

LAW OFFICES OF LINDA S. KLIBANOW, a PLC

Mediator/Arbitrator/Attorney
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CURRICULUM VITAE

ARBITRATOR / MEDIATOR / ATTORNEY

Law Offices of Linda S. Klibanow, a PLC, La Canada, California, 2000-present

ATTORNEY / SHAREHOLDER / BOARD MEMBER

Parker, Milliken, Clark, O'Hara & Samuelian, Los Angeles, California, 1977-2000

EDUCATION

Harvard College (B.A., cum laude, 1972), Phi Beta Kappa;
Yale University (J.D., 1975);
Tufts University, Fletcher School of Law & Diplomacy (Masters in Intl. Affairs, 2015)

EXPERIENCE

For over 40 years, Ms. Klibanow has focused her practice in the field of labor and employment law. At different times in her career she has represented both management and labor, both defense and plaintiff, and for 20 years has served as a labor and employment “neutral” – as an arbitrator, hearing officer, mediator, discovery referee and neutral factfinder. From her experience, both as an advocate and also as a neutral, she is expert in all of the practice areas referenced below and also is available to serve in international labor and employment law disputes.

Labor and Employment Areas of Expertise

- Sex, Race, Color, National Origin, Religion, Sexual Orientation, Disability, Medical Condition, and Age Discrimination and related Harassment
- Family and Medical Leave
- Whistleblower Retaliation
- Wrongful Termination
- Violation of USERRA
- Wage/Hour
- Employee Discipline
- Employee Privacy
- Employment Breach of Contract
- Employment Civil Rights
- Labor Relations
- Collective Bargaining
- Reduction in Force
- Retaliatory Discharge
- Unfair Labor Practices
- Union – Management Relations
- Workplace Safety
- Workplace Violence

PROFESSIONAL LICENSES

Admitted to the Bar, California, 1977

HONORS AND AWARDS:

- Martindale-Hubbell Bar Register of Preeminent Lawyers AV-rated for 40 years
- Member, California & National Academy of Distinguished Neutrals
- Fellow, Chartered Institute of Arbitrators (FCIArb)
- Association for Conflict Resolution – Advanced Practitioner Arbitrator of the Workplace Section (2016)

MEDIA MENTION:

- Jessica Mach, “Sharp-Edge Refinement,” Los Angeles Daily Journal – (May 22, 2020)
- Jessica Silver-Greenberg and Robert Gebeloff, “Arbitration Everywhere, Stacking the Deck of Justice, The New York Times, Part 1 of 3 – (October 31, 2015)
- Jessica Silver-Greenberg and Michael Corkery, “In Arbitration, a ‘Privatization of the Justice System,’” The New York Times, Part 2 of 3 – (November 1, 2015)
- Jessica Silver-Greenberg and Michael Corkery, “In Religious Arbitration, Scripture is the Rule of Law,” Part 3 of 3 – November 2, 2015
- Susan McRae, “Working Her Magic,” Los Angeles Daily Journal – (September 25, 2010)

POSITIONS AND MEMBERSHIPS:

- Member, Mediation Panel of United States District Court Central District
- Member, CPR Panel of Distinguished Neutrals, Employment and General Commercial
- ACR, Advanced Practitioner, Arbitrator, Workplace Section
- Member SSA/AFGE Arbitration Panel
- Member, California & National Academy of Distinguished Neutrals
- Fellow, Chartered Institute of Arbitrators
- Labor and Employment Relations Association (LERA)
- American Arbitration Association (AAA) Employment Arbitrator and Mediator Panels
- American Arbitration Association (AAA) Labor Arbitrator Panel
- Alternative Resolution Centers (ARC) Employment Arbitrator and Mediator Panels
- California Employment Lawyers Association
- IVAMS Employment Arbitrator & Mediator Panels
- Federal Mediation & Conciliation Service (FMCS) Roster of Labor Arbitrators
- California State Mediation & Conciliation Service (CSMCS) (Roster of Arbitrators)
- State of California, Department of Fair Employment and Housing Mediator Panel
- U.S. Equal Employment Opportunity Commission Mediator
- Riverside County Bar Association Mediator Panel
- Riverside Superior Court Mediator Panel
- Court of Appeal – 2nd Appellate District Mediator Panel
- State Bar of California – Former member Committee on Alternative Dispute Resolution (Former Chair, National/International Subcommittee)
- Los Angeles County Bar Association (Member, Labor and Employment Law Section; Former Member, Executive Committee)

- NAM (National Arbitration and Mediation) Arbitration Panel
- American Bar Association (Member, Dispute Resolution Section; Labor and Employment Section)
- City of Los Angeles Civil Service Commission Hearing Officer
- Los Angeles County Civil Service Commission Hearing Officer
- Los Angeles County Employee Relations Commission (ERCOM) Hearing Officer
- Mediators Beyond Borders (Founding Member)
- Mediate.com Certification

