

DATE: 7/12/10

CPR Panelist Questionnaire

This form will permit CPR staff to access your information when disputants seek panelists.

1. IDENTIFICATION DATA

Name Richard Chernick
Courtesy title:
Applicable suffix:
Firm/Company: JAMS
Street: 707 Wilshire Bl. Suite 4600
PO Box (if any):
City: Los Angeles
State: CA
Zip: 90017
Country: USA
Preferred Phone: 213/253-9790
Secondary Phone: 310/470 5171
(not cell phone) Check here to restrict to CPR Use only
Fax: 310/446-9719
Cell Phone: 213/247-4252
 Check here to restrict cell to CPR Use only
e-mail: rchernick@jamsadr.com
Web Site (if any): www.jamsadr.com

Responses to the following questions on Race, Gender and Citizenship are optional.

RACE:

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above five races.

GENDER: Male Female

CITIZENSHIP: List Citizenship (*If multiple, list with commas between*): US

LANGUAGES: Please check your language ability in any foreign languages below (other than English) and indicate if you are fluent (can conduct an ADR proceeding in that language) or have read-only ability:

English		
Fluent	Fluent	Fluent
N/A	N/A	N/A

PATENT OFFICE. Are you licensed to practice before the U.S. Patent & Trademark Office? Yes

CERTIFIED PUBLIC ACCOUNTANT. Are you a Certified Public Accountant? Yes

GOVERNMENT SECURITY CLEARANCE: Have you ever had a U.S. Government Security Clearance? Yes

Dates
Level (e.g., Confidential, Top Secret)

Note: A resume may be substituted for Items 2-3.

2. EDUCATION & LICENSES

A. Enter your most significant university educational degrees starting with the most recent.

Year	School	City/State	Degree (spell out acronyms)
1967	UCLA	Los Angeles	AB
1970	USC	"	JD

B. Specify any licenses, jurisdiction and date of licensure: (Include Bar Admissions for lawyers and/or other professional licenses that apply; i.e., Architect, Engineer, etc.) (Spell out acronyms)

License	Year Issued	State/Country	Current (Y or N)
CAL/Attorney	1971	CAL	Y

3. WORK HISTORY

Provide a list of your work history starting with the **most recent position**.

Use the codes from the table below in Column 5.

Note: Judicial experience appears separately at Question 5, below.

Duties if a Lawyer in this Position	Duties if a Non-Lawyer in this Position
(1) Litigator (law firm, government, public interest)	(Specify duties and division/department tersely)
(2) Partner	(16) Engineer: Civil, Structural, Mechanical
(3) Associate	(17) Architect
(4) Managing Partner	(18) Contractor
(5) Shareholder	(19) Sub/Contractor
(6) Transactional attorney	(20) President
(7) In-house counsel in any capacity	(21) Vice President
(8) General Counsel	(22) Director
(9) Assoc. General Counsel	(23) Head of Division
(10) Arbitrator	(24) Corporate Business Person: (specify division or department functions tersely; E.g., Corporate Sales; Construction Management; Technology Development)
(11) Mediator	(25) Other
(12) Law Professor: Full Time	
(13) Adjunct Professor	
(14) Judge (must specify title)	

(15) Other

<u>Col 1</u> Dates of Service	<u>Col 2</u> Company/Firm Name	<u>Col 3</u> City/State	<u>Col 4</u> Your Title	<u>Col 5</u> Duties/ Functions (See box above)	<u>Col 6</u> Primarily represented Plaintiffs (Insert "P") or Defendants (Insert "D") or leave blank if NA **
2001-1994	JAMS	Los Angeles	VP	1 4/10/11	NA
	NAA	"	Board	1 10/11	
			or-Dir	1	
1971-94	Gilman Mann & Crutcher	"	2	1 1	
				1	
				1	
				1	

**** Insurance Industry -**

- Use "P" for Policy Holder Representation
- Use "D" for Insurer Representation

4. ADR NEUTRAL EXPERIENCE

a. Neutral and Advocate Roles:

Please provide your best estimate of the number of times you have been a Neutral and/or an Advocate in the following types of ADR procedures, if applicable to you: *

		Overall	Last 12 Months
Arbitration	Total # Neutral Arbitrator Service	None 1000	None 60
	# of total as Sole Arbitrator	None 800	None 40
	# of total as Tribunal Chair	None 150	None 12
	# of total as Class Action Arbitrator	None 10	None 2
	# as Advocate in Arbitration	None 100	None
Mediation	Total # Neutral Mediator Service	None 500	None 50
	# of total as a Co-Mediator	None 1	None
	# of total as a Multi-Party Mediator	None 100	None 20
	# of total as a Process Design Mediator	None 5	None 0
	# as Advocate in Mediation	None 50	None
Early Neutral Evaluation	Neutral	None	None

		Overall	Last 12 Months
	Advocate	None	None
Facilitation of Multi-Party Defense	Neutral	None	None
	Advocate	None	None
Mini-trial Chair	Neutral	None	None
	Advocate	None	None
Private Judging	Neutral	25	7
	Advocate	None	None
Reg - Neg	Neutral	None	None
	Advocate	None	None
Special Master	Neutral	None 5	None 2
	Advocate	None	None
Summary Jury Trial	Neutral	None	None
	Advocate	None	None
Dispute Review Board Member	Neutral	None	None
Dispute Review Board Chair	Neutral	None	None
Partnering Neutral	Neutral	None	None
Ombudsperson		None	None
Other			

*If you feel that the numerical range you checked off does not fully reflect the depth of your experience (e.g., you served as mediator just once but it was an unusually protracted and complex matter, please describe:

