

VERDICTS & SETTLEMENTS

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Above and Beyond

Attorneys say mediator Eleanor Barr will do what it takes to reach a deal.

By Meghann Cuniff
Daily Journal Staff Writer

SHERMAN OAKS — After 20 years as a mediator, Eleanor O. Barr enjoys resolving complex, multi-defendant disputes. But she doesn't limit herself: She also enjoys mediating smaller cases and everything in between.

"I mediate very large cases, and I mediate very garden-variety cases," Barr said. "I enjoy the challenge of a complex case, but I also enjoy the challenges of just a two-party employment case."

For Barr, the fun of a mediation has little to do with the size of the dispute and everything to do with the people involved and the skills needed to bring them together. Her practice includes employment and insurance cases, toxic torts, environmental litigation and personal injury lawsuits.

She recently resolved a 15-defendant toxic tort case and a two-party personal injury case, and she's currently mediating a large probate case. She strives to keep her approach fresh, and attorneys who work with her say her experience, energy and empathy stand out.

"She has very soft manners, but she's very persuasive, which is I think what makes her a great mediator," said Yana G. Henriks, a plaintiffs' employment lawyer at McMurray Henriks LLP.

Henriks said she was initially reluctant to work with Barr because she was recommended by defense counsel, but her concerns soon evaporated, and she later agreed to have Barr mediate four other cases.

"Now I'm routinely offering her," Henriks said. Cases include elder abuse and products liability, and Henriks said Barr mediated a personal injury case involving an Indian casino. She drove to the San Manuel Band of Mission Indians' tribal court and was well

versed in tribal law, Henriks said.

Jason S. Mills, an employment defense lawyer with Morgan, Lewis & Bockius LLP, said Barr is particularly effective because of her ability to communicate well with clients. He said his employer clients sometimes feel mediators lean only on them and not employees, but Barr never makes them feel that way.

"Eleanor's really effective at hearing them out and acknowledging their position," Mills said. "Nobody felt like they were getting beat up."

Camilo Echavarria, a partner at Davis Wright Tremaine LLP, has had at least five mediations with Barr over the last six to seven years, and he said she knows how "to highlight or discuss ... facts or issues regardless of which side you're on."

"She's not going to do it in a way that's going to make people upset, or should make people upset," said Echavarria, who called Barr a "closer."

"I believe all the cases I have worked with her on we have reached a settlement, and that's a really, I think, critical part of being a successful mediator at the end of the day," he said.

Barr started mediating in 1999 after 10 years as a litigator. She graduated from Indiana University Maurer School of Law after working two summers as a law clerk in New York City. She interviewed across the country and decided she wanted to be somewhere warm after visiting Chicago in February.

She started at Glassman & Browning in Beverly Hills, handling mostly First Amendment issues on behalf of publishers and filmmakers, then worked primarily employment and environmental cases at a firm in Glendale, where she became a name



Eleanor O. Barr

Barr Mediation LLC
Sherman Oaks

Area of Specialty:

employment, environmental, toxic torts, insurance, personal injury, business

partner in 1996 under her maiden name, Oths. She discovered mediation, then in its infancy, while at Denney & Oths.

"I realized that I was so aggressive in my mediations as an advocate, so I started taking some negotiation classes," Barr said. "You have to go for the jugular artfully as an advocate and particularly in mediation."

She studied at Harvard Law School's program on negotiation and the Straus Institute for Dispute Resolution at Pepperdine Law School, and litigated for several more years before deciding to set out on her own as a mediator. She was unaware of the complexities of being a sole practitioner, which she said was key to actually doing it.

"If I really knew the process of building a business in advance, I probably would have been shy to do it, but I was so young," Barr said, "I just — I loved it."

She built her practice through the mediation panel assignments in Los Angeles County Superior Court.

"You can get a trademark infringement

case, and the next day you can get a medical malpractice case,” Barr said. “It really varied.”

She built her client list as she honed her skills, and the panel assignments tapered off as she took on more of her own cases. She joined ADR Services from 2008 to 2012 then spent two years at PMA Dispute Resolution before opening her own practice again. She said her experience fuels her creativity as she works to stay fresh from case to case and tailor her approach to the facts and personalities.

Katherine M. Forster, a partner at Munger, Tolles & Olson LLP, said Barr brings a skilled combination of evaluative and facilitative approaches, which Forster called “an interesting combination that you don’t always find.”

She’s also approachable and well prepared, which pleases clients, Forster said.

“She’s definitely one of the mediators where I don’t worry that the client will feel that she doesn’t have sufficient expertise or gravitas to handle it,” Forster said. “She will present well,

and your client will have confidence that she hasn’t missed things.”

One of Barr’s greatest attributes is her demeanor, said sole practitioner Christa L. Riggins, a plaintiffs’ employment lawyer who’s done three mediations with her.

“She’s just very welcoming. She’s a great listener. She’s very empathetic. And I think that creates a good rapport with the parties and helps get the case settled,” Riggins said. Barr also is “good at reading people, which is a skill I think mediators need, and she definitely has,” the lawyer added.

Attorneys also said they appreciate Barr’s dedication to their cases. While most settle the day of the mediation, Barr is diligent about those that don’t.

She tries to limit her caseload to ensure she has time to follow up, and she said she’s always willing to make herself available or to initiate a conversation if the time is right. She recalls settling five or six cases between Christmas and New Year’s Day, juggling phone calls

on New Year’s Eve as she and her husband headed to a Broadway play in New York City.

Hien Nguyen’s employment defense case was one of them.

“She genuinely made herself available and nobody wants to be working during that time,” said Nguyen, of Morgan, Lewis & Bockius LLP. “It was an above and beyond service she was providing.”

Here are some attorneys who have used Barr’s services: Yana G. Henriks, McMurray Henriks LLP; Jason S. Mills, Morgan, Lewis & Bockius LLP; Camilo Echavarria, Davis Wright Tremaine LLP; Katherine M. Forster, Munger, Tolles & Olson LLP; Hien Nguyen, Morgan, Lewis & Bockius LLP; Catalina Rodas, Castelblanco Law Group APLC; Jason Booth, Booth LLP; Geniene B. Stillwell, Stillwell Law Office; Tracy L. Fehr, Alexander Krakow & Glick LLP; Raphael Metzger, Metzger Law Group; Brian M. Ledger, Gordon Rees Scully Mansukhani LLP.

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