PUBLICATIONS

Author, “Yellow Dog Contracts, ‘jiggery-pokery’ and the FAA,” Los Angeles Daily Journal – (October 6, 2017)

Author, “PAGA saga persists in state and federal courts” Los Angeles Daily Journal – (June 17, 2015)

Author, “Why Armendariz is Worth Fighting For,” Los Angeles Daily Journal – (May 11, 2015)

Author, “Post-Concepcion Case Developments in the Employment Sector-A Cautionary Tale,” CAALA Advocate (January 2013)

Author, “The Enforceability of Mandatory Pre-Dispute Employment-Arbitration Agreements in California Post AT&T Mobility,” CAALA Advocate (September 2012)

Assistant Editor and Author, “The Developing Labor Law,” American Bar Association/BNA (1st-3rd eds.)

Author, “Advising California Employers,” California Continuing Education of the Bar (2nd ed. 1996-1997)

Contributing Editor, “California Practice Handbook, Employment Discrimination,” Los Angeles County Bar Association, Mathew Bender California Practice Handbook Series (1993)

ALTERNATIVE DISPUTE RESOLUTION TRAINING

- AAA - Impartiality: Do You Know Where Your Biases Are? March 2021
- AAA – Cyber Security: A Shared Responsibility, June 2020
- AAA – Case Finances: What Arbitrators Need to Know – September 2019
- AAA - Arbitrator Performance and Demeanor-Meeting Participant Expectations – November 2018
- AAA - Addressing the Challenges of Demanding Arbitrations: Part 2 - The Hearing Phase, the Award, and Beyond, April 2017
- AAA - Addressing the Challenges of Demanding Arbitrations: Part 1 – The Pre-Hearing Landscape, April 2017
- American Bar Association – 18th Annual Section of Dispute Resolution – Involve.Evolve.Resolve! April 2016
- AAA – AAA/ICDR/Mediation.org Panel Conference – February 2016
- Hastings College of the Law – Resolving Disputes with Companies from Asia: What is the Best Approach? – January 2016

- Chartered Institute of Arbitrators – N. American Branch: International Commercial Arbitration Training – July 2015
- Arnold & Porter LLP – Accelerated Path to Fellowship: International Commercial Arbitration Workshop & Award Writing Examination – July 2015
- Chartered Institute of Arbitrators - Arbitrating in North America – Now and Tomorrow Conference – June 2015
- State Bar of California – Cross Border Litigation & Arbitration Developments and Strategies – September 2014
- Los Angeles County Bar Association – 3rd Annual International Arbitration Conference – May 2014
- Los Angeles County Bar Association – What Lawyers and Arbitrators Need to Know About Commercial Arbitration – May 2014
- ABA Dispute Resolution Section – Whistleblowing & Retaliation: New Claims & Expanding Risk – 2013
- Los Angeles County Bar Association – 2nd Annual International Arbitration Conference – May 2013
- Los Angeles County Bar Association - Separate & Unequal, Arbitration and Private Justice 2012
- AAA –AAA and ICDR Neutral Conference 2012
- Los Angeles County Bar Association - Workplace Arbitration Agreements after Concepcion and Horton 2012
- National Academy of Arbitrators –Annual Meeting 2011
- ABA Dispute Resolution Section - Solving the Puzzle of Just Cause in Labor Arbitration 2011
- ABA Dispute Resolution Section - The Future of Mandatory Arbitration 2011
- FMCS Institute Labor Arbitrator Training 2010
- Los Angeles County Bar Association - Mediation Confidentiality: Issues and Current Cases 2010
- AAA - Section of Dispute Resolution 12th Annual Spring Conference 2010
- AAA - Electronic Discovery in Arbitration: What You Need to Know! 2009
- AAA - Current Issues in Employment Arbitration: The Arbitration Fairness Act of 2009 Legislation & Recent Court Decisions 2009
- ABA Dispute Resolution Section 4th Annual Arbitration Training Institute 2009
- Southern California Mediation Association – The New Frontier-Science of the Mind 2008
- AAA Arbitration Roadmap – The Standard for Efficient and Cost-Effective Arbitration 2008
- California Employment Lawyers Association – Arbitration Skills-Making Lemonade Out of Lemons 2008
- ABA Dispute Resolution Section 10th Annual Conference – Sound Perspectives on ADR 2008
- Southern California Mediation Association – The Masterful Employment Law Mediation 2007