5. PROFESSIONAL AND ADR CONCENTRATIONS

I want to be considered as an: Arbitrator Mediator

CPR maintains the following Specialty Rosters that may involve peer review. Please indicate whether you wish to be considered for any such rosters:

- | | |
|--|--|
| <input type="checkbox"/> Arbitration Appeal (Appellate Judges only) | <input type="checkbox"/> Franchise <i>W</i> |
| <input checked="" type="checkbox"/> Banking, Accounting and Financial Services | <input type="checkbox"/> General Counsel (former GCs of Fortune 500 corporations only) |
| <input checked="" type="checkbox"/> Bio-Tech | <input checked="" type="checkbox"/> Healthcare & Life Sciences |
| <input checked="" type="checkbox"/> Certified Public Accountants | <input checked="" type="checkbox"/> Insurance <i>W</i> |
| <input checked="" type="checkbox"/> Construction | <input checked="" type="checkbox"/> Insurer-Policy Holder Coverage |
| <input checked="" type="checkbox"/> E-Discovery | <input checked="" type="checkbox"/> International |
| <input checked="" type="checkbox"/> Employment | <input type="checkbox"/> Judicial Roster |
| <input type="checkbox"/> Energy, Oil & Gas | <input checked="" type="checkbox"/> Sports Law |
| <input checked="" type="checkbox"/> Entertainment | <input type="checkbox"/> Taxation |
| <input type="checkbox"/> Environmental | <input checked="" type="checkbox"/> Technology |
| | <input type="checkbox"/> Trademark <i>LA</i> |

A number of the specialty panels (Construction, Employment, Energy, Insurance, International and Technology) require completion of an addendum at the end of this questionnaire. If you have indicated an interest in a specialty panel other than those, please describe your qualifications for the specified panel(s), e.g., percent of time spent in training or practice in that area, description of cases handled, etc.:

_____.

Without this information, we cannot evaluate your experience in the field.

Please detail your areas of concentration with “P” for a primary area of practice and “S” for a subsidiary area of practice. Note: these are areas in which you already have experience, rather than areas in which you are interested.

AREAS of Concentration	Col.2 Professional Concentrations/Specialties (as lawyer, business person, advocate or judge but not as arbitrator or mediator)	Col. 3 Arbitrator Concentrations	Col. 4 Mediator Concentrations
<i>Construction Specialists</i>			
Construction Defects		P	P
Claims for Delay		P	P
Claims for Extras		P	P
General Building Construction		P	P
Government Contracts			
Hazardous Waste			
Health Facilities			
Industrial (Mills, Refineries, Pharma)			
Insurance Indemnity & Contribution			
International (incl. FIDIC)		P	P
Manufacturing Construction		S	S
Marine			
Mold			
Petroleum			
Power			
Sewage/Solid Waste			
Available Under Construction Expedited Rules			
Telecommunications		P	P
Transportation (Bridges, Roads, Tunnels, etc.)		P	P
Water Supply			
Construction Other			
<i>Employment Specialists</i>			
Civil Rights and Compensation			
Employee Benefits/Erisa		S	S
Executive Compensation		P	P
FLSA		P	P
Statutory Discrimination Claims		P	P
Other - Employment			
<i>Energy, Oil & Gas Specialists</i>			
Alternative/Renewable Energy			

Electric Generation			
Electrical Transmission			
Electric Distribution			
Electric/Power Marketing			
Alternative/Renewable Energy	-	-	-
Nuclear	-	-	-
Oil & Gas			
Oil/NG Exploration/Production			
Natural Gas Pipeline			
Nuclear			
Oil/NG Marketing			
Oil Pipelines			
Coal Industry			
Liquefied Natural Gas			
Refining & Petrochemical			
Selected Upstream Issues			
Selected Natural Gas Issues			
Selected Oil Issues			
Solar	-	-	-
Risk Management Services			
Rural Electric Co-op Industry			
Expropriation			
Other – Energy			
Healthcare & Life Sciences			
Biotech		P	P
Food, Drug & Cosmetics		P	P
Healthcare		P	P
Hospital Law		P	P
Licensing (Medical)			
Life Sciences			
Malpractice (Medical)		P	P
Managed Care			
Medical Devices		P	P
Medical Research Ventures			
Peer Review			
Pharmaceuticals		P	P
Physicians			
Reimbursement Disputes			
Insurance Specialists			
Construction Defect Insurance			
Directors & Officers Insurance		P	P
Environmental Insurance			
Fidelity Bond			

Financial Institutions Insurance			
Insurance General		P	P
Insurance Health			
Insurance Life			
Insurance Property & Casualty		P	P
Reinsurance		S	S
Insurance Telecommunications			
Insurance Other			
Technology/Intellectual Property Specialists			
Aeronautics			
Biology			
Biotechnology			
Business Methods			
Materials (polymers, ceramics, etc)			
Chemistry			
Computers & Software		P	P
Electrical			
Electronics			
Intellectual Property		P	P
Internet		S	S
Mechanical			
Medical Devices			
Nanotechnology			
Optics			
Patents			
Pharmaceuticals		P	P
Privacy/EU Safe Harbor			
Robotics/Machine Vision			
Semiconductors			
Signal Process/Video/CommSysts			
Telecommunications		P	P
Textiles			
Other - Technology/IP			
General Concentrations			
Accounting - Forensic		P	P
Accounting - General		P	P
Accounting - Litigation		P	P
Accounting - Valuation		P	P
Administrative law			
Agriculture			
Antitrust		P	P
Asbestos			

