

## **MEDIATOR PROFILE – ROBERT B. JACOBS, ESQ.**

### **EDUCATION**

Undergraduate: Bachelor of Arts, English, Brigham Young University (1984) cum laude

Law Degree: J. Reuben Clark Law School, Brigham Young University (1987)

### **PROFESSIONAL TRAINING**

Mediation: Certificate in Mediation Skills, Northwestern University, Chicago, Illinois (2016)  
Harvard Law School Faculty Training, Project on Negotiation (PON) Advanced Mediation Skills Training, Conducted by Judicate West (2024)  
Advanced Mediation Skills Training, National Conflict Resolution Center, Sacramento (2021) (Presented in connection with the Appellate Mediation Program conducted by the California Third District of Appeal, Sacramento)  
Mediator Training, California Lawyers for the Arts (2017)  
Mediating Disputes under the C.A.R. Residential Purchase Agreement (2015)

Arbitration: Certificate in Arbitrator Training, Bar Association of San Francisco (2016)

### **PROFESSIONAL EXPERIENCE**

Robert Jacobs is a panelist with Judicate West, which is one of the nation's preeminent providers of mediation and arbitration services. Judicate West's roster of neutrals includes prominent attorneys as well as retired state and federal court judges. Judicate West neutrals hone their skills through continuing roundtable discussions of emerging issues in mediation and through participating in continuing mediation skills training from top-tier faculty such as those from the Harvard University Law School Project on Negotiation (PON).

Mr. Jacobs frequently mediates cases where buyers claim that property conditions or defects that negatively affect the value or desirability of real property were not adequately disclosed prior to close of escrow. He draws on his 30+ years of experience with real estate and construction law litigation to craft effective resolutions in such cases.

Mr. Jacobs mediates claims against brokers and agents including claims that real estate professionals didn't adequately advise their clients, that they didn't adequately inspect a property or that they didn't properly disclose property defects prior to close of escrow. He mediates claims by and between brokers, agents and sellers, including claims for a commission when a transaction doesn't close.

Mr. Jacobs mediates cases where one of the parties refuses to complete a transaction. When a buyer refuses to complete a purchase, Mr. Jacobs mediates the seller's claim for liquidated damages or a claim to the buyer's deposit. When a seller refuses to complete a sale, Mr. Jacobs mediates the buyer's claim for damages or specific performance.

Mr. Jacobs mediates cases involving nuisance, trespass, prescriptive easements, express easements, property damage, partition, commercial leases, residential leases, title defects, construction defects, mechanic's liens and usability of property. He mediates probate and trust litigation cases involving claims of undue influence, fraud, misrepresentation or breach of an oral promise or agreement.

While the outcome of any given mediation cannot be guaranteed, Mr. Jacobs enjoys a high rate of success in the cases he mediates.

As a trial attorney, Mr. Jacobs represented plaintiffs and defendants in trials, mediations and arbitration proceedings for more than 30 years. He was the primary attorney in dozens of bench trials, two jury trials and several binding arbitrations. His clients have included homeowners, brokers, agents, sellers, buyers, developers, lenders, borrowers, creditors, debtors, landlords, tenants and many businesses. He has lectured on real estate, business and construction topics for the California Land Surveyors Association, the American Institute of Architects and more than a dozen Bar Associations throughout the State of California, including the Bar Associations of San Francisco, Alameda, Contra Costa, San Mateo, Santa Clara and Sacramento counties. He has lectured to the Real Estate Section of the Contra Costa County Bar Association, the Alameda County Builders Exchange and to several community organizations. His articles have been published in The Daily Journal. He wrote real estate newspaper articles for the Bay Area News Group from 2008 through 2017. He has been interviewed on NPR (National Public Radio).

Mr. Jacobs served as one of two update authors for the 2018, 2019 and 2020 revisions to the University of California CEB (Continuing Education of the Bar) publication California Real Property Remedies and Damages. He is also a co-author of a real estate practice work for attorneys, CEB Practitioner. In 2020 he served as the chair of the ADR (Alternative Dispute Resolution) section of the Contra Costa Bar Association and also as the co-chair of the ADR Executive Committee of the Alameda County Bar Association.

In 2021 Mr. Jacobs served as a law professor (Adjunct) for University of California College of the Law, San Francisco (formerly UC Hastings) in San Francisco.

From March of 2022 through September of 2023 he served as Associate Area Legal Counsel in West Africa where he supervised all real estate acquisitions and nearly all real estate litigation in 17 West African Nations for a large, multinational non-profit entity.

Mr. Jacobs presently serves as an approved arbitrator in Kaiser Permanente binding arbitrations.

## **AFFILIATIONS**

California State Bar #131160

Judicate West

Admitted to practice before the United States Supreme Court, the United States District Courts for the Northern and Eastern Districts of California, and all California state courts.

Superior Court Judge pro tem, Contra Costa County Superior Court (1994 – 1997)

Court Mediator, Alameda County Superior Court (2016 – present)

Contra Costa County Superior Court mediator panel (2017 – present)

Santa Clara County Superior Court mediator panel (2017 – present)

Settlement Mentor, Contra Costa County Superior Court (2018 – present)

San Joaquin County Superior Court mediator panel (2020 - present)

California Lawyers for the Arts (Arts Arbitration and Mediation Service) mediator and arbitrator (2017 – present)

Chair, Contra Costa County Bar Association ADR Section (2020); Director (2018 – 2021)

Co-Chair, Alameda County Bar Association ADR section (2020); Executive Committee member (2018 – 2020)

Martindale-Hubbell Rated AV Preeminent (2002 – present)

Designated California Superlawyer (2014 – 2016, 2020 – present)

President, Tri-Valley Estate Planning Council (2017 – 2018)

Director, Eastern Alameda County Bar Association (1996)

## **STATEMENT**

I often work with counsel and parties where settlement appears unlikely prior to the mediation. In most of these cases the parties leave the mediation with a signed settlement agreement in hand.

I prepare carefully for each mediation; I study the briefs and exhibits that are submitted.

During the mediation process I listen carefully to counsel and parties.

Most parties and counsel who mediate with me feel that they were well-served and that their mediation was conducted with skill and respect. Many attorneys who mediate with me elect to work with me again in subsequent mediations of other cases.

## **FEES**

\$600 per hour

## **SERVICE AREAS**

No fee for travel within Alameda, Contra Costa, Santa Clara, San Francisco, San Mateo, Marin, Solano, Monterey, Santa Cruz, Stanislaus, Sonoma, San Joaquin, Sacramento, Napa, Yolo, San Benito, Merced, Mariposa, Madera, Fresno, Tuolumne, Calaveras, Amador, El Dorado or Placer counties. Services available in other counties with travel fee depending on distance. No charge for cancellations with at least 48 hours advance notice.

Online mediation services available via Zoom.

#### **OFFICE LOCATION**

Conference space available in all service areas

**DO NOT CONTACT MEDIATOR DIRECTLY. All mediations must be filed directly with our Center and questions for mediators pre-assignment should be arranged with our Center.**