

# Neutral's 3,500 Cases Indicate He's a Perfect Fit

By Drew Combs

Daily Journal Staff Writer

Troy D. Roe did not consider becoming a lawyer until a professor suggested the idea to him during his final year in college.

Even after enrolling in law school, Roe's career path remained unclear until his first day of torts class.

"From that point on, I really wanted to litigate cases in the civil arena," Roe said.

He would have a similar eureka moment after moving from the practice of law to alternative dispute resolution.

"It fit," Roe said. "I liked that I was apart of the solution by settling a case."

Peter J. Gates, a name partner at Gates, O'Doherty, Ganter & Guy in

## Profile

Irvine, agreed that neutral work is a "perfect fit" for Roe.

"He has the right demeanor... very pleasant, very objective and very smart," said Gates, who has used Roe's mediation services.

Over his seven-year career as a neutral, Roe said, he has mediated or arbitrated 3,500 cases.

Four years ago, he decided to focus exclusively on mediation.

"I don't want to judge," Roe said. "I would rather persuade a person to my case."

He mediates exclusively through Judicate West. He referees all types of disputes, including personal injury, employment and business.

Roe's ability to bring disputing parties together is what has most impressed attorneys who have used his services.

"At the end of the day, he is able to close the gap," said Timothy L. Walker, a name partner at Ford, Walker, Haggerty & Behar in Long Beach.

"[Roe] is someone who can help move the parties off their prior position to a resolution," Gates said.

According to several attorneys, Roe's calm and genial temperament plays a key role in this process.

"He does a very good job at getting the sides together without making anyone feel pushed," said Ned Reilly, a name partner at Horton, Barbaro & Reilly in Santa Ana.

"He is one of the easiest people to work with because he has such as pleasant disposition," Gates said.

"I err on the side of a calm, analytical view of a case that, hopefully, will result in people saying I am right," Roe said.

While praising Roe's people-skills, the attorneys stressed that he is not a "yes man."

"Troy has a good combination of being personable and persistent," said Russell S. Kussman, a name partner at Kussman & Whitehill in Westwood.

"He is not shy about telling either party that they are way out of line," Reilly said.

Many attorneys said that Roe's positions, even those they disagree with, are based on a keen understanding of the dispute and the relevant law.

"Roe is able to isolate issues quickly in order to determine the strengths and weaknesses of each case," Gates said.

"He understands all the issues involved and how they might play with the jury," Reilly said.

"It is up to me to persuade them that they are wrong — not tell them that they are wrong," Roe said.

Walker also said that both defense and plaintiffs' attorneys respect Roe's analysis of cases, because he is unbiased.



DREW COMBS / For the Daily Journal

"I am born out of the trial experience, and I know cases that require scrutiny of a jury, but the mediation process is much more precise in most instances," Troy D. Roe said.

"[Roe] doesn't favor one side," Reilly said.

"He is objective, and you are always going to get a fair shake," Gates said.

Roe said that his objectivity comes from a total commitment to the mediation process as a way to settle disputes.

"The reality is that I have been in front of mediators as a practicing attorney because I thought it was better to exhaust the peace process before going to the warfare of trial," he said.

For 30 years, Roe practiced law in Southern California, where he was born and raised.

As a student at Millikan High School in Long Beach, Roe accepted a job in a print shop that he would retain until becoming an attorney nine years later.

After graduating from California State University, Long Beach, he attended Pepperdine University School of Law.

Roe originally specialized in personal-injury defense but switched to the plaintiffs' side after a year.

"I liked the idea that I would be serving a single client in the processing of their claim," he said.

"I connected personally with seeing a person across the desk and having them sit next to me in trial," he added.

Roe was a sole practitioner for 10 years before becoming a neutral.

As a practitioner, he opposed attorneys who now seek out his mediation services.

"When he practiced," Gates said, "he was a formidable opponent.

because of his plaintiffs' work," Walker said. "He understands the dynamics of the interaction between plaintiffs' attorneys and their clients."

"I am born out of the trial experience," Roe said, "and I know that there are cases that require scrutiny of a jury."

But in his experience, he said, "the mediation process is much more precise in most instances."

Roe's approach is to be "as facilitative as possible until [the parties] reach a impasse and then you have to be evaluative."

"To interject my evaluation too early would be destructive to the process," he said.

According to Roe, a point may come when "you ratchet up the pressure to get them to move."

On some days, he mediates as many as four cases, so he is familiar with being under pressure and applying it.

Roe escapes the demands of work with golf, music and cooking.

"I am the cook of the house," said Roe, who is married and has two daughters.

He said that, initially, his children were confused about what he did, but over time they "have come to appreciate the complexities of the peace process."

"It's not always about splitting the baby," he said.

Troy D. Roe  
Mediator

Age: 55

Affiliation: Judicate West

Location: Santa Ana

Specialties: He takes all types of cases.

Rate: \$490 an hour

Here are some of the lawyers who have used Roe's services:

Peter J. Gates, Gates, O'Doherty, Ganter & Guy, Irvine; Timothy L. Walker, Ford, Walker, Haggerty & Behar, Long Beach; Ned Reilly, Horton, Barbaro & Reilly, Santa Ana; Russell S. Kussman, Kussman & Whitehill, Westwood; Shirley K. Watkins, Michels & Watkins, West Los Angeles; Christopher P. Westerski, Westerski & Zurek, Irvine.