

A Mediator Whom You Can Deal With, Attorneys Say

By Craig Anderson
Daily Journal Staff Writer

SAN JOSE - Ruth V. Glick was a mediator and arbitrator long before she became an attorney.

One of the first female commodities traders on the Chicago Mercantile Exchange, Glick first mediated disputes between traders back in the 1970s. Those disputes had to be settled before the market opened the next day, so there was no time for stalling.

Glick's experience in resolving disputes between traders back then gives her a different perspective on the arbitration and mediation cases she has handled since 1994, after her graduation three years earlier from Hastings College of the Law.

"It's something I always loved doing because I have the business experience," Glick said. "I'm pragmatic. People like to get on with business and not be consumed with litigation."

Glick, based in Burlingame, is on the American Arbitration Association's commercial panel of arbitrators and mediators and serves as a hearing officer for municipal labor and employment appeals. She handles a variety of disputes, including business disagreements, partnership or corporate dissolutions, and employment issues.

Attorneys who have used her services say Glick, with her business background and easygoing manner, is a quick study who is able to understand the factual issues and people involved in a dispute. Glick does a good job presenting settlement options, not just to the lawyers but also to their clients. And she doesn't simply warn both sides about the high cost of litigating the dispute if no deal is reached, attorneys add.

"You don't want to come out with your client thinking you talked them into a bad settlement," said Laura E. Innes, a partner with Simpson Garrity & Innes in South San Francisco who has hired Glick several times to mediate employment disputes. "She's got a very laid-back style but is very good at making arguments that a client can hear."

David S. Levine, an Oakland attorney who specializes in civil and family law, said Glick understands the problems in a case and comes across as a sensible mediator who is not going to run up a huge bill.

"She immediately got the issues, the personalities and the range of options," he said. "She is a nice person who has a good feel for the needs of litigants. She just seemed like a person you could deal with."

Glick, 60, says her experience in the business world is a plus in her work as an arbitrator and mediator.

"It gives me an advantage," she said. "I don't have the litigation blinders on. You want to see things move forward and see some resolution."

A native of Milwaukee, Glick was encouraged to work by her parents, who emigrated from Germany in 1939 when the country was under Nazi rule. She graduated from Northwestern University in 1967, and was one of three women accepted to Northwestern Law School.

But Glick decided against law school; instead, she became one of the first

women traders on the Chicago Mercantile Exchange. After working as a currency and financial instrument trader, Glick served as executive vice president of a foreign exchange arbitrage firm and also mediated monetary disputes between traders.

All of those disputes needed to be resolved before the market opened the following day, Glick said, so both sides needed to reach a settlement - or have it reached for them - quickly.

Glick also served as the host of a daily television program, "The Market Basket," in which she interviewed local government and business leaders. The program was broadcast live on several NBC affiliates in the region.

"I loved challenges," she said.

In 1984, Glick moved to the San Francisco Bay Area and remarried. She finally went to law school, graduating from Hastings College of the Law in 1991. Unlike the Northwestern Law School class she decided not to join a generation earlier, half of the first-year students in her Hastings class were women, and she was its oldest member.

She worked as an extern for Justice William A. Newsom with the 1st District Court of Appeal, received mediation training at Harvard Law School, and then began working as an independent mediator a few years later.

Glick also works as an arbitrator, and handles cases for San Mateo County Superior Court's ADR Program as well as the American Arbitration Association. She works as a neutral in a variety of disputes, including business, commercial, real estate, medical malpractice and employment.

Sheila R. Purcell, director of the San Mateo County Superior Court ADR program, said Glick is "always very knowledgeable about the current state of arbitration case law."

Glick, like Purcell, is an adjunct professor at Hastings College of the Law, where she teaches arbitration and has published a number of articles on the subject, including disclosure requirements.

Kenneth G. Hausman, an attorney with Howard Rice Nemerovski Canady Falk & Rabkin in San Francisco, hired Glick last year to mediate an employment case.

"She was able to get both sides together and reach a fair settlement," Hausman said. "She's very smart, very persistent and very personable. She's got a very good personality for mediation."

Hausman and other attorneys said Glick's background, in business and as a commodities trader in particular, is a big advantage.

"Her experience in life helps her dramatically," he said. "With many mediators, the real negotiations don't start until five in the evening. But she started early and finished in less than half the time I expected to spend. She's very efficient, and no time was wasted."

Cameron G. Stout, a San Francisco-based attorney with Keesal Young & Logan, has hired Glick to handle arbitration and mediation cases. In one case, he was representing a broker-dealer in a dispute over the unauthorized payout of funds.

"I just like her demeanor," Stout said. "She's very smart and is a fair judge of the evidence. You don't have to explain things to her twice."

Stout said Glick is no pushover, saying that "anyone who has experience in the securities or commodities industry is going to bring that to the table."

Innes agrees. "I think it's a good idea to have someone with a background that's different from college to law school to practice," she said. "Hers is not a touchy-feely approach."

Gregory J. Sherwin, a partner with Fields Fehn & Sherwin in Los Angeles,

praised Glick's handling of a mediation case involving a pro per plaintiff and his client, a brokerage.

Sherwin said pro per cases can be difficult to resolve because of the emotions involved, and this one did not settle at the first meeting.

"She followed up with the phones and stayed on top of it," he said. "That was very helpful.

"She managed to get to the bottom of the issues very quickly and get it to a successful resolution."

Glick's husband, James Glick, is an orthopedic surgeon. Both of her sons are from a previous marriage. One of her sons is a doctor, while the other is an Internet entrepreneur.

She said attorneys now are very sophisticated about mediation and recognize that they need to bring in a neutral third party so the parties can get past the barriers that stand in the way of a settlement.

"I need to find out what those barriers are," Glick said. "If you listen, people tell you things."

Here are some of the lawyers who have used Glick's services: Laura E. Innes, Simpson Garrity & Innes, South San Francisco; Kenneth G. Hausman, Howard Rice Nemerovski Canady Falk & Rabkin, San Francisco; David S. Levine, Oakland; Gregory A. Rutchik, Liner Yankelevitz Sunshine & Regenstreif, San Francisco; Patricia Cirillo, Smith Barney, New York City; Cameron G. Stout, Keesal, Young & Logan, San Francisco; Glenn A. Lerner, Lerner & Veit, San Francisco; Gregory J. Sherwin, Fields, Fehn & Sherwin, Los Angeles

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