

# **LAUREN JOHN UDDEN**

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Lauren John Udden's success at dispute resolution results primarily from his varied experience as an attorney in private practice for more than 25 years and personal skills that enable him to bridge differences between parties with vastly diverse positions and opinions concerning the dispute at hand.

Mr. Udden's professional career has included significant experience in litigating cases in the following fields: employment, medical and legal malpractice, product liability, personal injury, construction defect and insurance coverage. He has represented plaintiffs and defendants over his career, and thus is intimately familiar with the perspective of both sides of a litigation dispute. Mr. Udden's trial experience on behalf of plaintiffs and defendants in many areas of the law allows him to provide the parties with a realistic look at the possible outcomes of their particular matter.

Mr. Udden has worked for firms of varying sizes, and currently is a sole practitioner. He was a full equity partner and served for many years on the management committee of Los Angeles based Lewis Brisbois Bisgaard & Smith, the tenth largest law firm in the State of California. He has also practiced law with smaller firms in Los Angeles and Santa Barbara.

Mr. Udden's undergraduate and law studies were at the University of California at Los Angeles, receiving his bachelor's degree in 1974, his J.D. Degree in 1978, and attaining admission to the California and Federal Bar Associations that same year. His academic dispute resolution training was provided by Robert Oakes & Associates for neutral evaluation in 2000 and by Conflict Management Institute for mediation in 2003. Mr. Udden has successfully resolved many difficult and complex cases as a neutral.

Mr. Udden firmly believes that a mediator should possess actual experience in the type of matter in dispute, and therefore limits his services as a neutral to the following areas:

1. Employment
2. Medical and Legal Malpractice
3. Product Liability
4. Personal Injury
5. Construction Defect
6. Insurance Bad Faith and Coverage

Read "WHY I AM DIFFERENT" for Mr. Udden's views on why he can be the right mediator for you.

## **WHY AM I DIFFERENT?**

Why am I different from many other mediators that are available to resolve your dispute? Quite simply, I have been there and done that. By "that" I refer to twenty-five years of practice in which I have evaluated, litigated and tried cases in many different areas of law. This experience provides the mediation participants with valuable insight that can greatly assist them in resolving their dispute.

At some point in the mediation process, the parties will have to make decisions, decisions that can only be intelligently made if a proper risk analysis is conducted. For the litigants on both sides of the table ultimately have to determine the best choice for them at this particular time: accept the “bird in the hand” that is currently available or continue the litigation process with all of its many uncertainties.

This crucial decision requires the best analysis possible of the potential outcomes and the varied and sundry uncertainties that can occur. And unless the mediator has had first hand experience with the many aspects of litigating a case in the particular subject area at issue, he or she cannot assist in this analysis other than to provide generalities about the litigation process and the many unknowns that may be in store in the future.

I have evaluated hundreds of cases from the plaintiff’s side and the defendant’s side in the following areas:

- Employment
- Medical Malpractice
- Legal Malpractice
- Product Liability
- Personal Injury
- Construction Defect
- Insurance Bad Faith and Coverage.

Those evaluations have occurred at every stage of the litigation process. I have first hand experience with the many possible pitfalls that can befall plaintiffs and defendants in those matters. I have pursued summary judgments on behalf of defendants and defended them on behalf of plaintiffs. I have witnessed what judges do when faced with these motions that seek to take the case from the jury altogether and end the case prematurely.

I have experienced the unpredictable decisions a judge can make at trial that can significantly expand or contract the decisions that the jury is allowed to make and the evidence those decisions are based on. I have witnessed the unexpected rationales for jurors’ decisions, both as to issues of liability and the amount of damages they award.

These first hand experiences allow me, as a mediator, to provide the participants with a unique perspective than can greatly aid them in their evaluation and ultimately their decision for the day.

I do not subscribe to the often-espoused theory that a mediator can mediate anything, even in the absence of knowledge of the particular area of law at issue. While a skilled mediator can lend basic mediation skills to any type of dispute, the resolution of a litigated matter requires more: assistance in the crucial risk analysis that is the foundation of the settlement decision that must be made.

Only a seasoned attorney who has been in the trenches, and engaged in that type of analysis day in and day out, can guide the mediation participants in analyzing their own case. This is the experience I bring that most other mediators will not have for your particular case. At the end of the day, that experience can make the difference between a resolution or a frustrating end to a long day.

Consistent with these views, I will not accept an assignment as a mediator in an area of law that I have not had substantial practice experience in, because I believe another mediator would be more effective in that case than I can be.

**Panelist Information Updated: June 16, 2004**