

Robert N. Phillips

Partner

Rob is a litigation and mediation partner at Reed Smith handling complex disputes and important business issues. Rob serves as a mediator for the California Court of Appeal, Sixth Judicial District, Marin County Superior Court, Alameda County Superior Court, International Trademark Association, and World Intellectual Property Organization.

Representative Mediations

- Age discrimination, retaliation, wrongful termination case between city employee and city
- Sexual molestation case between victim and school district initiated during California legislature's window for otherwise time barred claims
- Breach of contract dispute between commercial bakery and ingredients supplier
- Commercial lease dispute between university lessor and technology company lessee
- Wrongful termination and wage and hour dispute between fire and water remediation employer and group of employees
- Constructive eviction dispute between residential lessor and lessee arising from mold infestation
- Breach of settlement agreement dispute between automobile dealership and lemon law firm
- Negligence dispute between taxpayer and tax preparation company
- Trademark infringement dispute between competing internet dating websites
- Personal injury dispute between competitive cyclist and automobile driver
- Construction dispute between homeowner and homeowners association
- Private nuisance dispute between neighboring landowners
- Fraud/negligence dispute between patient and ophthalmology practice

Recommendations

"Rob was by far the best settlement facilitator I have encountered in Marin County, and his skills rival any private mediator I have used over the years. Rob quickly grasped the main focus of my client's case: disparate impact age discrimination. Many of my employment law colleagues are not familiar with this theory of discrimination, but Rob was able to absorb the concept and the key jury instructions and to have a meaningful dialogue with opposing counsel. Rob was able to secure a settlement in which we had no reasonable expectation that the defendant would move from its 'no liability' position."

"Rob's ability to step into a charged and procedurally complicated situation and set a tone for good-faith negotiations was impressive."



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Education

University of San Francisco School of Law, 1985, J.D., magna cum laude
University of California, Berkeley, 1982, B.A., with high honors

Court Admissions

U.S. Court of Appeals - Federal Circuit
U.S. Court of Appeals - Ninth Circuit
U.S. Court of Appeals - Second Circuit
U.S. District Court - Central District of California
U.S. District Court - District of Nebraska
U.S. District Court - District of Nevada
U.S. District Court - Eastern District of California
U.S. District Court - Middle District of Tennessee
U.S. District Court - Northern District of California
U.S. District Court - Northern District of Georgia
U.S. District Court - Southern District of California
U.S. District Court - Southern District of Florida
U.S. District Court - Southern District of New York

"We have also let all our folks here know what a great mediator you are! Super impressive and we are very grateful!"

"Rob bridged the gap between the parties, facilitating communication and understanding in a way that I found to be quite beneficial. His ability to navigate complex emotions and interests showed a depth of skill that I believe is crucial for effective mediation."

"Rob served as a mediator in a difficult to resolve California case. Before the mediation, Rob reviewed the submissions and got a firm grasp of the problems and sticking points, which made the entire process go smoothly. Our case had been in suit for more than two years, with a 'no offers and no interest in settlement' position by the defendant throughout. With that as the backdrop, Rob facilitated constructive conversations by the parties, reduced tensions and worked towards a mutually agreeable solution which neither party could have anticipated but were comfortable with at the end. Rob retained control of the room by employing a respectful, supportive approach and even went the extra distance days later when the defendant was not meeting its promised obligations."