

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>Roberta S. Hayashi</i>	<i>408-286-5800</i>	<i>408-998-5388</i>
Street or P.O. Box	City	Zip Code
<i>10 Almaden Blvd. Suite 1100</i>	<i>San Jose, CA</i>	<i>95113</i>

TODAY'S DATE: *roberta.hayashi@berliner.com*

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

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

A.B., Stanford University, Communication, Phi Beta Kappa, 1979

J.D., U.C. Davis School of Law, 1982; U.C. Davis Law Review Editor-in-Chief

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

-American Arbitration Association, Fundamentals of the Employment Arbitration Process, 1997, 8 hours

-American Arbitration Association, Commercial Arbitration Training, 1999, 6 hours

-American Arbitration Association, Advanced Case Management Issues, 2002, 6 hours

-American Arbitration Association, Annual Arbitrator Update, 2004, 3 hours

-American Arbitration Association, Dealing with Delay Tactics in Arbitration, 2005, 3 hours

-American Arbitration Association, Managing Cases Involving Self-Represented Parties, 2006, 3 hours

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.

- *Mediator of employment discrimination dispute, 2005*
- *Mediator, sexual harassment dispute, 2002*
- *Early neutral evaluator for employment discrimination and wage and hour dispute, 2006*
- *Binding arbitrator for various employment compensation disputes, 2002 and 2004*
- *Judicial arbitrator for age discrimination in employment (hiring) litigation, 2004*

4. Check your areas of substantive expertise:

- | | | |
|--|---|--|
| <input type="checkbox"/> Banking | <input type="checkbox"/> Health Care | <input 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 checked="" type="checkbox"/> Intellectual Property | <input type="checkbox"/> Prof. Negl. (Non-Medical) |
| <input type="checkbox"/> Construction | <input 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 type="checkbox"/> Medical Malpractice | <input type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Neighborhood | |
| <input type="checkbox"/> Family Law | <input type="checkbox"/> Partnership | |

5. If you are an attorney:

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

Over 24 years

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

Representing and advising employers and managers in employment law disputes

C. What percentage of your practice has been representing plaintiffs 20% defendants 80%

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

Jury trials *1* Court trials *2* Judicial arbitrations; *2*

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

Evaluative/ directive.

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

\$395.00/hour

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

Ms. Hayashi is a partner at Berliner Cohen, where she commenced practice in 1982. Also, she was previously a partner in the law firms of Pillsbury Winthrop Shaw Pittman LLP (2003-2005) and Skjerven Morrill LLP (2001-2002). As of 2006, Ms. Hayashi's regular hourly rate for the provision of ADR services is \$395.0