Automotive			
Aviation/Aerospace		S	S
Banking		P	P
Bankruptcy			
Business Disputes		P	P
Chemicals			
Civil Rights & Liberties			
Class Action (Defendant Side)			
Class Action (Neutral)		P	P
Class Action (Plaintiff Side)			
Commercial Law		P	P
Commodities			
Communications & Media		P	P
Community Organizations			
Computer law		P	P
Construction		P	P
Consumer Affairs			
Contract-Government			
Contract-Manufacturing		P	P
Copyright		S	S
Corporate (Financing)		P	P
Corporate (General)		P	P
Corporate (Governance)			
Corporate (Transactions)		P	P
Corporate (Underwriting)			
Debtor/Creditor		P	P
Defamation/First Amendment			
Domain Name			
Employment		P	P
Energy, Oil & Gas			
Entertainment		P	P
Environmental (Cleanup)			
Environmental (General)			
Environmental (Regulatory)			
False Advertising/FTC		S	S
Financial Services		P	P
Franchise		S	S
Fraud/Misrepresentation		P	P
Housing & Urban Development			
Information Technology		P	P
Insurance		P	P
Intellectual Property		P	P
International (Environmental)			

International (General)		P	P
International (Trade)		P	P
International (Transactions)		P	P
Labor Relations			
Leasing		P	P
Licensing (General)		P	P
Licensing (Software)		P	P
Malpractice (Legal)		P	P
Manufacturing		P	P
Maritime			
Merger & Acquisition		P	P
Mining			
Municipal Law			
Natural Resources			
Non-Profit Organizations			
Partnership Disputes		P	P
Patents/Trade Secret		S	S
Personal Injury			
Product Liability			
Professional Fees		P	P
Real Estate (Banking & Finance)		P	P
Real Estate (Development)		P	P
Real Estate (General)		P	P
Real Estate (Land Use/Zoning)			
Real Estate (Leasing)		P	P
Regulated Industries			
Reinsurance		S	S
Religious Entities			
RICO		P	P
Securities		S	S
Sports Law		P	P
Taxation (Corporate)			
Taxation (General)			
Taxation (Individual)			
Taxation (International)			
Taxation (Partnership)			
Technology/Science		P	P
Torts (Business & Property)		P	P
Torts (General)		P	P
Torts (Mass)			
Torts (Toxic)			
Trademark		S	S
Trade Secrets		S	S

Transportation		P	P
Trusts & Estates		S	S
Unfair Competition		P	P
Water Law			
Workouts			

Representative Matters; e.g.:

1. FIAT v. Suriname, 88 Civ. 6639 (SDNY Oct. 11, 1989) (advocate; motions to confirm/vacate arbitral award).
2. Medical device manufacturer v. Patentholder (arbitrator in multimillion dollar patent dispute).
3. *See bio attached*

6. ADR ROSTER LISTINGS

Complete tables if you are currently listed on the roster or panel of neutrals maintained by any ADR organizations (e.g., AAA, JAMS, CEDR, ICC, International Academy of Mediators, Regional Provider, Government Agency Roster, Court Roster, Other?) Include CPR Institute Panels you are already on, if any.

a. ARBITRATOR ROSTERS of ADR ORGANIZATIONS

Organization	Arbitration Roster (& any sub-roster)	Years on Roster	Estimate Average Amount in Claim in Cases from Each Organization	Best Estimate of the Number of Cases on which You Served as an Arbitrator for this Organization
<i>Example: AAA</i>	<i>Large Complex Case Panel</i>	<i>3 years</i>	<i>\$3 Million average</i>	<i>2 cases</i>
JAMS	all	9	\$5 MM	300
AAA	LCR ICR	7+	\$2 MM	500
	CommL			

b. MEDIATOR ROSTERS of ADR ORGANIZATIONS

Organization	Mediation Roster (& any sub-roster)	Years on Roster	Estimate Average Amount in Claim in Cases from Each Organization	Best Estimate of the Number of Cases on which You Served as a Mediator for this Organization
<i>Example: JAMS</i>	<i>Los Angeles Panel</i>	<i>2 years</i>	<i>\$2 Million average</i>	<i>4 cases</i>
AAA		7+	\$2 MM	200

JAMS	all	9	95MM	250
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7. ADR TRAINING

a. List MEDIATOR Skills Training Sessions you have taken

Sponsoring Organization & Location	Primary Model Fostered by Training: (e.g., Facilitative, Evaluative, Transformative, Caucus, Non-Caucus)	% of Time Spent in Role-Plays/Exercises	Year Taken	Duration: Hours of Training
LACBA/DORS	F2c/Eval	20%	1995	30-40
CPR	various	15%	1994-96	50+
LACBA/DORS	Advanced Training	10%	1997-99	Multiple - more than 100

b. Statement of Philosophical Approach to Mediation

Facilitative → evaluative

c. List ARBITRATOR Skills Training Sessions you have taken

Sponsoring Organization & Location	Skills Emphasized	% of Time Spent in Role-Plays/Exercises	Year Taken	Duration: Hours of training
AAA	hearing management	10-15%	1994-2000	50-70
JAMS	" "	5%	2001-09	100
	international	5%	2006	8 15
	conductors	5%	2007/09	8 15

8. ADR REFERENCE INFORMATION

You must provide references from each side of the same case.

CPR may not publish reference contact information.

Reference as Arbitrator

	Dispute Type, Amount in Dispute and Year	Name of Counsel, Firm Name and Location of Firm	Phone and E-mail address
for Claimant			
for Respondent			

Reference as Mediator

	Dispute Type, Amount in Dispute and Year	Name of Counsel, Firm Name and Location of Firm	Phone and E-mail address
for Claimant			
for Respondent			

9. OTHER

Provide any honors, publications or other information you believe are relevant to your application.

See bio attached

The Addendum should be completed only if you are interested in being considered for the Specialty Panel it covers.

