

MEDIATOR PROFILE – Scott Berman

EDUCATION

ABA Arbitration Training Institute, 2011, “6th Annual Comprehensive Training in Commercial Arbitration”

Pepperdine University School of Law, Straus Institute for Dispute Resolution, 2005, “Mediating the Litigated Case”

Juris Doctor, 1983, Lincoln Law School, Sacramento

Bachelor of Science in Business Administration & Real Estate, 1977, (cum laude), California State University, Northridge

PROFESSIONAL EXPERIENCE

Mediator & Arbitrator, BermanADR, 2005 to present

Independent mediation and arbitration practice emphasizing creative resolutions to real estate, family law, entertainment law, personal injury and business & commercial disputes. Over thirty five years’ experience with commercial and residential real estate matters including landlord-tenant, unlawful detainers, foreclosures, purchase & sale agreements, broker procuring cause and disclosure disputes and Americans with Disabilities Act (ADA) violations.

Successful mediation of over one thousand unlawful detainer, personal injury and insurance subrogation cases, business disputes and breach of contract cases.

Also handling intellectual property (trademark & copyright), employment & wrongful termination, bankruptcy, lemon law and collections.

Manager of Real Estate, Lee Properties, LTD., 2007 to present

Commercial Real Estate Investment Firm involved in the purchase, sale, 1031 exchange and leasing of retail and apartment properties. Negotiated and drafted leases and purchase & sale agreements.

Director of Retail Development, General Development Company, 2006-2007

Real Estate Development Company specializing in restaurant and retail properties. Directed the entitlement/planning/budgeting process for a highly visible retail center.

Commercial Real Estate Broker, ScottBerman.com, 1994-2005

Represented investors in the IRS 1031 tax-deferred exchange, sale, and purchase of apartments and commercial properties in Los Angeles, Ventura, Santa Barbara and San Diego Counties. Negotiated retail lease originations, renewals, options, expansions, subletting and assignment.

Senior Int’l Corporate Real Estate Specialist, Tandem Computers, Inc., 1991-1994

Manufacturer of high-end computers with \$2.0 billion in revenue and 8,000 employees worldwide. Purchased by Compaq in 1997, and merged with Hewlett Packard in 2002. Conducted on-site

negotiations for acquisition and disposition of projects in Australia, New Zealand, Singapore, China, South Korea, Hong Kong, Japan and Canada.

Senior Corporate Real Estate Specialist, Amdahl Corporation, 1989-1991

Computer mainframe manufacturer with approximately \$2.0 billion in revenue and 10,000 employees worldwide. In 1997 Amdahl became a division of Fujitsu. Negotiated and drafted real estate transactions, including price, terms, options, fit-up escalations, and legal and risk points. Successfully negotiated leases and subleases saving the company over two million dollars in one year.

Licensed California Real Estate Broker, 1978

AFFILIATIONS

Panel Mediator, Los Angeles Superior Court Resource Vendor for Mediation Services, Mediation Center of Los Angeles ("MCLA") (2014 to Present)

Member, State Bar of California Committee on Alternate Dispute Resolution (ADR) (2012 to 2015)

Member, Board of Directors, Southern California Mediation Association Education Foundation (SCMA-EF), (2013 to 2016)

Member, Board of Directors, Southern California Mediation Association (SCMA) (2009 to 2012)

Qualified Civil Mediator, Superior Court of California, County of Ventura (2006 to Present)

Panel Mediator, Los Angeles Superior Court Mediation Program, California Academy of Mediation Professionals ("CAMP") (2008 to 2016)

Party-Select Panel Mediator, California Lawyers for the Arts (2009 to present)

Panel Mediator, Bankruptcy Mediation Panel, United States Bankruptcy Court, Central District of California, (2011 to Present)

Family Law Mediator, CFR Mediation Services (CFR) (2008 to 2014)

Settlement Officer, Glendale Superior Court CRASH ADR Settlement Program (2009 to 2010)

Panel Mediator/Arbitrator, Center Conflict Resolution (CRI/formerly VCDS) (2006-Present)

Court-Connected Mediation Panel Member, Center for Conflict Resolution (CCR) (2008 to 2011)

Member, Executive Committee, Section on Conflict Resolution and Real Estate, Beverly Hills Bar Association (2010 to 2011)

Volunteer Mediator, 4.29 Korean American Coalition (2006)

Grievance Committee Member, Ventura County Coastal Association of Realtors, (2006 to 2011)

President, National Association of Corporate Real Estate Executives (NACORE), Silicon Valley Chapter (1993-1994)

STATEMENT

Commercial/Residential Real Estate Mediation Experience: Residential and commercial landlord-tenant disputes, lease disputes, unlawful detainers (evictions), implied warranty of habitability disputes, purchase and sale agreements, non-disclosures and costs of repairs due to misrepresentation about the condition of the property, broker liability, broker commission disputes (procuring cause), earnest money disputes, foreclosures, specific performance, title issues, lien and easement disputes, eminent domain/condemnation, adverse possession, mechanics lien claims, ADA disputes, property management agreement disputes, real estate fraud, homeowner's association (HOA) and partition actions/joint ownership disputes. Over 1,000 cases successfully mediated with a 90% settlement rate.

FEES:

\$300.00 per hour.

SERVICE AREAS

Ventura & Los Angeles Counties.

OFFICE LOCATION

Westlake Village, CA.