

7315 Wisconsin Avenue
Suite 800 West
Bethesda, Maryland 20814
Phone: 301-656-2707
Fax: 301-961-6525
www.bregmanlaw.com



Alternative Dispute Resolution

Experienced Representation for Mediation and Arbitration Involving Real Estate, Business, and General Disputes

In many cases, mediation and arbitration can provide efficient and cost-effective alternatives to traditional courtroom litigation. Whether contractually mandated or voluntarily pursued, alternative dispute resolution (ADR) proceedings can save clients time and money, and possibly limit their obligation to disclose information through the discovery process.

While our firm maintains a robust *litigation* practice, we also routinely represent clients in ADR proceedings in Maryland, Virginia, Washington, D.C., and in other jurisdictions. Our experience includes representing clients in a broad range of disputes, with particular emphasis on disputes involving real estate, business relationships, commercial law, contracts, and other civil disputes. We take a strategic approach to ADR focused on protecting our clients' interests by the most efficient means possible, and we rely on our deep knowledge of the substantive

issues involved in our clients' cases to help them make informed decisions at every stage of the process.

Mediation

The goal of mediation is to facilitate settlement when parties are unable to negotiate a mutually acceptable resolution by themselves. Mediation can be very useful in helping disputing parties to reach a negotiated settlement. The goal of mediation is a binding settlement agreement, not a ruling, verdict, or judgment. The mediator's role is to assist parties in bridging the gaps between their respective positions while keeping the bigger picture in mind. When we represent clients in mediation, we work to gain leverage for settlement through sharp factual and legal analysis, and in appropriate cases, we work with mediators to pursue creative solutions that are designed to help the parties reach common ground. We also have lawyers who are trained mediators.

Mediation is a highly valuable tool, and resort to mediation should be seriously considered as an alternative to litigation. However, mediation does not necessarily result in a settlement, in which event disputing parties can still avail themselves of either arbitration or court, both of which are binding.

Arbitration

Arbitration is a private adversarial process that results in a binding decision that can be enforced in court. Arbitration is either mandated by statute or must be agreed to by the parties—either through contract in advance of the dispute or by agreement in lieu of traditional litigation. Arbitration is similar to traditional litigation in many respects, but it is typically a faster process with relaxed procedural rules. Decisions in arbitration are made by one or more arbitrators, who are typically lawyers or retired judges, which may pose an advantage in complex disputes by avoiding juries. We have extensive experience in arbitration before the American Arbitration Association (AAA), JAMS (formerly known as Judicial Arbitration and Mediation Services), the International Institute for Conflict Prevention & Resolution (CPR), and other domestic and international arbitration providers. Many aspects of arbitration require a tailored approach. Our attorneys rely on decades of experience in complex ADR proceedings to execute case strategies that are focused on the unique substantive and procedural aspects involved. We also have lawyers who are trained arbitrators.

In addition to representing clients in mediation and arbitration proceedings, we also routinely represent clients in the enforcement of settlement agreements achieved through ADR, as well as with the enforcement of arbitration awards. We also advise clients regarding the enforceability of mandatory mediation and arbitration clauses. When appropriate, we litigate this issue prior to consenting to ADR. In all matters, we work closely with our clients to understand their goals and priorities, and we pursue outcomes that are designed to serve their

immediate and long-term business objectives.

Contact



Douglas M. Bregman
Partner
dbregman@bregmanlaw.com
301-656-2707

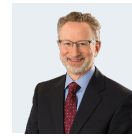
Team Members



Douglas M. Bregman
Partner



Mark A. Gilday
Partner



Geoffrey T. Hervey
Partner



Catherine B. Harrington
Partner



Kevin G. Barker
Principal



Christine E. Sindall
Principal



Katherine A. Wilson
Associate