

Alternative Dispute Resolution (ADR)

The WTK Alternative Dispute Resolution Practice Group serves the growing need of individuals, businesses and organizations to resolve conflicts out of court. We provide a convenient point of contact to our impartial neutrals, who have more than 80 years of combined experience as civil litigation trial attorneys.

Members of our ADR Practice Group are widely respected by their colleagues for their personal integrity, lawyering experience and the depth of their subject matter mastery.

Mediation

Many employment and business disputes are best resolved outside the courtroom, but their complexity and importance to both parties may be impediments to resolution through direct negotiations. WTK's mediators have learned that a neutral third party facilitating negotiations often leads to mutually acceptable outcomes that are more favorable than the cost, risks and publicity associated with continued, full-blown litigation.

Our mediators provide a cost-effective and professional resolution for businesses and individuals seeking neutrals with first-hand business and industry knowledge, particularly in the areas of employment law, including discrimination (e.g., race, gender, disability, sexual orientation religion, age, and national origin claims), harassment, retaliation, wrongful termination in violation of public policy, and wage and hour claims, as well as commercial litigation, including partnership disputes, breach of contract, fraud, real estate and landlord/tenant, including breach of lease, breach of purchase and sale agreements and intellectual property, including copyright infringement, theft of ideas, trade secret and third party participation and accounting claims.

Fred Kosmo brings has been representing parties as a civil litigation trial attorney since 1987. For the past two decades, he has mediated cases involving a wide variety of disputes, representing companies across a broad spectrum of industries, including manufacturing, retail, technology, nutrition, energy, services, healthcare and real estate. These are often "high stakes" cases involving multi-million dollar claims and hotly contested litigation over issues such as business ownership interests. In addition to his active litigation practice, Mr. Kosmo is a respected leader in the legal community having held positions as the President of the Association of Business Trial Lawyers ("ABTL"), Chair of the Federal Magistrate Judge Selection Committee, President of the William L. Todd Inn of Court, and Commissioner on the San Diego City Redistricting Commission.

Lonny Zilberman has practiced in the field of employment law since 1997. Mr. Zilberman's uses the evaluative and facilitative styles of mediation that emphasizes common sense, communication skills and the ability to solve difficult problems with practical solutions. Mr. Zilberman's primary goal is to communicate and help each side understand how they are seen by the other. This approach is not just designed to have the parties consider jury appeal and legal risk in a courtroom, but also helps individuals appreciate each side's perspective and the reasoning behind their settlement positions in the negotiation. Mr. Zilberman received his mediation training through the Straus Institute for Dispute Resolution, offered by the Pepperdine University School of Law.

When seeking the right mediator for a dispute, credentials, reputation and trust in that mediator's knowledge and integrity are important. To inquire about the availability of our San Diego-based attorneys for mediation, please contact Fred Kosmo or Lonny Zilberman for more information.

Arbitration

Arbitration is a cost-efficient alternative to litigation of disputes in court which often allow parties to resolve disputes more expeditiously. WTK Partner **Lois M. Kosch** serves as an arbitrator both on the American Arbitration Association's Employment Panel, and privately. Ms. Kosch brings her 25 years of employment litigation and counseling experience to fairly manage and bring employment claims to resolution.

WILSON TURNER KOSMO

LLP

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