Construction Specialists Addendum

1. What **percentage** of your ^{neutral} ~~law practice or business~~ *for the last ten years* has been construction-related (Required): 1 to 25% **250%**
2. **Have you had significant construction practice in the last ten years** representing or working with the following client groups:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Private Owners/Developers | <input checked="" type="checkbox"/> Insurers/Sureties |
| <input checked="" type="checkbox"/> Government Entities | <input checked="" type="checkbox"/> Engineers/Architects |
| <input checked="" type="checkbox"/> Contractors | <input checked="" type="checkbox"/> Sub-contractors/suppliers |

3. **Have you had significant construction practice in the last ten years** devoted to the following dispute processes:

- | | |
|--|--|
| <input type="checkbox"/> Litigation | <input type="checkbox"/> Dispute Management (in house) |
| <input checked="" type="checkbox"/> Arbitration (as Neutral or representing parties) | <input type="checkbox"/> Transactions |
| <input checked="" type="checkbox"/> Mediation (as Neutral or representing parties) | <input type="checkbox"/> Other |

Describe 'Other'

Employment Specialists Addendum

1. What **percentage** of your ^{neutral} ~~law practice or business~~ *for the last ten years* has been employment-related (Required): 1 to 25% **200%**
2. **Have you had significant employment practice in the last ten years** representing or working with the following client groups:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Management | <input checked="" type="checkbox"/> Non-executive employees |
| <input checked="" type="checkbox"/> Executives | <input type="checkbox"/> Other Describe 'Other' |

3. **Have you had significant employment practice in the last ten years** devoted to the following dispute processes:

- | | |
|--|--|
| <input type="checkbox"/> Litigation | <input type="checkbox"/> Dispute Management (in house) |
| <input checked="" type="checkbox"/> Arbitration (as Neutral or representing parties) | <input type="checkbox"/> EEOC or other agency |

Mediation (as Neutral or representing parties)

Other

Describe 'Other'

Energy Specialists Addendum

1. What **percentage** of your law practice or business *for the last ten years* has been energy-related (Required): 1 to 25%

2. **Have you had significant energy practice in the last ten years** representing or working with the following client groups:

Companies

Regulators

Users

Other

Describe 'Other'

3. **Have you had significant energy practice in the last ten years** devoted to the following dispute processes:

Litigation

Dispute Management (in house)

Arbitration (as Neutral or representing parties)

FERC or other

Mediation (as Neutral or representing parties)

Other

Describe 'Other'

Insurance Specialists Addendum

1. What **percentage** of your ^{neutral} law practice or ~~business~~ *for the last ten years* has been insurance-related (Required): 1 to 25%
 100%

2. Has your insurance-related legal practice or business *in the last ten years* included representation or work with of the following client groups:

Policyholders

Insurance Companies

3. Has your insurance-related professional practice in the last ten years included:

Underwriting

Broker/Producer

Broker/Claims Consultant

Consultant/Expert Witness-Policyholder

Claims

Consultant/Expert Witness-Ins. Co.

Reinsurance

International Specialists Addendum

1. What **percentage** of your ~~law practice or business~~ ^{neutral} *for the last ten years* has been international (Required): 1 to 25%
 2020

Foreign clients	1 to 25%
Foreign opponents	1 to 25%
Negotiations for such clients	1 to 25%
Litigation before foreign courts	1 to 25%

2. What **percentage** of your arbitration or mediation practice or business *for the last ten years* has been international (Required): 1 to 25%
 2007

International Arbitration	1 to 25%
International Mediation	1 to 25% 50%

3. What **languages** have you used in your international arbitration and mediation practice:

Languages used as an arbitrator English

Languages used as a mediator: "

Proceedings conducted in other languages

Awards made in these languages

4. Training or degrees acquired abroad

5. Practice or other relevant sojourns abroad

Technology/Patent Specialists Addendum

1. What **percentage** of your ~~law practice or business~~ ^{neutral} *for the past ten years* has been related to technology/intellectual property (Required): 1 to 25%
 20%

2. Has your technology/intellectual property professional practice *in the last ten years* included:

Litigation

Prosecution

Transactions

ADR

Conflict Management

Other

Describe 'Other'



Richard Chernick, Esq.

Richard Chernick, Esq., Vice President and Managing Director of JAMS' Arbitration Practice, is a nationally recognized expert in the resolution of complex and multi-party matters. Mr. Chernick has conducted hundreds of large and complex arbitrations and mediations employing various rules and before all major administering institutions, both nationally and internationally.

T: 213-620-1133
F: 213-620-0100

Recognized as a Best Lawyer, Alternative Dispute Resolution Category, Best Lawyers in America, 2005-2010

Selected as a Southern California Super Lawyer in the field of Alternative Dispute Resolution, 2010

Recognized as a Top California Neutral, Daily Journal, 2003, 2006, 2007, 2008, and 2009

Recognized as One of the 500 Leading Judges in America, Lawdragon Magazine, 2006

Case Manager

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ADR Experience and Qualifications

- Mediator and arbitrator of complex disputes including commercial, real property, employment, entertainment, intellectual property, technology, construction, and public law matters, full time since 1994
- Frequently serves as chair of tripartite panels of arbitrators or as party-appointed arbitrator
- Consultant on dispute resolution issues, including clause drafting and dispute system design
- ABA's Advisor to the drafting committee for the Revised Uniform Arbitration Act

