

SANTA CLARA COUNTY SUPERIOR COURT
BACKGROUND INFORMATION

Instructions: DO NOT ALTER THIS FORM IN ANY WAY. DO NOT ATTACH ADDITIONAL PAGES.

Name	Phone	Fax
<i>Donald F. Farbstein</i>	<i>650-554-6200</i>	<i>650-554-6240</i>
Street or P.O. Box	City	Zip Code
<i>411 Borel Avenue #425</i>	<i>San Mateo CA</i>	<i>94402</i>

TODAY'S DATE:

Check each panel for which you have been accepted: mediation neutral evaluation

1. Describe your education, including degrees and the dates received.

University of San Francisco, 1948, B.S. Cum Laude

University of San Francisco, 1951, J.D.

2. Briefly describe the ADR training you have received. For each training, give the trainer's name, the dates attended, and the total hours.

Advanced Mediator Training, Birke & Curtis. I have served as mediator, arbitrator, special master, discovery referee, and Judge Pro Tem since 1981. I have instructed attendees at RIMS ADR Conference, Washington, D.C. I have instructed on ADR for local Bar Associations and Continuing Education of the Bar.

3. Describe the subject matter of five disputes for which you have been an ADR provider in the past five years, with the dates. Identify the process and state whether you were a sole- or co-provider.

- *Employment Discrimination, 1999, mediation, sole provider*
- *Product Liability/Lost Profits, 1999, mediation, sole provider*
- *PI – Brain Damage, 1999, mediation, sole provider*
- *Employment Contract Dispute, 1998, mediation, sole provider*
- *Insurance Premium and Reserving Dispute, 1997, mediation, sole provider*

4. Check your areas of substantive expertise:

- | | | |
|--|---|---|
| <input type="checkbox"/> Banking | <input type="checkbox"/> Health Care | <input checked="" type="checkbox"/> Personal Injury |
| <input checked="" type="checkbox"/> Business (Commercial - Contract) | <input type="checkbox"/> Housing | <input type="checkbox"/> Probate - Wills |
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> Intellectual Property | <input checked="" type="checkbox"/> Prof. Negl. (Non-Medical) |
| <input checked="" type="checkbox"/> Construction | <input checked="" type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Real Estate |
| <input type="checkbox"/> Defamation | <input checked="" type="checkbox"/> Labor - Employment | <input type="checkbox"/> Securities |
| <input type="checkbox"/> Disabilities | <input type="checkbox"/> Landlord/Tenant | <input type="checkbox"/> Tax |
| <input type="checkbox"/> Elder Issues/Abuse | <input checked="" type="checkbox"/> Medical Malpractice | <input checked="" type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Neighborhood | Damages, Lost Profits, Tax |
| <input type="checkbox"/> Family Law | <input checked="" type="checkbox"/> Partnership | Impact |

5. If you are an attorney:

A. How many years have you been in active practice? If none, please explain.

Admitted to California and Federal Courts, 1952

B. What is or was the nature of your practice?

Civil trials and appellate practice in State and federal Courts; over 100 jury trials

C. What percentage of your practice has been representing plaintiffs 35% defendants 65%

D. How many of the following have you completed in the past five years?:

Jury trials 9 Court trials 1 Judicial arbitrations; 3

6. Is your ADR style facilitative or evaluative/directive?

My mediation style is directive; my ENE style is evaluative.

7. Describe your fee schedule, including any sliding-scale or pro-bono provisions.

\$350.00/hour; no administrative fees.

8. Give any other information that should be considered by parties or counsel.

Published decisions: Baldwin Contracting Co. v. Winston Steel Works (1965), 236 Cal.App.2d 565 (construction, implied indemnity); Coit et al v. Sequoia Insurance Co. (1993), 14 Cal.App.4th 1595 (insurance coverage for sexual harassment); Connor v. Utah Construction & Mining Co. (1964), 231 Cal.App.2d 263 (construction, safety orders); Drewry v. Welch (1965), 236 Cal.App.2d 159 (timber contracts, trespass); Herrero v. Atkinson (1964), 227 Cal.App.2d 69 (medical malpractice, equitable indemnity); Maggiora v. Palo Alto Inn (1967), 249 Cal.App.2d 706 (real estate, receiver); Pugh v. See's Candies (1981), 116 Cal.App.3d 311 (Pugh I), 203 Cal.App.3d 743 (1988) (Pugh II) (employment discharge, good cause); United Assoc. Local 38 Pension Trust Fund v. Aetna Casualty & Surety (9th Circuit 1986), 790 F.2d 1248 (fiduciary duty and S/L) PARTIAL LISTING