



MEDIATOR

April 7, 2015

Sample comments are:

“Mr. Klitgaard is a great mediator. He went beyond most mediators I have dealt with.”

“He is able to work with diverse parties and issues.”

“He maintained the respect of both parties and successfully used various methods to reduce tension and maintain civil discourse.”

“He was extraordinary, a mediator who operated at a higher level of intellect and professionalism than most. And he was very effective. I highly recommend him without a hint of reservation.”



Tom Klitgaard is a highly experienced domestic and international mediator. He has been serving in these capacities for over twenty years.

Tom mediates complex commercial disputes involving a wide range of business, corporate, financial and technical issues.

Tom is a member of the panels of mediators and arbitrators of the American Arbitration Association and of the Association’s International Dispute Resolution Centre. He has served in one of the California Appellate Courts as a mediator on appeals from court judgments. Last September, the Singapore International Mediation Centre appointed him to its panel of international mediators. At he request of the Beijing Arbitration Commission, he provided input into the drafting of its recently adopted mediation rules.

Tom has extensive legal experience in antitrust, corporate law, securities law, product distribution, joint venture and manufacturing relationships, and intellectual property law (including patents, copyrights, trademarks, and trade secrets), and intellectual property licensing.

In addition to a legal perspective, Tom brings a business understanding to mediations. He is a former senior vice president, general counsel and corporate secretary of a New York Stock Exchange Company and former general counsel and senior vice president of the American subsidiary of a major Japanese video game company.

Tom has a special knowledge of Asia legal systems. He is an adjunct professor of Asian Legal Systems at the University of San Francisco School of Law, where he covers selected aspects of the constitutions, laws, and legal practices of the 14 Asian Countries, including the People’s Republic of China, Hong Kong SAR, Japan, North and South Korea, Taiwan (considered by China to be a province), the Philippines, Singapore, Malaysia, Thailand, Myanmar (Burma), and Vietnam.

In mediations, Tom is scrupulous as to confidentiality of the proceedings and the privacy of the parties. His usual practice is to meet with the parties separately and then collectively if needed. He pays great attention to details, the facts, and to unique issues. He takes the time needed to assist the parties in reaching a pragmatic and thoughtful result.

Tom emphasizes civility in mediations. He treats the parties with respect. He is uniquely effective because of his ability to relate to the parties and to see the possible solution from diverse perspectives.

Background

Tom graduated summa cum laude from the University of San Francisco in 1956.

He received his LL.B. from the University of California at Berkeley Law School (Boalt Hall) in 1961. He began his legal career as the Law Clerk for United States Supreme Court Justice William O. Douglas.

Tom practiced for many years as a litigator with then Pillsbury, Madison & Sutro in San Francisco (now Pillsbury Winthrop Shaw Pittman). He represented both plaintiffs and defendants.

Tom currently has an active commercial and litigation practice with a 17 lawyer firm in San Francisco (Dillingham & Murphy). He handles commercial disputes, contract drafting, business negotiations, intellectual property disputes (including patent disputes), and arbitrations and mediations.

In particular, Tom understands the Asian cultures and the laws of the Asian countries. He has just finished his 12th year as an Adjunct Professor of Asian Law at the University of San Francisco, where he teaches the histories and cultures, as well as the legal systems, of the Asian countries.

He describes his background in a formal resume on his website, www.thomasjklitgaardlaw.com

Mediation Fee (domestic, international)

Tom charges \$350 per hour for mediation services, including study and meeting time, and \$50 per hour for travel time in excess of 4 hours. He has a cancellation fee of 8 hours. He seeks reimbursement of travel expenses at basic commercial rates for hotels, food, and business class airfare. He has the same basic fee structure when he acts as an arbitrator.

Rated AV in Martindale-Hubbell's 2015 Directory of California Lawyers.

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