- Los Angeles County Bar Association – Making the Transition from Advocate to Mediator 2007
- Southern California Mediation Association – The Art and Science of Mediation 2006
- California Employment Lawyers Association – Winning at Mediation 2006
- EEOC-Mediation Training 2006
- Southern California Mediation Association – Breaking Down Barriers in Employment Mediation 2006
- AAA – Dealing with Delay Tactics in Arbitration 2006
- Los Angeles County Bar Association-Arbitration in Employment Cases & Employment Mediation 2006
- American Bar Association Section of Labor & Employment Law - Perspectives on ADR 2006
- Pepperdine University School of Law- Religion & Ethics Conference-Lawyers, Faith & Peacemaking 2006
- AAA – Chairing an Arbitration Panel – Managing Procedures, Process & Dynamics 2005
- EEOC – Mediation Training 2005
- DFEH - Mediation Training 2005
- Southern California Mediation Association – Absolute Mediator 2005
- Southern California Mediation Association – Cutting Edge of Mediation 2004
- Southern California Mediation Association- Mediating Employment/Workplace Disputes 2004
- AAA - Elder Abuse, Early Resolution 2004
- AAA Arbitration Awards-Safeguarding, Deciding & Writing Awards 2004
- LA Superior Court, ADR - Mediating Elder Abuse Claims 2002
- AAA - Employment Arbitrator II Training, Advanced Case Management 2002
- Los Angeles County Bar Association-How the Pros Prepare for Mediation 2002
- AAA - Arbitrator Update 2001
- LA Superior Court, ADR-Cross Cultural Dispute Resolution 2001
- AAA - Employment Arbitrator Training 2000
- Pepperdine University Straus Institute of Dispute Resolution-Mediating the Litigated Case 2000
- Pepperdine University Straus Institute of Dispute Resolution-The Art of Facilitating Settlement 2000
- EEOC – Mediation Training 1998
- University of California at Los Angeles Extension-Mediation Training Program 1997
- Los Angeles County Bar Association, Dispute Resolution Services-Civil and Workplace Mediation 1996
- California State Bar Association-Training Attorneys to Become Mediators 1996
- American Bar Association, Alternative Dispute Resolution 1994
- AAA Mediation Advocacy (Labor) Seminar 1992

REFERENCES

(Available Upon Request)

DISPUTE RESOLUTION CLIENT QUOTES

“Linda did a fine job of successfully mediating a pre-litigation (religious and race discrimination) case to resolution, to the satisfaction of both parties. Her low-key style of mediation made the client comfortable and facilitated the mediation process.”

“Thank you for your tenaciousness in making this happen. This would not have happened without you. I appreciate your compassion for our client as well.”

“Your determination and wisdom were the reasons this case settled. Thank you for your hard work and guidance.”

“Linda Klibanow is a dedicated professional that will work tirelessly to assist the parties in reaching a fair and equitable resolution.”

“I was impressed by how comprehensive Klibanow was when she arbitrated a wage and hour matter. She was very prepared – she didn’t cut corners, she did all the hard work.”

“Linda Klibanow is a tremendous neutral. I recommend her as a mediator or arbitrator for virtually every one of my matters.”

“Linda Klibanow was sensitive to my client, a sexual harassment victim, persistent in helping us resolve the matter, smart and kind.”

“Both parties would probably agree she will hear you out and give a reasoned rationale for why she’s making her decision. She’s good at bringing the parties back to focus on the matters at hand.”

“Ms. Klibanow has qualities of an excellent mediator. She is a good listener and communicator, has knowledge of the law, and patience. She successfully mediated a case which I thought would not be settled outside of court. I highly recommend her.”

“Linda Klibanow is an extremely effective mediator. She put into our case a tremendous amount of time and effort in achieving a result acceptable to all parties.”

“Ms. Klibanow thoroughly reviewed the briefs and quickly understood the facts and issues in dispute. She connected well with the parties and was instrumental in helping resolve the case.”

“Ms. Klibanow is incomparable. Never had a better mediation experience. Highest marks. Cannot say enough to sing her praises.”

"It was a pleasure to work with Ms. Klibanow. Through her in depth understanding of the legal issues and the personalities of the parties, we were able to come to a fair and final resolution of a strongly contested litigation."

"Linda was an insightful, tenacious and creative mediator who worked tirelessly -- late into the night and for several days after the scheduled mediation -- to broker the deal. She was able to find a solution that satisfied multiple parties with diverse and conflicting interests."

"Linda was brilliant. When all seemed to be lost she encouraged us to stay at it. In the end she had to make a mediators proposal. The proposal reflected a keen insight into what was most important to my client and how to achieve it. Everyone benefited from her dedication and discerning mind. Amazing!"

"While Linda's thorough preparation and vast knowledge of employment law are evident, for me the real difference maker is how Linda manages to gain the respect and confidence of my clients through her patience and ability to quickly address the salient issues in a direct, but non-threatening manner. My clients consistently leave the mediation with a very positive feeling and thank me for selecting Linda as their mediator."