Honors, Memberships, and Professional Activities

- Recognized as a Best Lawyer, Alternative Dispute Resolution Category, *Best Lawyers in America*, 2005-2010
- Selected as a Southern California Super Lawyer in the field of Alternative Dispute Resolution, 2010
- Recognized as a leading practitioner, Alternative Dispute Resolution Category, *Who's Who Legal: California*, 2009
- Recognized as a Top 50 California Neutral, *Daily Journal*, 2003 and 2009
- Recognized as a Top 40 California Neutral, *Daily Journal*, 2007 and 2008
- Recognized as a Top 30 California Neutral, *Daily Journal*, 2006
- Recognized as One of the 500 Leading Judges in America, *Lawdragon Magazine*, 2006
- Peacemaker of the Year, Southern California Mediation Association, 1999
- Griffin Bell Volunteer Service Award, Dispute Resolution Services, 1994
- Bernard E. Witkin Amicus Curiae Award, California Judicial Council, 1994
- Distinguished Service Award for Outstanding Contributions to the Responsible Use of ADR, American Arbitration Association, 1993
- Presidential Award, Los Angeles Trial Lawyers Association, 1993
- Legal Services Leadership Award, Western Center on Law and Poverty, 1993
- Norma Zarky Memorial Award, Beverly Hills Bar Foundation, 1991
- Board member: California Dispute Resolution Council; Western Justice Center
- Former Chair of the American Bar Association's Dispute Resolution Section and of its Arbitration Committee
- Founding President of the College of Commercial Arbitrators
- Founding Chair of the ADR Committee of the State Bar of California
- Past president, Los Angeles County Bar Association, the Legal Aid Foundation of Los Angeles, and past Chairman of the Board of Dispute Resolution Services, Inc., the dispute resolution program of the Los Angeles County Bar Association
- Author or co-author of leading texts on ADR, Employment ADR, and international arbitration and mediation; frequent trainer and lecturer on arbitration and mediation topics. Author of monthly ADR Practitioner column in *Los Angeles* and *San Francisco Daily Journal*
- *Daily Journal* ADR Profile, April 2009
- Arbitrator, Hong Kong International Arbitration Centre's Panel of Arbitrators

Background and Education

- Partner, Gibson, Dunn & Crutcher, 1977-1994; (associate, 1971-1976); specialized in commercial litigation and domestic and international arbitration
- Law Clerk, Donald R. Wright, Chief Justice of California, 1970-1971
- J.D., University of Southern California (USC), 1970 (Order of the Coif, Articles Editor, S. Cal. L. Rev.)
- A.B., University of California Los Angeles (UCLA), (English), 1967



Richard Chernick, Esq.

Arbitration

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, is a nationally recognized expert in the resolution of complex and multi-party matters.

Representative Arbitrations

- ADA claim by warehouse employee of blood processing company
- ADEA claim by employee of blood processing business
- Claim against agricultural employers by multi-employer pension trust under ERISA
- Claim that executive's demotion was improper in connection with alleged interference in sexual harassment investigation
- Construction defect claims (residential; shopping center; public works; hotel)
- Contract and billing disputes between hospital and contract emergency room group (med-arb)
- Contractual (partnership) dispute between doctor and medical group
- Contractual and billing disputes between hospitals and medical insurers (various)
- Contractual dispute between blood products company and European distributor (ICC; tripartite)
- Contractual dispute between medical billing company and medical group
- Coverage dispute regarding malpractice/wrongful death claim between doctor and mutual insurer (tripartite; chairman)
- Disposition of a large contingent fee between present and former partners of a law firm
- Dispute between developer of convenience center and restaurant complex and general contractor
- Dispute between excavation subcontractor and prime contractor on large public works project (tripartite)
- Dispute between international partners of film production and distribution business
- Dispute between major electrical contractor and estimator (SFO expansion)
- Dispute between professional sports teams involving a player trade
- Dispute between residential real property developer and landscape contractor
- Dispute between school district and prime and subcontractors regarding construction of middle school
- Dispute over the terms of a major shopping center lease and related damage claims
- Disputes between competing CLEC and ILEC under Telecommunications Act of 1996 Interconnection dispute between regional and national carriers
- Dissolution and post-dissolution trademark and contractual claims among members of musical group
- Dissolution of a family partnership operating a large paper distribution business (tripartite)
- Dissolution of medical partnership and related medical testing company
- Dissolution of real estate limited partnership including valuation of residential real property holdings
- Dissolution of technology joint venture (tripartite) (see *Ajida Technologies, Inc. v. Roos Instruments, Inc.*, 87 Cal. App. 4th 534 (2001))
- Fraud claim involving the sale of a 205-unit apartment house (AAA; sole arbitrator)
- Homeowner Association dispute with Developer (construction defect issues)
- Homeowners Association dispute with Management Company (contractual and management issues)
- Hostile work environment, sexual harassment and age discrimination claim by architecture school administrator against school and Dean
- Hotel management dispute
- Insurance policy benefits disputes (definition of coverage); experimental/appropriate treatments/medical necessity
- International arbitration of claims of U.S. pilots of non-U.S. airline regarding taxation of foreign-based earnings and alleged recruitment fraud
- International licensing dispute in winter sports industry
- Legal malpractice and fee dispute between former client and law firm in multi-million dollar

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Recognized as a Top California Neutral, Daily Journal, 2003, 2006, 2007, 2008, and 2009

