



Superior Court of California, County of Alameda
René C. Davidson Courthouse
Alternative Dispute Resolution (ADR) Program
 1225 Fallon Street, Room 109
 Oakland, CA 94612

Ph: (510) 891-6055 Fax: (510) 267-5727

adrprogram@alameda.courts.c.agov www.alameda.courts.ca.gov/courts/adr

Judicial Arbitrator Profile

Name: Howard L. Pearlman

Email: hlawp2@aol.com

Firm: Law Office of Howard L. Pearlman

Address: 11 Spy Glass Hill, Oakland, CA 94618 -- P.O. Box 71, Orinda, CA 94563

Phone: 510-540-5207 Fax: 866-235-0884

Website: www.

Year admitted to California State Bar: 1986

State Bar number: 124785

Law School: UC Hastings College of Law

Degree Received: J.D.

ADR TRAINING and EXPERIENCE

Course Title	Trainer	Hours	Date
Arbitrator Certificate Training	Ron Kelly	20	11/2012
Attorney/Client Fee Dispute Arbitrator Training	Bar Assn. of S.F.	2	02/2014

I am a member of these court-connected ADR panels. (Specify the processes for which you have qualified):

During the past five years, I have provided ADR services through the below listed organizations:

Contra Costa County Bar Association (Fee Arbitration)

In the past five years I have served as the arbitrator on:
 (Please include the dates of service and the case type or subject matter).

1. 5/2014, Contra Costa County Bar Association Fee Arbitrator (Chief Arbitrator--non-binding)
2. 7/2014, Contra Costa County Bar Association Fee Arbitrator (Sole Arbitrator-binding)
3. _____
4. _____
5. _____

My practice is approximately: 0 % mediation and 10 % arbitration.

Number of years experience as: arbitrator 1 mediator 0

LEGAL EXPERIENCE

I am a member in good standing of the State Bar of California

I am a retired judicial officer (Please describe when/where):

I am currently active in litigation practice.

Approximately 75 % of my practice involves litigation

My current practice involves thee case types:

Real estate litigation, including:	non-disclosure/fraud;	breach of contract;
	breach of fiduciary duty;	

My legal practice includes personal injury litigation and I represent:

Plaintiffs as approximately _____ % of my practice and/or

Defendants as approximately _____ % of my practice.

In the past five years, I have served as attorney of record in the following:

Jury Trials Court Trials Mediations Arbitrations

AVAILABILITY and SPECIAL SKILLS

Languages, other than English, in which I am able to conduct ADR Proceedings: _____

Special bi-cultural/multicultural capabilities or familiarity I possess: _____

I am available to conduct arbitrations: in my office;

at counsel's office; other (please specify): mutually agreed locations

I am available to conduct arbitration proceedings: during regular office hours;

evenings by appointment; weekends by prior arrangement.

CASE TYPE DESIGNATION

I am qualified by training/experience to provide arbitration services in the checked case types, and these case types represent the indicated percentage of my law practice:

Case type Accepted	X	% of Law Practice
Antitrust/Trade Regulation	<input type="checkbox"/>	
Asbestos	<input type="checkbox"/>	
Asset Forfeiture	<input type="checkbox"/>	
Auto (Personal Injury)	<input type="checkbox"/>	
Breach of Contract/Warranty	<input checked="" type="checkbox"/>	15
Business Tort/Unfair Business Practice	<input type="checkbox"/>	
Civil Rights (e.g., Discrimination, False Arrest, Disability)	<input type="checkbox"/>	
Collections (e.g., Money Owed Open Book Accounts)	<input type="checkbox"/>	
Construction Defect	<input checked="" type="checkbox"/>	10
Defamation (e.g., Slander, Libel)	<input type="checkbox"/>	
Drugs	<input type="checkbox"/>	
Elder Abuse	<input type="checkbox"/>	
Eminent Domain/Inverse Condemnation	<input type="checkbox"/>	
Enforcement of Judgment	<input type="checkbox"/>	
False Imprisonment	<input type="checkbox"/>	
Family Law	<input type="checkbox"/>	
Fraud	<input checked="" type="checkbox"/>	25
Insurance Coverage	<input type="checkbox"/>	
Intellectual Property	<input type="checkbox"/>	
Lemon Law	<input type="checkbox"/>	
Mass Tort	<input type="checkbox"/>	
Mechanics Lien	<input type="checkbox"/>	
Medical Malpractice	<input type="checkbox"/>	
Other Complaint-Not Listed Above	<input type="checkbox"/>	

