

## **JUNE 25, 2010 | ALTERNATIVE DISPUTE RESOLUTION**

The Coach

Mediator Mitchel Goldberg of Judicate West says his job is to 'make you open up your eyes' and settle the case.

Mitchel R. Goldberg

Judicate West

Southern California

Age: 67

Areas of specialty: Bankruptcy/insolvency, lender liability, complex business/commercial, family law

Rate: \$500 an hour, \$5,000 a day



By Catherine Ho

Daily Journal Staff Writer

Mitchel Goldberg describes himself as a happy-go-lucky "party person." But when it comes to wrangling settlements, he's all business.

"I usually bring the most difficult cases for him because he always seems to be able to solve what would otherwise be impossible disputes," said attorney Michael G. Spector,

who brought a business dispute involving a heated family feud to Goldberg. "He's always able to get them to see the big picture, put emotions aside and get the job done."

Though Goldberg joined Judicate West in January, he has mediated more than 500 insolvency and complex civil cases during 20 years as a judge on the U.S. Bankruptcy Court in Riverside - a track record that earned him a reputation as a top mediator for bankruptcy disputes.

Goldberg thinks of himself as less of a player and more of a coach when it comes to settling cases.

"I never settle it," he said.

"You settle the case," he will tell the parties. "I'm the coach. My job is to make you open up your eyes."

Scott Clarkson of Clarkson Gore & Marsella in Torrance tried multi-million-dollar bankruptcy cases before Goldberg, the judge, and now brings those same types of disputes to Goldberg, the mediator.

"He's batting 1,000 percent in matters that I've been involved with," Clarkson said. "He is one of the best mediators I've ever been involved with. He demonstrates an enormous capacity to quickly understand and assimilate law and facts. He is remarkably patient

with all parties as well as considerate to the clients of the attorneys mediating before him."

Goldberg helps parties understand the strengths and weaknesses of their case, and, in doing so, helps bring them to a resolution, Clarkson said.

"Judge Goldberg can bring parties toward the middle by helping them see the big picture - and helping them realize their case may not be as strong as they think it is," he said.

Goldberg is a firm believer in the rare joint session under the right circumstances. With each mediation, he makes it a point to take 30 minutes to summarize the case in front of the clients and ask both sides if he's missed anything.

"It lets the lawyers know I'm prepared and ... have a sense of each side," he said. "The parties start to hear agreed-upon facts from the other side, and it builds confidence I know what I'm doing and talking about."

Goldberg grew up in Denver, a self-professed lax student who was "the only person to flunk third-grade penmanship," he said.

On Nov. 22, 1963 - the day President John F. Kennedy was assassinated - he flew to California to propose to his high school sweetheart, Janice, who had moved west with her parents the summer after she graduated from high school. She and Goldberg, then a junior at the University of Colorado at Boulder, were engaged the next day.

"I got great grades after I got married," he said. "She made me get good grades."

The couple has been married 46 years and have two daughters, Andrea Goldberg, 40, and Shani Boone, 37, and two grandsons, Max and Sam Boone.

Goldberg earned his undergraduate degree in 1965, followed by a law degree in 1968, also from the university in Boulder. He then spent two years as a captain in the Army, pulling one tour of duty in Vietnam and earning the Bronze Star medal with oak leaf cluster.

In 1971, he joined a now-disbanded civil litigation firm in Orange County. He specialized in family law, personal injury, real estate and commercial litigation for five years before opening up his own shop, focusing on bankruptcy and creditors' rights. He was appointed to U.S. Bankruptcy Court in 1988, sitting in the Riverside Division of the Central District for 20 years before retiring in 2008.

Goldberg has been involved in volunteer work since he was 12 and he has worked closely with the Red Cross, Temple Beth Tikvah and Jewish Family Service since the 1970s. He regularly visits hospice patients and is a teacher's aide for the Orange County elementary school his grandsons once attended. He has taught children how to respond to peer pressure, led confirmation classes for teens, and has regular storytelling sessions for first graders, where he dubs voices to turn stories into life lessons.

Goldberg also loves weddings and he said he has officiated at more than 300 marriage ceremonies.

Last year, he began teaching advanced mediation as an adjunct professor at the Straus Institute of Dispute Resolution at Pepperdine Law School.

*Here are some of the lawyers who have used Goldberg's mediation services:*

Steven T. Gubner, Ezra Brutzkus Gubner, Woodland Hills; John R. Walton, Graves & Walton, Pasadena; Eric P. Israel, Danning, Gill, Diamond & Kollitz, Los Angeles; David E. Wood, Anderson Kill Wood & Bender, Ventura; David Gould, David Gould APC, Calabasas; Gail E. Cohen, Barger & Wolen, Los Angeles; John D. Boyle, Carroll Burdick & McDonough, Los Angeles; and David J. Richardson, The Creditors' Law Group, Los Angeles.

More lawyers are Sara L. Chenetz, Blank Rome, Los Angeles; Mark T. Palin, Atkinson, Andelson, Loya, Ruud & Romo, Cerritos; Joseph S. Wu, USAsia Law, La Jolla; James A. Hinds and Paul R. Shankman, Law Offices of James A. Hinds Jr., Torrance; Ian S. Landsberg, Landsberg & Associates, Encino; Scott C. Clarkson, Clarkson Gore & Marsella, Torrance; and Michael G. Spector, Law Offices of Michael G. Spector, Santa Ana.