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Case Manager

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family law representation

- Medical billing disputes involving insurance coverage issues
- Mobile Home Park lease dispute
- Periodic rental adjustment under long term lease (sole arbitrator and tripartite)
- Post-acquisition accounting dispute between web-hosting company and internet service provider (tripartite)
- Public works project: dispute between prime contractor and drilling subcontractor
- Racial discrimination claims by nurses against health care company
- Real estate partnership dispute regarding disposition of proceeds of sale of assets
- Residential construction defect claims (multiple)
- Sale of residential real property: disclosure and fraud issues re land subsidence
- Sexual harassment and wrongful discharge claims against adult magazine publisher
- Sexual harassment and wrongful discharge claims against publisher
- Shareholder dispute over ownership of software development company (see *Hightower v. Superior Court (O'Dowd)*, 86 Cal. App. 4th 1415 (2001))
- Title insurance coverage dispute (tripartite; commercial property)
- Title insurance dispute (sole arbitrator; residential property)
- Wrongful discharge and contractual claims by high-level executive of concert promoter
- Wrongful discharge claim by magazine executive against major entertainment conglomerate
- Wrongful discharge of an entertainment industry executive holding stock options in employer
- Wrongful termination claim by musician against Network

Honors, Memberships, and Professional Activities

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Background and Education

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Richard Chernick, Esq.
Entertainment/Sports

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, has conducted hundreds of large and complex arbitrations and mediations. Many matters involved the entertainment industry including the following representative cases.

Representative Mediations

- Contractual claims between producer and film distributor
- Dispute between investors and producers of a documentary film series
- Dispute between recording artist and record label
- Dispute concerning loss of valuable entertainment industry product by a bailee
- Disputes between owner of cartoon properties and licensee
- Partnership dispute in video distribution business
- Trade name and personal privacy right claim by sports celebrity against advertiser and agency

Representative Arbitrations

- Contractual claims by owner of syndicated cartoon properties against distributor
- Dispute between international partners of film production and distribution business
- Dispute between professional sports teams involving a player trade
- Disputes between talent and agencies (SAG, JAMS and AAA administered arbitrations)
- Dissolution and post-dissolution trademark and contractual claims among members of musical group
- International licensing dispute in winter sports industry
- Profit participation and other contractual claims by producer against Network
- Wrongful discharge and contractual claims by high-level executive of concert promoter
- Wrongful discharge claim by magazine executive against major entertainment conglomerate
- Wrongful discharge of an entertainment industry executive holding stock options in employer
- Wrongful termination claim by musician against Network

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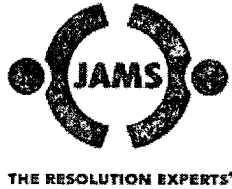
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Richard Chernick, Esq.

Engineering & Construction

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, is a nationally recognized expert in the resolution of complex and multi-party matters. Mr. Chernick has arbitrated and mediated numerous real property and construction cases involving contractual, delay, change order, termination, and performance claims, as well as disclosure, fraud, land subsidence, earthquake damage, real estate valuation, and insurance coverage issues. These disputes involved public and private property including public utilities, theme parks, hotels, casinos, schools, recreational structures, mobile home parks, and shopping centers.

Representative Mediations

- Claims concerning construction of cogeneration power plant
- Dispute between owner and prime contractor regarding construction of school
- Land use dispute between utility, developer, and public entity
- Multi-party dispute between landowner, developer, and public entities regarding land use in connection with multi-family planned development

Representative Arbitrations

- Commercial leasehold/option dispute
- Dispute between developer of convenience center and restaurant complex and general contractor
- Dispute between excavation subcontractor and prime contractor on large public works project
- Dispute between major electrical contractor and estimator (SFO expansion)
- Dispute between owner and contractor of design-build toll road contract (more than thirty separate arbitrations consolidated before one tripartite panel)
- Dispute between residential real property developer and landscape contractor
- Dispute between school district and prime and subcontractors regarding construction of middle school
- Dispute over the terms of a major shopping center lease and related damage claims
- Dissolution of real estate limited partnership including valuation of residential real property holdings
- Fraud claim in sale of residential apartment complex
- Fraud claim involving the sale of a 205-unit apartment house
- Homeowners Association dispute with Management Company (contractual and management issues)
- Hotel construction project: mechanical contractor claims
- Hotel management dispute
- Partnership/LLC dispute regarding attributes of ownership of shopping center
- Periodic rental adjustment under long term lease
- Public works project: dispute between prime contractor and drilling subcontractor
- Rent reset under 99-year ground lease for major office building
- Sale of residential real property: disclosure and fraud issues re land subsidence
- Title insurance coverage dispute (commercial property)

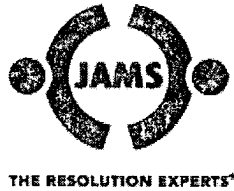
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Richard Chernick, Esq.

Construction Defect

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, has arbitrated and mediated numerous real property and construction cases involving defect claims, disclosure, fraud, land subsidence, earthquake damage, real estate valuation and insurance coverage issues. These disputes involved commercial and residential property including public utilities, schools, recreational property, mobile home parks and shopping centers.

Representative Mediations

- Construction defect claims involving
 - tilt-up manufacturing facility
 - cogeneration power plant
 - multiple residential development
 - shopping center
 - single family residential (multiple)
- Dispute between homeowners association and developer (multiple)
- Earthquake coverage claims (multiple)
- Land use dispute between utility; developer and public entity
- Lease dispute between shopping center and major tenant
- Multiparty dispute between landowner, developer and public entities regarding land use in connection with multi-family planned development
- Ownership of Lake Arrowhead dock facility between homeowner and homeowners association