Case Type Accepted	X	% of Law Practice
Other Contract	<input type="checkbox"/>	
Other Employment	<input type="checkbox"/>	
Other Expertise	<input type="checkbox"/>	
Other Judicial Review	<input type="checkbox"/>	
Other non-PI/PD/WD Tort	<input type="checkbox"/>	
Other Petition -Not Listed Above	<input type="checkbox"/>	
Other PI/PD/WD	<input type="checkbox"/>	
Other Real Property (e.g., Quiet Title)	<input checked="" type="checkbox"/>	30
Partnership and Corp. Governance	<input checked="" type="checkbox"/>	10
Petition re Arbitration Award	<input type="checkbox"/>	
Probate/Will Contest/Family	<input type="checkbox"/>	
Product Liability	<input type="checkbox"/>	
Professional Negligence (e.g., Malpractice)	<input type="checkbox"/>	
RICO	<input type="checkbox"/>	
Securities Litigation	<input type="checkbox"/>	
Sexual Harassment	<input type="checkbox"/>	
Toxic/Environmental Tort	<input checked="" type="checkbox"/>	10
UD Commercial	<input type="checkbox"/>	
UD Residential	<input type="checkbox"/>	
Uninsured Motorist	<input type="checkbox"/>	
Writ of Mandate	<input type="checkbox"/>	
Wrongful Eviction	<input type="checkbox"/>	
Wrongful Termination	<input type="checkbox"/>	



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Judicial Arbitrator Oath of Office

I, Howard L. Pearlman, hereby accept my appointment to the Alameda Superior Court Judicial Arbitration Panel and agree to abide by all applicable statutes, rules, policies and procedures and ethical requirements.

I hereby affirm and acknowledge that I have read, will abide by and provide services in accordance with: 1) CCP 170.1; 1141.10 -1141.32; 2) CRC 3.810 - 3.830; 3) Evidence Code 703.5 and 1152; 4) Code of Judicial Ethics, Canon 6.

I agree to provide services in a timely manner in compliance with applicable statutes, including completion and return of any requested ADR panel reports, surveys, or other forms.

I, Howard L. Pearlman, solemnly swear (or affirm) that I will perform, according to the law, the duties of arbitrator, and will faithfully and fairly hear and examine the matters in controversy properly before me, and will make a just award according to the best of my ability.

I understand that a violation of the above statutes, rules, policies and/or procedures may result in suspension and/or removal from the Court's Arbitration Panel.

Executed on July 24, 2014 at Oakland, California

Arbitrator Signature

Address: 11 Spy Glass Hill
Oakland, CA 94618

124785
Bar Number

HOWARD L. PEARLMAN
P.O. Box 71 - Orinda, CA 94563
(510) 540-5207 - (866) 235-0884 (fax)
hlawp2@aol.com

LEGAL EXPERIENCE

Law Office of Howard L. Pearlman, Oakland, CA

Attorney, Real Estate Consultant/Expert Witness, July 2012 to present

Civil law practice with emphasis on real estate litigation consulting, expert witness services, and real property transactions.

Provide consulting and expert witness services related to real property litigation, including case evaluation and strategy, opinions on standards of care and custom and practice related to contract drafting, formation and performance, seller and broker disclosure duties, buyer due diligence, agency and fiduciary duties, and non-disclosure/fraud claims. Negotiate and draft real estate transaction documents. Counsel clients on environmental aspects of real property transactions.

Bartko, Zankel, Tarrant & Miller, San Francisco, CA

Attorney/Shareholder, April 1988 to July 2012

24+ years of civil law practice with emphasis on real property and environmental litigation.

Litigated, arbitrated and mediated disputes involving purchase and sale transactions (including breach of contract, breach of fiduciary duty and fraud), commercial leases, construction contracts and defect claims, common interest developments, co-ownership, adjoining landowners, and defense of a residential tenant class action.

