



# Mediator Full Profile



## Judith Meyer

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## Experience Qualification Path

Category 2: IAM

## Mediation locations

United States - PA

## Mediation languages

English

## Current position and background

Principal, JPMeyer Associates, Commercial Dispute Solutions, an ADR firm. Adjunct Professor of Negotiation and Mediation, Cornell Law School. Vice co-chair, Independent Standards Commission, International Mediation Institute. Fellow & former Board Member, International Academy of Mediators. Member, American College of Civil Trial Mediators. Member, College of Commercial Arbitrators. Co-founder of the JAMS Philadelphia office, 2004; member, AAA's commercial & employment arbitration & mediation panels; member, American Health Lawyers' Association mediation panel; contract mediator for the EEOC; mediator Federal Circuit Court of Appeals; Judge Pro Tem, Philadelphia Commerce Court & Court of Common Pleas; mediator USDC, Eastern District of PA; distinguished neutral, CPR International Institute for Conflict Prevention and Resolution; mediator, Superior Courts, NJ. Former litigation partner, Meserve, Mumper & Hughes, Los Angeles. Litigation "Of Counsel", Bazelon Firm, Philadelphia. Best Lawyers in America in ADR.

## Main mediation practice areas

Commercial

Construction

Contract

Copyright and Intellectual Property

Distributorship Agreements

Real Estate

Employment

Environmental



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Franchisor/Franchisee Agreements  
Health Services  
Tort  
Products Liability  
Insurance coverage and Bad Faith  
Bankruptcy  
Accounting and Legal Malpractice  
Design Professional Malpractice  
Medical Malpractice

## Mediation experience

Representative cases: reimbursement claim for managed behavioral health services; interp of Basket Max Loss Provisin in Lrg Risk Alternative Rating Ins K; distributorship K for entry of major US brand to EU; NASD broker claim vs clearing firm; post-merger dispute re inventory value; pharma firms dispute re asset purchase K & mfg supply K; ind contractor dispute re nursing home mgmt; infringement of copyright registration & trade dress rights; software implementation/perf dispute; intern'tl dispute re patent lic. assignments; interp of self-exoneration clause in K for asbestos abatement; assessment vs Deferral Notes iss'd in Stock Purchase K due to haz wast clean-up;contamination of water table from construction run-off; mold contamination in college dorms HVAC; design failure in \$4M residence; gas explosion demolishing historic structure; acceleration damage claim by GC vs pre-cast sub in \$75 school project; gas lexplosion demolishes historic structure; sexual harassment;Title VII;ADEA

## Description of mediation style

I believe the parties in mediation own their disputes. Although guided by wise counsel, ultimately a party must make the hard decision of what to do with his dispute. Neither the litigation nor the arbitration process provide an opportunity where counsel, clients, carriers, and anyone else with a direct interest in the outcome of a dispute, can gather in a "behind the screen" confidential setting to discuss not just the rights and obligations of the litigants, but also their interests and needs. The mediator guides, but does not own, this conversation. I believe that a dispute is a problem to be solved, not a battle to be won. Mediations are not "one size fits all" and there are no two mediations that require the same approach. I use joint and private cuacusing; am facilitative and evaluative; reach out to parties and counsel pre-mediation; require mediation briefing - or not. It depends on the needs,preferences, personalities of the participants, their relationships and history.

## Code of professional conduct

IMI Code of Ethical Conduct  
ABA Model Standards of Conduct for Mediators

## Complaint process

IMI Professional Conduct Assessment Process

## Professional indemnity insurance

Complete Equity Markets, Inc., Lloyd's London Correspondents  
Coverage \$1,000,000/\$1,000,000



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## Feedback digest

Reviewer: Mr Doerksen Gerry ( gdoerksen@clientinsight.ca )

Latest Update: 2012-06-06 00:36:02

Reviewer: Gerry Doerksen CMed, Managing Principal, Client Insight Inc.  
(gdoerksen@clientinsight.ca)

Last Update: 05-Jun/12

This Feedback Digest is updated based on 12 interviews (via telephone) conducted over the past 7 weeks by Client Insight Inc. We interviewed both, Plaintiff and Defense Counsels as well as several Plaintiffs. This is in addition to 5 feedbacks gathered earlier (2009) by Ms. Meyer.

