



## **JAN FRANKEL SCHAU, ESQ.**

*Determined. Competent. Creative. Committed.*



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[www.schaummediation.com](http://www.schaummediation.com)

### **STATEMENT OF PRACTICE**

After more than 20 years of legal practice, Jan Frankel Schau has mediated nearly 1,000 litigated cases. She specializes in employment and business disputes, as well as serious personal injury, professional negligence and tort matters. Jan has enjoyed enormous success in resolving disputes arising out of the complex business environment of the 21<sup>st</sup> century. She has developed a keen expertise in handling disputes by and against small to mid-sized companies. Jan is both determined and effective, practical and empathetic. She is consistently commended for her persistence and professionalism, often bringing parties together in unexpected and creative ways. Jan is recognized as a fair and trustworthy neutral by both plaintiff and defense bars. She is amongst the most sought after mediators in the Los Angeles area.

### **ADR AFFILIATIONS**

- Inducted as Member of the International Academy of Mediators, 2009
- Appointed as Member of the ADR Committee of the California State Bar, 2008
- Elected President of the Southern California Mediation Association, 2007
- Appointed Arbitrator and Mediator for American Arbitration Association, Commercial and Employment Panel, 2005
- Appointed as Civil Service Hearing Officer: Los Angeles County, City of Los Angeles, Los Angeles Unified School District, 2004
- Appointed Arbitrator and Mediator for Kaiser Permanente, 2004
- Appointed Arbitrator and Mediator for FINRA, 2006

### **FORMAL EDUCATION AND ADR TRAINING**

Pomona College, B.A., International Relations and Diplomacy, Claremont, Ca. 1978

Loyola Law School, J.D., Los Angeles, Ca. 1981

L.A. County Bar, Dispute Resolution Services, Mediation Training Certificate, 2000

Strauss Institute of Dispute Resolution, Advanced Mediation Skills, Malibu, Ca, 2003, 2005

American Arbitration Association, Advanced Training in Arbitration, 2005, 2007

FINRA, Advanced Training in Securities Arbitration, 2005

Western Center for Disability, Advanced Training in Disability Mediation, 2001

Extensive conferences including: Southern California Mediation Association's Annual Conference (Past Chair) and Employment Mediation Conference (Past Chair), ABA Dispute Resolution Section Annual Conference (Presenter, 2005 and 2009)

Los Angeles Superior Court (Participant in Training and Trainer, 2008)

### **OTHER PROFESSIONAL EXPERIENCE**

Jan Frankel Schau began her legal career in 1981 at Harrington, Foxx, Dubrow & Canter.

She specialized in the defense of employment and other insured claims. Jan has litigated cases arising out of employment, business and real estate for several boutique firms. Some of these firms include: Hart & Hart, Revere, Rykoff & Wallace, Antin, Stern, Litz & Grebow and Swedelson & Gottlieb, a firm specializing in construction defect and homeowner's association law. She founded The Law Offices of Jan Frankel Schau in 1995, where she primarily represented clients in cases arising out of disputes in business, employment and personal injury. Although she initially trained and joined the Los Angeles Superior Court's ADR Panel in 2000, she has been a full time neutral since 2003 and joined ADR Services in 2007.

### **RECENT PRESENTATIONS**

- California State Bar Conference, September 2010: "Winning Your Case Without Going To Trial"
- ABA Annual Conference on Dispute Resolution, April 2010: "Ethics and Confidentiality in Mediation: Where do we draw the Line?"
- ABA Annual Conference on Dispute Resolution, April 2009: "Negotiation Ethics: Lies, Threats and Unconscionability"
- California State Bar Conference, October 2008: "Competitive v. Cooperative Negotiation in Mediation"
- ABA Annual Conference on Dispute Resolution, April 2007: "The Source of the Mediator's Power: How we Connect the Disconnected and Engineer Agreement"
- Key Note to Department of Navy, ADR Seminar, 2006: "Promising News from the Front: Peacemaking at Home"

### **SELECTED PUBLICATIONS**

- "Winning Your Case Without Going to Court: Successful Mediation Techniques", Verdict, December 2010
- "Dear ADR Participants: Are Your Secrets Really Safe With Me?", Daily Journal, June 25, 2010
- "Clash of the Titans: Where Competitive meets Cooperative in Negotiation" Mediate.com, January 2009
- "Secrets about Confidentiality, Before, After & During Mediation", The Advocate, October 2007
- "Maximizing Your Experience in Arbitrating Employment Cases", The Advocate, May 2008
- "Where's the Beef: Making Certain Your Claim is Final", The Advocate, February 2007
- Los Angeles Daily Journal, "Epiphany Inspired New President of Mediation Group", November 1, 2006, written by Susan McRae
- "The Ethics of Mediation Advocacy: How Should we Respond to Secrets and Lies?", SCMA Newsletter, June 2005
- "Settling Employment Cases Just Got Easier: new Tax Excludes Attorneys Fees", SCMA Newsletter, April 2005

## **TEACHING EXPERIENCE**

Adjunct Faculty, Tseng College of Extended Learning, "Conflict Resolution Practicum and Training"

## **SAMPLE OF ADR EXPERIENCE**

### *Employment*

- Wrongful termination based upon foreign ancestry
- Religious discrimination
- Pregnancy discrimination
- Arbitration of sexual abuse by co-worker (against employer)
- Wage and hour

### *Business*

- Franchisor v. Franchisee dispute regarding marketing assistance and franchise fees
- Breach of contract for alleged unlawful copying of jewelry design for retail sales
- Sales of Business and Lease which was allegedly based upon fraudulent accounting

### *Real Estate*

- Commercial landlord and tenant dispute arising out of permissible use of parking area adjacent to leased property
- Alleged misrepresentation of square footage on residential real estate against owner and broker
- Construction defects and financial overruns on public works project

### *Personal Injury*

- Wrongful death of young woman who took her own life after allegedly being discharged prematurely from a residential treatment facility, resulting in a multi-million dollar settlement
- School yard battery arising out of alleged lack of proper security
- Traumatic injury to adult arising out of bicycle accident on public property

### *Professional Negligence*

- Brain injury due to hypoxia allegedly resulting from cosmetic surgery
- Legal Malpractice arising out of alleged bad advice in drafting will, resulting in substantial and avoidable tax consequences to heirs
- Accounting Malpractice resulting in legal defense costs in business action

*Civil Rights*

- Use of excessive force by police resulting in gun shot to leg of convicted felon
- Use of excessive force by police resulting in broken arm of African American female alleging false imprisonment for gang-related congregating
- Wrongful arrest of youth for possession of marijuana with medical prescription

**MORE INFORMATION**

Check Jan Schau's Blog at: [www.schausmediationinsights.blogspot.com](http://www.schausmediationinsights.blogspot.com)

Sign up for Jan Schau's Monthly: "Settlement Strategies" by sending an e-mail to: [JFSchau@adrservices.org](mailto:JFSchau@adrservices.org)

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