Representative Arbitrations

- Commercial leasehold/option dispute
- Dispute between developer of convenience center and restaurant complex and general contractor
- Dispute between excavation subcontractor and prime contractor on large public works project (tripartite)
- Dispute between major electrical contractor and estimator (SFO expansion)
- Dispute between residential real property developer and landscape contractor
- Dispute between school district and prime and subcontractors regarding construction of middle school
- Dispute over the terms of a major shopping center lease and related damage claims
- Dissolution of real estate limited partnership including valuation of residential real property holdings
- Fraud claim in sale of residential apartment complex
- Fraud claim involving the sale of a 205-unit apartment house (AAA; sole arbitrator)
- Homeowner Association dispute with Developer (construction defect issues)
- Homeowners Association dispute with Management Company (contractual and management issues)
- Hotel management dispute
- Hotel project: mechanical contractor claims
- Mobile Home Park lease dispute
- Partnership/LLC dispute regarding attributes of ownership of shopping center
- Periodic rental adjustment under long term lease (sole arbitrator and tripartite)
- Public works project: dispute between prime contractor and drilling subcontractor
- Real estate partnership dispute regarding disposition of proceeds of sale of assets
- Residential construction defect claims (multiple)
- Sale of residential real property: disclosure and fraud issues re land subsidence
- Title insurance coverage dispute (tripartite; commercial property)
- Title insurance dispute (sole arbitrator; residential property)

Honors, Memberships, and Professional Activities

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Richard Chernick, Esq.

Intellectual Property

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, has conducted hundreds of large and complex arbitrations and mediations involving telecommunications issues, dissolutions of technology joint ventures, software developers and their customers, international licensing issues, FDA regulatory matters, trade name and personal privacy rights.

Representative Mediations

- Contractual claims between producer and film distributor
- Dispute between investors and producers of a documentary film series
- Dispute between recording artist and record label
- Dispute concerning loss of valuable entertainment industry product by a bailee
- Disputes between owner of cartoon properties and licensee
- Intellectual property (copyright and trademark) disputes in the computer manufacture and jewelry manufacture businesses (both involving trans-national relationships)
- Partnership dispute in video distribution business
- Trade name and personal privacy right claim by sports celebrity against advertiser and agency
- Trademark and trade name dispute between competing US and international manufacturers of shoes

Representative Arbitrations

- Contract dispute between drug sponsor and clinical trials company involving technical, regulatory and performance issues (tripartite)
- Contract dispute between generic drug manufacturers involving regulatory and performance issues (tripartite international arbitration)
- Contractual and warranty claims between manufacturer of high-tech power plant and distributor
- Contractual claims by owner of syndicated cartoon properties against distributor
- Dispute between international partners of film production and distribution business
- Dispute between software developer and customer (privacy and performance issues) (tripartite)
- Disputes between competing CLEC and ILEC under Telecommunications Act of 1996 Interconnection dispute between regional and national carriers
- Disputes between talent and agencies (SAG, JAMS and AAA administered arbitrations)
- Dissolution and post-dissolution trademark and contractual claims among members of musical group
- Dissolution of technology joint venture (tripartite) (see *Ajida Technologies, Inc. v. Roos Instruments, Inc.*, 87 Cal. App. 4th 534 (2001))
- International licensing dispute in winter sports industry
- Post-acquisition accounting dispute between web-hosting company and internet service provider (tripartite)
- Shareholder dispute over ownership of software development company (see *Hightower v. Superior Court (O'Dowd)*, 86 Cal. App. 4th 1415 (2001))
- Various disputes between resellers and major carriers

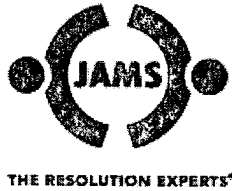
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Richard Chernick, Esq.
International

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, is a nationally recognized expert in the resolution of complex and multi-party international matters.

Representative Arbitrations

- Dispute between beauty pageant organizers and country sponsor (ICC; party appointed)
- Employment claims of U.S. pilots of non-U.S. airline regarding taxation of foreign-based earnings and alleged recruitment fraud (AAA; party appointed)
- Employment termination claim of CEO and Executive Vice-President of International blood processing business (AAA; sole arbitrator)
- Fraud claim involving the sale of a 205-unit apartment house (AAA; sole arbitrator)
- International development and manufacturing dispute (AAA; party appointed)
- International licensing and manufacturing dispute between generic drug manufacturers (AAA; party appointed)
- International licensing and sales dispute in biological health product (ICC; party appointed)
- International technology licensing and sales dispute (ICC; party appointed)
- International trade dispute (ICC; chairman)
- Numerous International mediations in licensing, intellectual property and entertainment matters
- Partnership dispute in international venture capital business (AAA; chairman)

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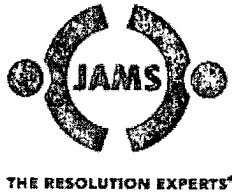
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Representative Mediations

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- Dispute between owner and prime contractor regarding construction of school
- Land use dispute between utility, developer, and public entity
- Multi-party dispute between landowner, developer, and public entities regarding land use in connection with multi-family planned development

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- Fraud claim involving the sale of a 205-unit apartment house
- Homeowners Association dispute with Management Company (contractual and management issues)
- Hotel construction project: mechanical contractor claims
- Hotel management dispute
- Partnership/LLC dispute regarding attributes of ownership of shopping center
- Periodic rental adjustment under long term lease
- Public works project: dispute between prime contractor and drilling subcontractor
- Rent reset under 99-year ground lease for major office building
- Sale of residential real property: disclosure and fraud issues re land subsidence
- Title insurance coverage dispute (commercial property)

Honors, Memberships, and Professional Activities

- Recognized as a Best Lawyer, Alternative Dispute Resolution Category, *Best Lawyers in America*, 2005-2010
- Selected as a Southern California Super Lawyer in the field of Alternative Dispute Resolution, 2010
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Richard Chernick, Esq.

Employment

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, has arbitrated and mediated many labor and employment related cases involving issues such as wrongful termination, sexual harassment, hostile work environment, retaliation, ERISA and a class action under ADA.

