



James M. Burgess, Esq.
Los Angeles, California

Primary Areas of Expertise

Healthcare
Entertainment
Insurance
Real Estate
Product Distribution
Asset & Business Sales

Professional Summary Experienced litigator representing plaintiffs and defendants in a broad array of complex litigation, contractual disputes, class actions, statutory claims and commercial torts, with significant experience in healthcare, entertainment, insurance, manufacturing and distribution.

Current Employer-Title Burgess Dispute Solutions, LLC - Arbitrator and Mediator
Loyola Law School - Adjunct Professor

Profession Trial Lawyer, Arbitrator, Mediator, Adjunct Law Professor, Strategic Advisor, Judge Pro Tem

Work History Arbitrator and Mediator, Burgess Dispute Solutions, LLC, 2022-Present; Adjunct Professor, Loyola Law School, 2023-Present; Special Counsel/Partner/Associate, Sheppard, Mullin, Richter & Hampton LLP, 1995-2023; Associate, Graham & James, 1990-1995; Law Clerk, Pettit & Martin, 1987-1988); Legislative Assistant, US Congress, 1985-1987.

Experience
HEALTHCARE
Lead trial counsel and advisor for numerous IPAs, MSOs, hospitals, medical labs, medical device manufacturers, pharmacy providers, physicians, medical groups, medical testing companies, surgery centers, and revenue cycle management companies, among others, in a wide variety of disputes involving breach of contract, ownership and shareholder disputes, physician services agreements, managed care, regulatory issues, medical necessity, employment discrimination and retaliation, and billing and coding disputes. Represented large IPA sued under the Voidable Transactions Act after its purchase of a large medical group.

ENTERTAINMENT
Lead trial counsel for major film studios, television broadcasters, production companies, directors, toy manufacturers; online video game producers, art owners and internet companies in significant litigation involving major motion pictures, cable affiliation agreements, production technology, production agreements, trade secrets, copyrights, trademarks, director's rights, advertising agreements, and ADA claims.

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Neutral ID : 5981131

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.

INSURANCE

Lead trial counsel and counsel in hundreds of insurance bad faith cases involving claims denials, wrongful cancellation, claims handling, and reserving impacts on premiums and dividends. Trial counsel on \$1.2 billion certified class action alleging "over-reserving" impact on premiums.

DISTRIBUTION

Represented manufacturers, franchisors, and distributors in a variety of industries, including fast-food, beverage, lead acid batteries, ultrasound equipment, electronic components, and plastics in a variety of disputes involving contract termination, product defect, breach of warranty, fraud, and violation of various statutes including the New Motor Vehicle Distributor Act and the New Jersey Sales Representative Act, among others.

OTHER

Represented major retailer sued in a class action for allegedly collecting improper sales tax reimbursements; national hotel developer and operator in a dispute concerning the development of multiple hotels; investors in restaurant owned by well-known celebrity chef concerning joint ownership and lease of the restaurant; art recovery lawsuits for individuals; ground-breaking trademark case by a customer service software company; and, a copyright dispute against a website.

Martindale-Hubbell AV Rated; Southern California Super Lawyer (2011-2024); Former President and Board Member of the Legal Aid Foundation of Los Angeles. Numerous awards for community and pro bono service.

Alternative Dispute Resolution Experience

Lead counsel in numerous national and international arbitrations involving medical device manufacturing, mortgage lending, beverage and product distribution, medical billing, medical labs, hotel development, enterprise software development, and legal malpractice. Mediated hundreds of cases involving insurance bad faith, healthcare, ownership disputes, copyright, trademark, trade secret, real estate, asset purchase agreements, collections, fast-food franchisee dispute, product defect, software, film production, employment retaliation and discrimination, ADA and breach of contract. Served as mediator in over 30 mediations for the LA Superior Court and the Central District of California.

Technology Proficiency

Handled and participated in several arbitrations and mediations using Zoom, and familiar with other platforms (LoopUp, GoTo Meeting, Microsoft Teams). Litigated ESI issues including appropriate search terms, metadata preservation and independent forensic review.

Education

University of Southern California Gould School of Law (JD, Order of the Coif - 1990); Claremont McKenna College (BA, Philosophy and Political Science, Philosophy Department Award - 1984).

Professional Licenses

Admitted to the Bar: California (1990), District of Columbia (2021); US District

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Courts: Central (1990), Northern (1991), Eastern (1991) and Southern (1992) Districts of California, District of Columbia (2021); US Court of Appeal: Ninth (1990) and DC (2021) Circuits; US Supreme Court (2021).

Professional Associations

American Bar Association (Dispute Resolution and Litigation Sections); DC Bar Association; LA County Bar Association; Century City Bar Association.

Locations Where Parties Will Not be Charged for Travel Expenses

Los Angeles, CA

Citizenship Languages

United States of America
English

Compensation

Cancellation Period: 0 Days
Comment: Compensation rates, established by the AAA, are set forth in the applicable Consumer Arbitration Rules.

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