



KENNETH R. VAN VLECK

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Kenneth Van Vleck has been providing comprehensive mediation services since 2019. Mr. Van Vleck trained in mediation at the prestigious Pepperdine | Caruso Straus Institute for Dispute Resolution. He is a pro bono settlement conference mediator for the Santa Clara County Superior Court and a member of the San Mateo Superior Court ADR Panel. He is a panel member for the California Association of Realtors mediation program.

Mr. Van Vleck successfully mediated over 80 civil matters ranging from business litigation to intra-family real estate disputes. He has settled over 90 percent of the matters before him.

Mr. Van Vleck has nearly 30 years of civil litigation experience, including arbitrations, civil trials, and appeals, focused on business litigation, real estate, and construction disputes. He has tried over 40 cases to verdict in Superior Courts throughout the Bay Area, defending many of those successes on appeal. He brings this extensive trial and appellate background to mediation, offering a highly evaluative approach to mediation. With a background representing both plaintiffs and defendants, he has insight into the risks and benefits for both sides in mediating at all stages of dispute resolution – from pre-litigation through post-appeal collections.

Mediation before engaging in the appellate process provides an opportunity for parties to resolve their own disputes, limiting continued legal fees. The mediation process allows parties to freely engage in an exchange of facts and reasoning, giving participants perspective and understanding of the other side's case, perspective and understanding that often leads to dispute resolution.

Mr. Van Vleck has mediated numerous business, complex real estate, and construction cases. Some examples include:

- secured lender claim against borrower and other lenders regarding title and priority of lien rights.
- Multiple-subtractor lien claims against real estate owner after general contractor absconding with construction funds.

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- Commercial-property rights and responsibilities under conflicting commercial leases and recorded easements on historic property.
 - Indemnitors' liabilities under bond company claims upon failed construction.
 - Residential real estate fraud claims in sale of real property.
 - Commercial real estate leasing dispute resulting from Covid-19's mandatory shutdown.
 - Commercial landlord tenant indemnity claims.
 - Multi-party real property partition actions, both commercial and residential.
 - General commercial litigation matters including rescission, fraud, breach of fiduciary duty, and controlling shareholder liability.

Mr. Van Vleck is the Chairman of the American Bar Association Section of Real Property Litigation subcommittee on commercial real estate litigation. He has been recognized year over year as a *Northern California Super Lawyer*. He writes for several publications for the American Bar Association. He regularly teaches for the Stanford Law School Trial Advocacy Workshop.