"Linda was pleasant, respectful, had a solid understanding of employment law and was able to calmly, yet firmly persuade both sides to come together and resolve the case. I would recommend her as an excellent choice to mediate employment disputes."

"Linda Klibanow has a keen ability to focus the parties and achieve results."

"I think Ms. Klibanow did an excellent job in facilitating settlement. I was impressed with her understanding of the facts and overall analysis of our case."

"Linda is an extremely effective mediator. I was very impressed with how thoroughly prepared she was in advance of the mediation. She had clearly done her homework. Because of her substantive knowledge of employment law, she was able to point out the potential weaknesses and strengths of the parties' respective positions in a diplomatic and respectful manner. Although we were unable to settle the case at the mediation, Linda did not give up and spent countless hours over the course of several days in an attempt to bridge what seemed like an impossible gap between the parties. Her patience and perseverance ultimately proved successful in bringing to resolution a case that I, quite candidly, thought was incapable of settlement. I would highly recommend Linda as a mediator."

"Linda was not only a calming influence on all of the parties during a recent (and contentious) sexual harassment case I mediated (as defense counsel) in front of her, but her substantive knowledge of employment law was invaluable. We were able to cut right to the chase and begin serious discussions about what would and wouldn't likely happen if the case were to go forward"

to the Summary Judgment stage and/or to Trial. Linda understood our arguments and “strong points,” but was not the least bit shy about pointing out potential weaknesses as well. I would not hesitate to mediate in front of her again.”

“Linda created a soothing and calming environment to ease the parties' tension in an otherwise highly contentious race discrimination and harassment dispute. By doing so, she was able to move away from the emotions of the case and focus on the discrete legal issues which resulted in a mutually acceptable resolution of the case.”

“Linda has worked tenaciously and tirelessly to achieve settlements in cases that were beyond difficult. Linda goes to great lengths to be well-prepared before mediation begins. Not only does she conduct pre-mediation conferences with the attorneys, but she is also ready and knowledgeable regarding the legal issues regarding our cases. By the time of mediation, her 30 years as an attorney enhances her ability to get the parties moving. Linda showed my clients respect and truly listened to their needs. I recommend her services regardless of the subject matter.”

“Great job, very professional, very efficient, very effective...She was very objective and realistic about the merits of the case while also being sympathetic to emotions of the client. I was very pleased.”

“I enjoyed working with Linda Klibanow – she was successful in resolving a case that was difficult to settle.”

“Ms. Klibanow is very skillful in difficult employment mediations. She gained the respect of both sides. We would definitely recommend her.”

“Linda was an outstanding mediator overall, but really impressed me in two particular areas, her preparation and her determination to achieve a settlement. When we began the mediation, it was apparent that she had not only reviewed the mediation briefs with a fine tooth comb, she had also done her own legal research to get a better handle on the case. Despite her best efforts, we were unable to settle the case at the mediation. Nevertheless, Linda kept in touch with the parties periodically thereafter. When some pretrial rulings caused the opposing party to reevaluate its settlement posture, Linda immediately seized the opportunity and worked doggedly for about six hours on a Friday evening to close the deal. I highly recommend Linda as a mediator.”

“Linda, I had the opportunity to see you in action recently in a rather contentious EEOC pregnancy discrimination claim, and it was a pleasure to see your work. You remained calm, sympathetic with both sides, and pleasant throughout a very long day, maintain the respect and trust of all parties to the dispute. When you resolved the case, everyone was grateful and relieved. Congratulations to a wonderful mediator.”

"I appreciated her efforts. She was very knowledgeable and had a good handle on the issues. Linda does her utmost to tackle the issues and resolve the matter at mediation."

"Linda was terrific in keeping the parties engaged in the mediation process until a resolution was achieved. Amazingly, adversaries walked out as friends. I've rarely seen such a result."

"Many mediators work hard during the hours of the mediation. What distinguishes Linda is her thoroughness from the time she gets the case through the time the case is resolved. Linda began working with us weeks prior to the mediation date, asking us specific, probing questions about non-headline details in our brief. She was of course extremely diligent during the mediation, but was even more impressive as she remained in contact with the parties for weeks afterward to ensure the case not only got resolved, but stayed resolved. Linda is absolutely the most dedicated neutral I've ever worked with, and her knowledge of employment law is second to nobody's."

"With Linda's help we settled a matter for over \$1 million against the County of Riverside that had been pending for over three years. She remained doggedly on task with poise and courtesy in spite of real pressure being placed on her by both sides. There is no doubt she understands employment law and the mediation process. Thanks Linda!"