Litigated environmental disputes involving CERCLA liability, toxic torts, citizen suits, and professional negligence claims against environmental professionals. Counseled clients on environmental aspects of real property transactions and regulatory compliance.

Heller, Ehrman, White & McAuliffe, San Francisco, CA

Real Estate/Corporate Associate, 1986-1987

Documented real property and corporate transactions; conducted environmental due diligence.

Supreme Court of California, San Francisco, CA

Judicial Extern to Chief Justice Malcolm M. Lucas, Summer 1985

REAL ESTATE BROKERAGE EXPERIENCE

Howard Pearlman Real Estate Brokerage, Oakland, CA

Broker/Owner, 1998 to present

Own and operate a residential real estate brokerage, representing sellers and buyers in purchase and sale transactions in Alameda, Contra Costa and San Francisco Counties.

EDUCATION

University of California, Hastings College of the Law, San Francisco, CA
J.D., *cum laude*, 1986; Senior Articles Editor, Hastings Constitutional Law Quarterly
Note, *Dronenberg v. Zech: Strict Construction or Abdication of Judicial Responsibility*,
12 HASTINGS CONST. L. Q. 669 (1985)

Reed College, Portland, OR
B.A., English, 1980; Faculty Commendations for Excellence in Scholarship

SELECTED PUBLICATIONS

CALIFORNIA REAL PROPERTY SALES TRANSACTIONS, Chapter 6, *Residential Purchase & Sale Transactions* (4th ed. Cal. CEB 2007)
CALIFORNIA BASIC PRACTICE HANDBOOK, Chapter 12, *Sale of Residence* (Cal. CEB 2012)
GROUND LEASE PRACTICE, Chapter 9, *Hazardous Materials* (2d ed. Cal. CEB 2009)
Using Tort Claims to Recover Funds for Future Cleanups, ENVIRONMENTAL COMPLIANCE & LITIGATION STRATEGY (Dec. 1993)
Broad Risk Management Steps Advisable in Face of Kaiser, HAZARDOUS WASTE AND TOXIC TORT LAW & STRATEGY (Aug. 1993)
Reevaluating Contracts to Minimize Liability Exposure, WATER ENVIRONMENT & TECHNOLOGY (July 1993)
Anticipating Environmental Claims, FRANCHISE UPDATE (2nd Quarter 1993)
CERCLA Liability Continues to Widen, CALIFORNIA REAL ESTATE JOURNAL (July 1992)

REPORTED APPELLATE CASES

Kotrous v. Goss-Jewett Co., 523 F.3d 924 (9th Cir. 2008)
Adobe Lumber, Inc. v. Hellman, 415 F.Supp.2d 1070 (E.D.Cal. 2006)
Peregrine Funding, Inc. v. Sheppard Mullin (2005) 133 Cal.App.4th 658
Golden Gateway Center v. Golden Gateway Tenants Assn., 26 Cal.4th 1 (2001)
Zee Medical Distributor Association, Inc. v. Zee Medical, Inc., 80 Cal.App.4th 1 (2000)
Stanton Road Associates v. Lohrey Enterprises, 984 F.2d 1015 (9th Cir. 1993)
Brown v. California State Lottery Commission, 232 Cal.App.3d 1335 (1990)

PROFESSIONAL AFFILIATIONS AND LICENSES

Admitted to the United States Supreme Court (1993) and all California courts (1986)
State Bar of California, Real Property and Environmental Law Sections
Bar Association of San Francisco, Real Property and Environmental Law Sections
California Licensed Real Estate Broker, 1988 to present
Member, National Association of Realtors[®], California Association of Realtors[®], and
Contra Costa Association of Realtors[®]

OTHER HONORS AND ACTIVITIES

Peer-Review Rated AV[®] Preeminent[™] by Martindale-Hubbell
Attorney Fee Arbitration Panelist, Contra Costa and San Francisco Counties
Bar Association of San Francisco's Arbitrator Certificate Training (Nov. 2012)
Director/President, Main Chance Estates Homeowners Association (268-unit common interest development in Walnut Creek, CA), 1998-2009