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Representative Mediations

- Class actions under ADA challenging freeway call box accessibility
- Constructive discharge claim by Chief Operating Officer of large hospital complex
- Employment discharge and age discrimination claims against major corporations (numerous)
- Retaliation and constructive discharge claim by law firm associate against firm arising out of sexual harassment claim made by colleague
- Various ADA and ADEA claims ancillary and wrongful termination litigation
- Wrongful discharge claim by senior hospital executive
- Wrongful discharge claims by employees of medical group
- Wrongful termination and hostile environment sexual harassment claim by employees of ranching enterprise

Representative Arbitrations

- ADA claim by warehouse employee of blood processing company
- Claim against agricultural employers by multi-employer pension trust under ERISA
- Claim that executive's demotion was improper in connection with alleged interference in sexual harassment investigation
- Dispute between international partners of film production and distribution business
- Dispute between professional sports teams involving a player trade
- Dissolution and post-dissolution trademark and contractual claims among members of musical group
- Hostile work environment, sexual harassment and age discrimination claim by architecture school administrator against school and Dean
- Racial discrimination claims by nurses against health care company
- Sexual harassment and wrongful discharge claims against adult magazine publisher
- Wrongful discharge and contractual claims by high-level executive of concert promoter
- Wrongful discharge claim by magazine executive against major entertainment conglomerate
- Wrongful discharge claims of non-medical employees of hospital complex (med-arb)
- Wrongful discharge of an entertainment industry executive holding stock options in employer
- Wrongful termination claim by musician against Network

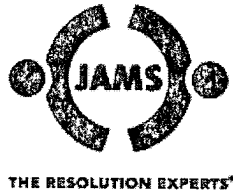
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Richard Chernick, Esq.
Real Property

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, has arbitrated and mediated numerous real property and construction cases involving defect claims, disclosure, fraud, land subsidence, earthquake damage, real estate valuation and insurance coverage issues. These disputes involved commercial and residential property including public utilities, schools, recreational property, mobile home parks and shopping centers.

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Representative Mediations

- Construction defect claims: cogeneration power plant
- Construction defect claims: multiple residential development
- Construction defect claims: shopping center
- Construction defect claims: single family residential (multiple)
- Dispute between homeowners association and developer (multiple)
- Earthquake coverage claims (multiple)
- Land use dispute between utility; developer and public entity
- Lease dispute between shopping center and major tenant
- Multiparty dispute between landowner, developer and public entities regarding land use in connection with multi-family planned development
- Ownership of Lake Arrowhead dock facility between homeowner and homeowners association

Representative Arbitrations

- Commercial leasehold/option dispute
- Dispute between developer of convenience center and restaurant complex and general contractor
- Dispute between excavation subcontractor and prime contractor on large public works project (tripartite)
- Dispute between major electrical contractor and estimator (SFO expansion)
- Dispute between residential real property developer and landscape contractor
- Dispute between school district and prime and subcontractors regarding construction of middle school
- Dispute over the terms of a major shopping center lease and related damage claims
- Dissolution of real estate limited partnership including valuation of residential real property holdings
- Fraud claim in sale of residential apartment complex
- Fraud claim involving the sale of a 205-unit apartment house (AAA; sole arbitrator)
- Homeowner Association dispute with Developer (construction defect issues)
- Homeowners Association dispute with Management Company (contractual and management issues)
- Hotel management dispute
- Hotel project: mechanical contractor claims
- Mobile Home Park lease dispute
- Partnership/LLC dispute regarding attributes of ownership of shopping center
- Periodic rental adjustment under long term lease (sole arbitrator and tripartite)
- Public works project: dispute between prime contractor and drilling subcontractor
- Real estate partnership dispute regarding disposition of proceeds of sale of assets
- Residential construction defect claims (multiple)
- Sale of residential real property: disclosure and fraud issues re land subsidence
- Title insurance coverage dispute (tripartite; commercial property)
- Title insurance dispute (sole arbitrator; residential property)

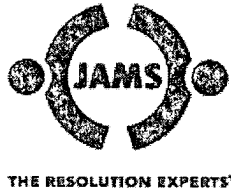
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Richard Chernick, Esq.

Healthcare

Richard Chernick, Vice President and Managing Director of JAMS' Arbitration Practice, has arbitrated and mediated numerous healthcare and medical malpractice cases involving issues such as benefits disputes, insurance coverage, ADEA claims, contract and billing disputes. These disputes involved individual healthcare professionals, medical groups, insurance companies, medical service, and product providers.

Representative Mediations

- \$50 million break-up fee in a multi-billion dollar health care industry merger
- Constructive discharge claim by Chief Operating Officer of large hospital complex
- Contract renegotiation of provider relationship between regional hospital group and major medical insurer
- Coverage dispute concerning recall of blood products by blood processing business
- Dissolution of medical practice and related medical research business
- Wrongful discharge claim by senior hospital executive
- Wrongful discharge claims by employees of medical group

Representative Arbitrations

- ADEA claim by employee of blood processing business
- Contract and billing disputes between hospital and contract emergency room group (med-arb)
- Contractual (partnership) dispute between doctor and medical group
- Contractual and billing disputes between hospitals and medical insurers (various)
- Contractual dispute between blood products company and European distributor (ICC; tripartite)
- Contractual dispute between medical billing company and medical group
- Coverage dispute regarding malpractice/wrongful death claim between doctor and mutual insurer (tripartite; chairman)
- Dissolution of medical partnership and related medical testing company
- Insurance policy benefits disputes (definition of coverage); experimental/appropriate treatments/medical necessity
- Medical billing disputes involving insurance coverage issues
- Racial discrimination claims by nurses against health care company
- Wrongful discharge claims of non-medical employees of hospital complex (med-arb)

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