People Person

Neutral Barbara Reeves’ informal style and evaluative skills impress lawyers.

By Meghann M. Cuniff
Daily Journal Staff Writer

LOS ANGELES — During a dozen years as full-time arbitrator and mediator, Barbara A. Reeves has built a reputation as an intuitive people person with a knack for getting to the point, and she’s carved niches in health care, trade secrets and sports entertainment.

“She’s also grown at ease in a role that builds on her three decades as a federal prosecutor, private practice litigator and corporate general counsel.

“She’s demonstratively smart and quick on the uptake, and we had some relatively complicated kind of procedural and control issues that weren’t even what I understand to be her wheelhouse of health care issues,” Ritt said. “She picked up on both the nuances and the big picture of the dispute very, very quickly, and that was impressive.”

Reeves grew up in Buffalo, New York and earned a bachelor’s degree in economics and math from the experimental New College of the University of South Florida after a year at Wellesley College. Her college adviser said she’d make a good lawyer, so she took the LSAT and did well enough to earn acceptance to Harvard Law School, where she was one of few women in the class of 1973.

She enjoyed having a job skill that could transfer to any part of the country, so she loved moving to Portland, Oregon, to clerk for Senior Judge Alfred T. Goodwin of the 9th U.S. Circuit Court of Appeals. She then spent seven years in the U.S. Department of Justice’s antitrust division before joining Morrison & Foerster LLP in 1981.

Reeves handled an arbitration with Ritt that he said involved a complicated breach of contract matter that included technically involved health care issues. The dispute resolved but without Reeves issuing a ruling. She instead took on a mediator role during the arbitration.

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“People often ask me: Which do I prefer?” Reeves said. “And the answer is: whichever I’m doing at the time.”

Stephen L. Goff of King & Spalding LLP in Sacramento had a large arbitration with her concerning “the reasonable value of emergency services.” Reeves presided over a multi-phase arbitration that lasted two to three years. Goff said her style is “sort of friendly and relatively informal,” which eased tensions and helped create a more collaborative environment.

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She joined JAMS in 2006. While she hadn’t worked many mediations or arbitrations as an attorney, she knew the industry well because her late husband, Richard C. Neal, joined JAMS after he retired from the 2nd District Court of Appeal in 2001. Reeves said that Neal, who died in 2015, “loved arbitration and mediation,” and she found herself loving them too.

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“My theme is: Mediation is a process, not an event,” Reeves said.

Some of the cases Reeves handles involve industries that are evolving faster than applicable case law, such as health care and trade secrets.

“So it takes a lot of creativity to do some of these, and if you can identify that in advance, then you can say to the parties, ‘All right, write me your best brief in advance on this one issue,’” Reeves said.

“Some arbitrators take the position of, ‘We don’t need to follow the law,’ but I think lawyers are counting on you to follow the law,” she continued.

“And when the law is unclear, then I do look toward the big picture.”

That can include long-term solutions such as renegotiated contracts “so that they don’t have the same dispute coming up next month.”

Reeves also typically holds a joint session at the beginning of a mediation so she can gauge the temperature of a dispute. She recalls one recent session in which a company CEO refused to shake another company CEO’s hand.

When she confronted the refuser privately, something she said she wouldn’t have had the confidence to do early in her JAMS career, “he gave me personal background that he had not even shared with his attorney.”

“Once I understood his anger and what was behind it, we were able to figure out how to address what was really bothering him and then resolve the business dispute,” Reeves said.

Gregory N. Pimstone of Manatt, Phelps & Phillips LLP, has worked several arbitrations involving Reeves, including one in which she was a member of a three-neutral panel. The three “were just extraordinary in the amount of time and attention they put into the case,” and Reeves’ personal style “is one where she takes down the emotion level that you can sometimes have in these cases.”

“The way she treats the attorneys, it was a pleasure to arbitrate a case in front of her,” Pimstone said.

Ritt agreed. “She had a really good sense of humor, which is in some ways a rarity,” he said. “Her demeanor is really refreshing.”

Here are some attorneys who have used Reeves’ services: Mark Palley, Marion’s Inn LLP, Oakland; Gregory N. Pimstone, Manatt, Phelps & Phillips LLP, Los Angeles; R. David Jacobs, Epstein Becker & Green PC, Los Angeles; D. Jay Ritt, Ritt, Tai, Thvedt & Hodges LLP, Pasadena; Devin M. Senelick, Hooper, Lundy & Bookman PC, Los Angeles; William Markham, Law Offices of William Markham PC, San Diego; Craig J. de Recat, Manatt, Phelps & Phillips LLP, Los Angeles; Mark A. Neubauer, Carlton Fields Jorden Burt LLP, Los Angeles; Tony Brown, Abrams Brown LLP, Santa Monica; Robert E. Freitas, Freitas Angel & Weinberg LLP, Redwood City; Sharon Z. Weiss, Bryan Cave LLP, Los Angeles; Stephen L. Goff, King & Spalding LLP, Sacramento.