experience for me to have a coach and to have a teacher, who would provide me with all the insight in terms of how to try a case, how to settle a case, how to always put your clients’ interests first. ... It was a blessing to have that.”

A 1986 University of West Los Angeles School of Law graduate, Keosian spent 16 years litigating before he was appointed to the Los Angeles County Superior Court in 2002 by Gov. Gray Davis. Keosian started his more than two decades on the bench running a limited jurisdiction civil courtroom, but he later tackled an appellate assignment and then managed a general jurisdiction independent calendar for nine years before his retirement in May 2024.

“I really loved the independent calendar court because you just see so many different cases,” Keosian said. “You’re learning all the time. You’re constantly seeing new issues as an IC judge, and there’s never a dull moment.”

Keosian joined the ADR Services, Inc. roster of private neutrals in June 2024, and he’s since been tackling personal injury, employment, pro-



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fessional malpractice, commercial, civil rights and construction disputes – primarily as a mediator.

“I haven’t had a chance to actually do many arbitrations yet, but I’m looking forward to it,” Keosian explained. “I miss making rulings and making decisions on cases.”

He made it clear that he’s enjoying his new role, adding that he likes to receive briefs from all the parties before his mediations. He will also speak over the phone beforehand with counsel.

On the day of mediation, Keosian said he begins by spending time with attorneys and their clients. But he likes to speak directly with the parties at some point “just to get a feel

from them as to what their thoughts are, what their feelings are, how they want to resolve the case.”

Keosian noted that the cases he mediates are not always just about money.

“Maybe it’s about how things were handled or how they were treated,” Keosian said, providing some examples. “And that’ll give me some insight in terms of how to approach something that may not be a monetary settlement. Maybe we can have some procedures or policies changed? Or if the issue was a manager, maybe the manager can be transferred to a different location?”

Los Angeles plaintiffs’ attorney Jamon R. Hicks used Keosian re-

Hon. Gregory Keosian (Ret.)

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cently to resolve an employment dispute, involving a plaintiff who was still working at the company during the case.

“I liken it to going through a divorce, and you guys are still living in the same house,” Hicks said with a chuckle. “It can be a very toxic situation.”

Hicks said Keosian navigated the emotions of that case with a great deal of compassion.

“The judge was really trying to present both parties with a solution and a settlement that would end the employer-employee relationship, but at the same time make sure the client was able to settle with something fair and equitable,” Hicks explained. “And I thought the judge showed a lot of kindness and patience to a plaintiff that really needed that kind of guidance.”

Keosian said that as a mediation progresses, it’s not uncommon for him to tactfully share his thoughts on how a judge or jury may view a case, based on his more than two decades of experience on the bench.

“I’ll try to raise those issues just to make sure everyone’s being re-

alistic and understanding what the strengths and weaknesses are,” Keosian said. “But I try to do that in stages as we progress through the mediation.”

Hicks said Keosian’s thoughtful discussion with his client about the reality of the case played a big role in resolving the dispute.

“When you have a neutral that really takes the time to listen and provide that independent evaluation based on experience, I think that goes a long way with clients,” Hicks said. “Because now they feel not only heard by their attorneys, but they feel heard by this other party. And when it’s somebody that has a judicial background, where they can share their experiences at trial and what they saw from the bench, I think it goes a long way in building trust with the client.”

Keosian added that he will make use of mediator’s proposals, but he was quick to note that no two cases are the same.

“Every plaintiff and defendant is so different. Every lawyer is so different,” he said. “So you just have to be flexible because one approach

is not going to work for everybody. You just have to realize that when you’re having your initial conversations and gauge how you’re going to approach the case. Being flexible and not sticking to one approach is a great asset.”

La Crescenta defense attorney Harry Safarian used Keosian recently to settle an emotional multi-unit, multi-plaintiff habitability case.

“The parties had very long-term relationships with one another as landlord and tenant,” Safarian said. “So, because of the nature of the parties’ relationship, it was all the more complicated and challenging. This was not just about money. There was a lot of emotion invested in the case by both sides.”

Safarian said the retired judge was not only very effective at zeroing in on the issues of the case and asking the right questions during the mediation, but he also handled the dispute’s challenging emotions well.

“And it was his ability to work through those non-money aspects of the case,” Safarian added, “and to get people to perceive things from the [viewpoint of the] opposing side

that really helped smooth the way towards resolution.”

Los Angeles defense attorney Phillip A. Baker used Keosian recently to resolve a challenging legal malpractice dispute.

“It was a very complicated case in a very unique area of the law,” Baker explained. “But he had an excellent grasp on all the issues right from the outset.”

Baker said competing interests on the defense side were another substantial challenge in the case.

“So, he can even have competing interests in the same room, and he’s still able to facilitate resolution,” Baker said. “He just listens to every party, and he gives everybody a fair shake.”

Here are some attorneys who have used Keosian’s services: Jamon R. Hicks, Douglas Hicks Law APC; Harry Safarian, The Safarian Firm APC; Phillip A. Baker, Baker Keener & Nahra LLP; Douglas R. Irvine, Lewis Brisbois Bisgaard & Smith LLP; Morgan A. Metzger, Glickman & Glickman ALC

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