From comments made by her clients, several characteristics make Ms. Meyer's mediation practise unique.

1. Ms. Meyer shows empathy for the parties; one counsel said "my client felt that she had had her day in court". Empathy shown with a 'no question' stance of neutrality. Ms. Meyer showed "no indication of judgement ... she let the parties decide."

2. Her business background and ability to make a business case to motivate the parties for settlement. One counsel indicated "she helped my client make a good business decision" and another mentioned "she helped identify the risks ... she was clearly, the voice of reason." One plaintiff mentioned that the Judith's mediation had been restorative for her business "I was at extreme risk of losing my business license ... her approach helped us make a much smarter business decision ... six months later, I again have a thriving and profitable business ... otherwise if we had continued with litigation, we would still be at it."

3. She quickly moves to the heart / core of the dispute; didn't waste time; has the ability to adjust to new information.

4. Her commitment and persistence to get the matter resolved. Of the cases that didn't settle during the first mediation, all but one settled after the mediation as a result of Ms. Meyer's continued involvement. Clients made comments such as "she was proactive in reaching out"; "she remained involved and that was helpful"; "she kept us moving towards common ground and nudged us towards resolution."

5. She was well prepared for mediation; had read the briefs and thought about them; was ready to ask good questions; was familiar with the background; was organized and ready to deal with complicated factual issues; she understood the cases

All of the respondents (100%) indicated that:

- 1) they would refer Ms. Meyer to colleagues and acquaintances.
- 2) they will utilize Ms. Meyer's mediation services again.
- 3) they were satisfied with the result of the mediation.
- 4) they were satisfied with the process used for the mediation.
- 5) they are satisfied that Ms. Meyer is a skilled and effective Mediator.

Eleven out of twelve respondents (92%) indicated that:

- 1) they resolved the dispute as a result of the mediation.



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2) they felt that the mediation provided good value for the money.

In three of the cases, Client Insight interviewed both the Plaintiff and Defendant counsels to the dispute. In all three cases, both counsels were satisfied with the process and result of the mediation and would recommend Ms. Meyer to associates.

The clients interviewed were enthusiastic to share their impressions and feedback about Ms. Meyer's skills as a mediator. On average, respondents provided more than 9 affirmative comments per interview. They talked about: her common sense, her level headed and practical approach to matters. Several counsel's talked about Ms. Meyer's commitment to explain the process to disputants which enabled them to become comfortable and identify their interests. One disputant mentioned that "she made what could have been a tense situation, less tense". Ms. Meyer is said to be flexible in her approach and is willing to allow parties to design a process that will work for them.

Clients talked about Ms. Meyer's good personality as a mediator and that she is pleasant to deal with. They talked about her willingness to be conciliatory and accommodating but also about her sophistication, her bright and savvy approach. They mentioned her ability to create a constructive environment, her patience, her willingness to show empathy and neutrality. In one case, a client would have appreciated if Ms. Meyer had been "more assertive" and had more of a "take charge" approach. In contrast, another client felt that Ms. Meyer had been too early to dismiss a summary judgement. Another client mentioned that Ms. Meyer has never demonstrated a forceful demeanor however they could not remember if there had ever been a need. The remainder of respondents (9) could not think of anything that could have made the mediation experience better.

There was no reportable negative feedback.

This feedback update supports the initial feedback digest posted Feb 2009.

For more detailed feedback regarding Judith Meyer, check out <http://bit.ly/jpmresults>

### Professional affiliations

Fellow and former Board Member, International Academy of Mediators

Member, American College of Civil Trial Mediators

Member, College of Commercial Arbitration

Member, Association of Conflict Resolvers

Distinguished Neutral, CPR International Institute of Conflict Prevention & Resolution

Employment & Commercial Mediator and Arbitrator, American Arbitration Association

Neutrals' Panel, American Health Lawyers' Association

Mediator, Federal Circuit Court of Appeals

Judge Pro Tem, Commerce Court, Philadelphia Court of Common Pleas

Mediator, United States District Court, Eastern District PA

Panelist, JAMS [2004-2006]; Judicate [1990-1994]; American Intermediation Service [1986-1990]

