



## BIO SHEET FOR REBECCA CALLAHAN

### AREAS OF SPECIALIZATION

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- Accounting / Valuation / Ownership Disputes
- Banking & Finance Disputes
- Breach of Business & Commercial Contracts
- Business Dissolution & Windup
- E-Discovery Disputes
- Employment / Workplace Disputes
- Financial Elder Abuse
- Fraud / Misappropriation / Tracing Disputes
- Insolvency & Bankruptcy Litigation
- Partnership / Closely-Held Entity Disputes
- Real Property Purchase, Sale and Leasing Disputes
- Wills and Trusts Disputes

### EDUCATION

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University of California, Berkeley, J.D.  
University of Southern California, B.A.  
Pepperdine University School of Law / Straus Institute, LL.M. in Dispute Resolution

### ALTERNATIVE DISPUTE RESOLUTION PANELS

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American Arbitration Association, Large Complex Case, Commercial and Consumer Panels, Arbitrator and Mediator  
Court of Appeal / Second District, Panel Mediator  
Orange County Superior Court, Panel Mediator  
United States District Court / Central District of California, Panel Mediator (2002-2019)  
United States Bankruptcy Court / Central District of California, Panel Mediator (1995-2015)

### PROFESSIONAL ASSOCIATIONS

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College of Commercial Arbitrators, Fellow  
ADR Committee of the Litigation Section of the California Lawyers Association, Member  
ABA Dispute Resolution Section, Member  
National Academy of Distinguished Neutrals, Arbitration and Mediation Panel Member  
Orange County Bar Association, Past Director and Past ADR Section Chair

### COURT ADMISSIONS

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California Bar  
U.S. Supreme Court  
Ninth Circuit Court of Appeals  
U.S. District Court, Central, Eastern, Northern and Southern Districts of California

### WORK HISTORY

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Rebecca Callahan APLC, dba Callahan Dispute Resolution, 2005-Present, and Callahan Law Corporation, 1993-Present  
Partner, Lobel Winthrop & Broker, 1986-1993  
Associate, Buchalter Nemer Fields & Younger, 1985-1986  
Associate, Allen Matkins Leck Gamble & Mallory, 1983-1985  
Associate, Kindel & Anderson, 1982-1983

## **SUMMARY OVERVIEW OF EXPERIENCE - ARBITRATION**

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Appointed to over 50 arbitrations over the past 12 years, several of which have been three-arbitrator panels in the Large Complex Commercial Case Panel of the American Arbitration Association. Approximately half of all assignments have gone through hearing to award and have required reasoned awards. Case examples include:

- Sole arbitrator in a commercial dispute between a customer and supplier / manufacturer of components parts used in the production of aeronautical equipment. Claims involved breach of contract and breach of warranty.
- Panel arbitrator in a wills and trust dispute between successor trustee and beneficiaries. Dispute required the interpretation of a trust instrument and the legal effect and validity of a later executed will on the eve of death of the settlor / original trustee relative to the disposition of the estate and accounting for same.
- Sole arbitrator in a dispute between a finder and a buyer of a cannabis business. Claims involved breach of contract, fraudulent concealment and misrepresentation.
- Panel arbitrator in a dispute between and among partners of a family limited partnership with numerous commercial real estate holdings. Claims involved dissolution and accounting, along with damages claims for fraud, breach of fiduciary duty, conversion, and breach of contract.
- Sole arbitrator in a dispute among partners in a general partnership operated on a consensus basis. Claims involved the determination of whether one partner was wrongfully force out or wrongfully competed and interfered with the business of the partnership after voluntarily withdrawing. Claims also involved competing claims for damages for alleged fraud, conversion, breach of fiduciary duty, etc.
- Panel arbitrator in a dispute between an independent insurance agent and his brokerage firm concerning ownership of the broker's book of business and related intellectual property and electronically stored information. Claims also involved competing claims for breach of contract, breach of fiduciary duty, fraud, misappropriation of trade secrets, wrongful interference with contract, etc.
- Panel arbitrator in a dispute between an intellectual property licensor and an exclusive licensee concerning the licensee's duties to design, manufacture and sell Licensed Products in connection with a new product launch. Claims involved declaratory relief, breach of contract, fraud, concealment, and breach of fiduciary duty.
- Sole arbitrator in a dispute between a machine manufacturer and its custom-order customer. Claims involved breach of contract and breach of warranty.
- Sole arbitrator in a dispute between a consulting firm specializing in processing cannabis licenses and a cannabis retailer. Claims involved breach of contract and declaratory relief.
- Sole arbitrator in several arbitrations conducted under the alternative dispute resolution procedures of several asbestos settlement trusts. Under these procedures, a claimant whose claim is denied or valued at an amount the claimant disagrees with can dispute the Trust's determination, starting with mediation and, if not resolve amicably, ending with binding, "baseball style" arbitration.
- Sole arbitrator in several arbitrations conducted under the Automobile Industry Special Binding Arbitration Program. Under this program, Chrysler and GM dealers whose dealership contracts were terminated in the aforementioned companies' Chapter 11 bankruptcies, could petition for reinstatement by filing a petition with the American Arbitration Association by a set deadline. If such a petition was filed, then it was required that an evidentiary hearing be conducted and an award issued no later than July 2010, with regard to statutorily defined issues and burdens of proof.

## **SUMMARY OVERVIEW OF EXPERIENCE - MEDIATION**

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Appointed to over 1,000 mediations, which have spanned a broad range of subject matters, including:

- commercial disputes involving breach of contract, fraudulent inducement, mistake, force majeure defenses, warranty issues, insurance coverage issues, contract interpretation, accounting, asset valuation, asset tracing, breach of express and implied warranties, and/or title and ownership disputes.
- business tort disputes involving fraud, misappropriation, breach of fiduciary duty, mismanagement, unfair competition, trade libel, interference, aiding and abetting, and/or general negligent.
- business separate / succession disputes, such as partnership dissolution, account and division of assets, orderly liquidations, out-of-court and in-court restructurings, and forced buy-sell.
- inheritance disputes, including trustee breach of fiduciary duty, accounting, interpretation of wills and trust instruments, undue influence, claims for surcharge, and questioned documents.
- real estate disputes (commercial) involving financing, lien priority, purchase and sale obligation, specific performance, foreclosure, development, entitlement, partition, leasing, lease cancellation, receiverships and bankruptcy.
- real estate disputes (residential) involving view and property line disputes between neighbors, foreclosure, leasing, and homeowner association enforcement of CC&Rs.
- bankruptcy disputes including objections to discharge, challenges to plan confirmation, classification of claims, preferences, fraudulent transfers, property belonging (not belonging) to the debtor's estate, plan negotiation, plan implementation and "related to" litigation affecting the debtor and/or its bankruptcy estate.
- intellectual property disputes, including patent rights, trade name rights and licensing rights and obligations.