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NORMAN BRAND, ESQ.

EMPLOYMENT AND COMMERCIAL ARBITRATOR RESUME

EXPERIENCE

Primary practice in labor and employment law. Served on specialized permanent panels requiring scientific literacy in biochemistry, medicine, and psychiatry, as well as an understanding of research and laboratory procedures. Northern California "Super Lawyers," Alternative Dispute Resolution, 2006, 2007, 2008, 2009 and 2010.

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

Over 30 years' experience as arbitrator and mediator in over 3,000 labor, employment, and other cases. Served on specialized panels requiring scientific literacy in biochemistry, medicine, and psychiatry, and an understanding of research and laboratory procedures. Cases include labor-management disputes over discipline, discharge, and new contract terms; employment arbitrations and mediations involving age, sex, race, national origin discrimination, and sexual harassment; wrongful termination, executive compensation (golden parachute) statutory and employment contract violations in diverse industries, including computer hardware, pharmaceuticals, and biomedical products. Other disputes involved trade secrets, intellectual property, environmental contaminants, medical and scientific issues, and business relationships. Special areas include MPPAA withdrawal liability (including complex actuarial issues), trust fund collections, loans, and trustee deadlocks, salary setting for police and firefighters in cities over one million; salary setting and other disputes for employees involved in the generation, transmission, and distribution of electricity. Some arbitration decisions involved unique issues of law and have been reviewed by federal courts. Cases arbitrated have been valued to \$50 million; largest arbitration award issued was \$40 million. Trained state and federal judges in mediation, fact finders for California Public Employment Relations Board, mediators for New York Public Employment

Relations Board, and held trainings for private organizations, the California Bar, and AAA.

PROFESSIONAL AFFILIATIONS

National Academy of Arbitrators, (Past Regional Chair); College of Labor and Employment Lawyers (Fellow); The American College of Employee Benefit Counsel (Fellow); Fellow, The American College of Civil Trial Mediators, California Dispute Resolution Council (Past President); California State Bar Association (Labor and Employment Law Section, Past Secretary); International Foundation of Employee Benefit Plans (Arbitration Committee, Past Chair); American Bar Association (Labor and Employment Law, Science and Technology Sections); American Association for the Advancement of Science.

WORK HISTORY

Arbitrator, Mediator, Full-time Neutral, Self-employed, 1983-present; Adjunct Professor, Hastings College of the Law, 1992-1997; President, Impartial Enterprises, Inc. 1985-88; Professor, Albany Law School of Union University, 1978-83; Ad Hoc Mediator, New York State Public Employment Relations Board, 1978-83; Labor Counsel, Emergency Financial Control Board, City of New York, 1976-78; Executive Assistant, New York State Director of Employee Relations, 1975-78; Editorial Consultant/Technical Writer, 1972-75; Professor of English, University of California at Davis, 1970-72; Professor/Consultant, Council on Legal Education Opportunity, 1969-74.

ALTERNATIVE DISPUTE RESOLUTION TRAINING

Trainer, AAA "Ethical Considerations in Med-Arb." Advanced Mediator Training San Francisco, October 30, 2009; "The Anatomy of a Mediation," Mediation Society, San Francisco, June 5, 2009; (Trainer) "Mediation in Employment Arbitration/Components of the Model Settlement Agreement," National Academy of Arbitrators, Chicago, May 22, 2009; Attended AAA Neutrals Conference, Palm Springs, 3/05; ACE003 – Arbitrator Ethics and Disclosure, Palm Springs, 3/05; ACE003 – Arbitrator Ethics and Disclosure, San Francisco, 12/04; AAA Labor Arbitrator II Training, New York, 3/03; AAA Arbitrator Update, 2001; Alliance for Education in Dispute Resolution and Department of Labor, "Mediation of Wage and Hour Cases," 12/00; "So You Think You're a Mediator," Advanced Mediation Training, 1999; Trainer, AAA "Employment Arbitration: Managing the Process," (Trainer) AAA training for California Employment Panel, 1999; AAA Employment Panel Training, 1997; Los Angeles County Bar, Advanced Mediation Training, 1994; AAA Mediation Training, 1993.

EDUCATION

JD Law University of California, Davis, 1975
PhD English Arizona State University, 1971
BA English/Biology State University of New York, 1966

CERTIFICATIONS

Law – New York 1984; Law – California 1976

PUBLISHED AWARDS

For Interest Arbitration and Trustee Deadlock cases

See: <http://www.lawmemo.com/arb/arbitrator/brand.norman.htm>

City of Stockton – December 9, 1996, 108 Lab. Arb. (BNA) 1201.
UAW Local 2350 and CSEA, SEIU Local 1000 Grievance: 401(k) Plan Dispute
July 8, 1996, 1996 WL 931806.

Z and Lafayette Park Hotel April 25, 1996, 1996 WL 932598 (Arb.).

Salt Lake Police Association and Salt Lake City Corporation, Salt Lake City
Police Department January 23, 1996, 1996 WL 932599 (Arb.).

Paratransit, Inc. – June 3, 1993, 100 Lab. Arb. (BNA) 981.

Webster Central School District – April 7, 1983, 80 Lab. Arb. (BNA) 1138.

Greenwich Central School District (NY) and Greenwich Teachers Association -
November 22, 1996, 334 Arb. in the Schools, December 1997.

DOD, Dependents Schools, Tokyo, Japan and NEA/OEA, 94. FLRR2-1265
LAIRS 21634; FMCS 94-02109, July 16, 1994.

PUBLICATIONS (Partial List)

Labor Arbitration: The Strategy of Persuasion, Second Edition (San
Francisco:2006); Editor, How ADR Works (BNA:2002); Co-Author, Designing
Integrated Conflict Management Systems, (Cornell Studies in Conflict and
Dispute Resolution:2001); Editor in Chief, Discipline and Discharge in
Arbitration, (BNA:1998); ADR Personalities and Practice Tips, Chapter 8,
ABA Section of Dispute Resolution (Washington, D.C.:1998); "Due Process in
Arbitration," in Bornstein and Gosline Labor and Employment Arbitration,
(Matthew Bender:2000); Labor Arbitration: The Strategy of Persuasion,
(PLI:1987); "Learning to Use the Mediation Process – A Guide for Lawyers,"

47 Arbitration Journal 6 (December, 1992), reprinted in Craver & Brunet eds. Alternative Dispute Resolution, (MICHIE, 1997).

PROFESSIONAL LICENSES

Admitted to the Bar: California, 1976; New York, 1983

FEES

\$585 per hour for all hearing and study time. Minimum hearing day: four (4) hours. Late cancellation fee: Hourly fee (7 hours) for all cancelled dates unless more than 30 calendar days' notice. If three or more consecutive dates scheduled, 50 calendar days' notice required. Travel and subsistence expense where applicable.