

VERDICTS & SETTLEMENTS

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High-Level Connector

Neutral Gerald Kurland leverages his gift of connecting people at odds to help settle complex construction and other matters.

By Catherine Ho
Daily Journal Staff Writer

When a 10-hour mandatory settlement conference seemed close to bearing fruit as the courthouse shut its doors for the day, Gerald Kurland sprang into action — dragging the parties across the street to a Westin hotel, where they negotiated for another two and a half hours — scribbling notes on a cocktail napkin .

“We were really close, no one wanted to give up, and we wanted to keep the momentum going,” said Richard Glucksman, the lawyer representing a general contractor in the matter, a complex multiparty construction dispute. “Jerry insisted we continue forward.”

So they went to the San Diego hotel bar with the parties at opposite ends of the room — no alcohol was consumed, Glucksman said — and continued the mediation.

“We ended up resolving the case late that night,” said Glucksman, of Chapman Glucksman Dean Roeb & Barger. “It’s indicative of how focused and engaged he can be with parties.”

Kurland is one of a handful of elite mediators in complex construction and real estate matters, according to lawyers who have worked with him.

“He’s probably one of the most pre-eminent, well respected mediators, especially in the field I practice in,” said Joseph Kaneda, a partner at Fenton Grant Mayfield Kaneda & Litt whose firm represents homeowners and homeowner associations in construction defect cases.

Kaneda, who has worked with Kurland since the early 1990s, praised his persistence in complex, long-running disputes that can take months and several settlement conferences to resolve.

“He’s tenacious in a way that’s not obnoxious,” Kaneda said.

“He has a very good, amiable personality. He’s very good with follow-through. He doesn’t just do it once and forget about it; he’ll work between sessions so when you show up at the next



Robert Levins / Daily Journal

session, it increases the chances for the case to resolve.”

Kurland, a Los Angeles native, has long had a passion for bridging communities. As an undergraduate student at UCLA, he served as student body president, and the drive to lead people toward consensus has stuck.

“I always wanted to work to better society and was good at bringing people together,” he said.

After graduating from UC Berkeley School of Law in 1983, Kurland was an associate at Silverberg, Rosen, Leon & Behr, specializing in real estate, construction, business and entertainment law. In 1992, he joined SoPac Real Estate Group and served as in-house counsel for the Pasadena real estate development company. There, he began mediating on the side through the Los Angeles County Bar Association’s dispute resolution programs, and in 1995 joined JAMS as one of the provider’s first attorney mediators.

He said he was drawn to mediation because it was a way to go beyond focusing on one client’s particular issue.

“In the mediation process, it’s a healthier and more constructive process,” he said. “You’re serving a bigger group and greater goal because you can affect more people.”

In mediation, Kurland says he likes to stay a “fly on the wall” as much as possible and let parties go as far as they can on their own before he steps in. Since most of his workload consists of disputes involving as many as 20 parties and multiple agreements — between insurance carriers, contractors, developers and homeowners — he excels at getting to the heart of the issue

Gerald Kurland

Age: 52

Affiliation: JAMS, The Resolution Experts

Location: Southern California

Areas of specialty: Complex construction, business, real estate, insurance, surety

and keeping an eye on the big picture, lawyers said.

“I find him to be very effective and incisive in getting down to the root of the issues, moving along and yet being very open-minded and interested in hearing every party’s perspective,” Glucksman said.

Kurland and his wife, Marta, a real estate lawyer, have two sons, Alex, 22, and Aaron, 20. Alex recently graduated from USC, where he played baseball; Aaron runs cross-country at Loyola Marymount University.

Here are some attorneys who have used Kurland’s mediation or arbitration services:

Richard Glucksman, Chapman Glucksman Dean Roeb & Barge, Los Angeles; Christopher Haskell, Price, Postel & Parma LLP, Santa Barbara; Michael Schoenfeld, Murphy Austin Adams Schoenfeld LLP, Sacramento; Alexander Stuart, Willoughby, Stuart & Bening, San Jose; Joseph Kaneda, Fenton Grant Mayfield Kaneda & Litt, Irvine; Michael Hearn, Law Offices of Michael Hearn, Irvine; Greg Coats, Coates & Coates LLP, San Luis Obispo; Carlos Cabral, Benton, Orr, Duval & Buckingham, Ventura; Alexander Chen, Schaffer, Lax McNaughton & Chen, Los Angeles.