Admitted, California Bar 1974 [active 1974-1990; inactive 1990-]

Admitted Pennsylvania Bar 1988

Admitted Idaho Bar 2004

### Mediation education and training

Initially I learned mediation by mediating - for the Los Angeles Superior Courts in the 1980's. I



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next observed mediations conducted by professional commercial mediators and then mediated professionally on my own as the ADR field began to develop. I taught myself the negotiation and mediation literature in order to teach at Cornell Law School. I now fulfill 12 hours of CLE requirements in ADR yearly. I attend the yearly two-day seminars of the International Academy of Mediators. I periodically attend education seminars hosted by the Harvard Project on Negotiation. I have also had the following training: advanced mediation training with JAMS and AAA; mediation training with the Federal Circuit Court of Appeal; advanced mediation training with the American College of Civil Trial Mediators; mediation training with American Intermediation Service. I have passed the AAA Arbitrator Ethics & Disclosure (ACE003) examination.

### Mediation teaching and mentoring

Coach, Cornell Law School Team, INTERNATIONAL CHAMBER OF COMMERCE, PARIS, MOOT MEDIATION COMPETITION, February '09; Adjunct Professor Negotiation, Mediation & Arb, Cornell Law School, Ithaca, NY, 1999-present; Program Chair, INTERNATIONAL ACADEMY OF MEDIATORS CONFERENCE, April '09 Fordham Law Sch. Inst on Internat'l Mediation, June'08; Negotiation, Class of Middle Eastern Female Managers, Wharton School of Bus., Univ of PA, Exec Ed Program, Apr'07; How to Psych Out Your Opponent, Phila. Trial Lawyers Ass'n, Nov'06; Personal Injury ADR, Phila. Trial Lawyers Ass'n, June'06; "Ethical Dilemmas of the Neutral", ABA-ADR Section Conf., Apr'06; Presenter, Mediating Cases in Litigation", Weber Gallagher Firm, May'06; Mediating Employment Cases, Spector Gadon Firm, Apr'06; Stump the Mediator, ADR Institute, Mar'06; Difficult Moments in Mediation, Intern'tl Academy Mediators, Nov'05; Negotiation 7 Mediation, Albertsons' Regional Counsel Mtg, June'05; Psych. Impediments to Mediation Success, CPR Institute, June '05; Mediation for Trial Lawyers, Amer. College Trial lawyers, May'05; "Literature, Film & ADR", ABA-ADR Mtg, Apr'05; Intellectual Prop. Disputes, PA Bar Inst, Jun'04 [partial list]

### Mediation publications

"Mediator Certification: What Are Some Practitioners Afraid Of?", Alternatives to the High Cost of Litigation, CPR International Institute for Conflict Prevention & Resolution, Vol. 26, No. 10, Nov. '08; "Mediator Certification: A Look at the IMI Standards", Dispute Resolution Journal, August - October '08, Vol.63, No.3; "Mediators' Alert: Now, Certification Goes Global", Alternatives, CPR Institute, Vol. 26, No. 3, March 2008; Book Review "Alternative Dispute Resolution", by Robert Creo, PA Lawyer Magazine November '07; "When the Neutral's Dilemma Hits: Routine Problems, and the Not-So-Routine Repercussions, of Common Arbitration Conflicts", Alternatives, CPR Institute Vol 25, No. 5, May '07; "ADR v. the Bench: Why Are Neutrality Standards Different?", Alternatives, CPR Institute, Vol 25, No. 4, April '07; "Powerful Persuasion: What Mediators Really Want to Hear," Trial Mag., Vol 42, Issue 4, Apr'06; "Think Outside the Box", Corp Counsel Mag, Jan'05; 10 additional articles upon request

**Note: This Mediator Profile is intended to offer guidance to users of mediation services about the competency, skills, styles and potential suitability of the IMI Certified Mediator featured above. The Reviewer, the Mediator and IMI are attempting to present fair, balanced and objective information but none are to be held responsible for reliance on the information given. Users of mediation services are encouraged to pursue further research before selecting the IMI Certified Mediator, including contacting references and conducting an interview with the Mediator before making a selection.**