

Rausch Mediation Services

Alternative Dispute Resolution of Commercial & Business Disputes

Personal Biography

2009

Since January 1993, when he opened his own law firm, Peter Rausch has been litigating a wide variety of complex business cases and commercial disputes for selected clients throughout California and the United States from offices in Stockton and San Francisco, California. During that time, he has participated as an advocate in countless mediation and settlement conferences. After seeing first hand the value and benefit of facilitated voluntary dispute resolution, and appreciating the increasingly frequent use of mediation as a popular tool selected for use in managing high stakes, complicated business litigation, Peter developed an interest in the



study of the art and science of negotiation and the psychology of human communication in the context of alternative dispute resolution. Desiring to serve as a neutral, Peter trained to act as a small claims court judge pro tem with the San Joaquin County Superior Court and periodically presides over the court's small claims calendar. He also serves on the Court's Judicial Arbitration Panel and conducts arbitrations in the Court's ADR program. Peter trained to serve as a neutral in the context of mediating business related civil disputes. In addition to ongoing participation in bar association sponsored mediator training programs, Peter completed an intensive five (5) day basic mediation training program in 2005 with Steven Rosenberg. He completed advanced mediation training in the spring of 2007. In 2009 Peter completed a six (6) day training with the Pepperdine University Straus Institute for Dispute Resolution and joined the San Joaquin County Court sponsored mediation panel.

Mediation Philosophy and Approach

Peter tends to approach mediation with a facilitative perspective, allowing the parties to use their own creativity and judgment to guide the mediation toward settlement. He believes that an effective mediator must be extremely prepared for each case and needs to fully understand the factual contentions of all sides and assess and analyze the laws surrounding the dispute thoroughly before settlement discussions begin. The most successful mediations tend to be those cases in which the mediator is most prepared. In addition to creativity, Peter believes that flexibility is also an important ingredient to any successful mediation. When appropriate or necessary, Peter is firm yet diplomatic in utilizing evaluative aspects to the process.

Practice Areas and Industry Experience

Peter's practice experience includes a broad range of complex commercial and business litigation; general civil litigation and appeals; corporate and business entity selection, formation, governance and dissolution; selected commercial and business transactions; private investment financings; trademark and copyright registration; intellectual property infringement litigation; trade secrets and related unfair competition disputes; intellectual property licensing and transactions; asset protection and wealth transfer; creditor / debtor rights, commercial collections and personal property lien enforcement; employment matters, real property development, transactions and disputes; and trusts and fiduciary relationships.

Law Practice Client Base

Peter's client base covers a wide range of business areas and industries including: Agriculture, Communication, Transportation, Equipment Leasing, Investment Banking, Real Estate Development and Construction, Health Care, Renewable Power, Direct Marketing, Commercial Manufacturing, Wholesale and Retail Sales, Entertainment and the Arts, Post Secondary Education, Internet Services, Publishing, Hospitality, Software, Database and Website Design and Development, and Professional Corporations.

Educational and Professional Background

Mr. Rausch was admitted to practice law in California in 1987. He formed his own firm in January 1993. Mr. Rausch holds a Bachelor of Arts degree in Philosophy (1981) from the University of the Pacific and a Juris Doctor (1986) from the University of the Pacific's McGeorge School of Law, where he served on the Pacific Law Journal (1984-1985).

Mr. Rausch is admitted to practice before:

- California Supreme Court (1987);
- U.S. District Court, Eastern and Northern Districts of California (1987);
- U.S. District Court, Central District of California (1990);
- U.S. Court of Appeals, Ninth Circuit (1990);
- U.S. District Court, Southern District of California (1992);
- U.S. Supreme Court (1992);
- U.S. District Court, District of Michigan (2000);
- U.S. District Court, District of Arizona (2003).
- U.S. District Court, District of Colorado (2004).

Mr. Rausch represented clients in litigation resulting in the following published decisions: *Turbinator v. Superior Court*, (1995) 33 Cal.App.4th 433, and *In Re Bi Coastal Corporation*, (1991) 124 B.R. 602.

Mr. Rausch is a member of the American Bar Association, California State Bar, San Joaquin County Bar Association, Santa Cruz County Bar Association and San Francisco County Bar Association. He is a member of several community organizations, including the Stockton Good Guys and the Pacific Athletic Foundation.

Mr. Rausch is a guest lecturer at the University of the Pacific, Eberhardt School of Business, on legal topics involving business formation, and entity selection and intellectual property issues. He is the author of "Technology in Small Firm Practice," *California Lawyer*, Nov. 1997 and MCLE Mediation, *Across the Bar*, March 2008 (San Joaquin County Bar Association).

Mr. Rausch serves as a small claims court judge pro tem and a judicial arbitration and a mediator panelist with the San Joaquin County Superior Court.

RAUSCH MEDIATION SERVICES

Main Office
1930 Tienda Drive, Suite 106
Lodi, CA 95242
Phone 209.339.8500
Fax 209.339.8505

Email: mediator@rausch.com

San Francisco Office
225 Bush Street, 16th Floor
San Francisco, California 94104
Phone 415-951-9600
Fax 415-951-0510

Web: www.rausch.com/mediation