

VERDICTS & SETTLEMENTS

FRIDAY, FEBRUARY 12, 2021

Tenacious Persistence

Christine Page doesn't give up easily on any opportunity to resolve disputes.

By Shane Nelson
Special to the Daily Journal

Christine A. Page spent more than two decades litigating employment cases, representing both businesses and employees in everything from arbitrations to jury trials to appeals.

During the 1990s, however, Page said her first exposure to mediation dramatically reshaped her views about how to best help clients.

"I just wanted to be a problem solver," Page explained. "And taking something all the way through trial or on appeal was rarely the best way to solve a problem. ... And I felt really strongly that I was not always helping my client, depending on the matter, by litigating the hell out of it."

Page said she knew soon after her first mediation experiences, while representing clients during her days as a litigator, that she wanted to one day refocus her career on resolving disputes as a fulltime neutral. That change didn't happen overnight, of course, and Page said she knew she needed to "cut my teeth doing a lot of volunteer work for the superior court system" after completing further mediation training.

In 2013, Page became a full-time mediator and arbitrator, handling employment matters

as well as real estate, securities and other business disputes. Page said she only recently ended a long run of working for the California Department of Fair Employment and Housing, where she was also busy helping resolve discrimination, wrongful termination, harassment and retaliation claims.

In her private mediation practice, Page likes to receive briefs from counsel on both sides and then follows up with a premediation phone call to each, which allows her to ask questions and get a far better feel for the case. Page also encourages attorneys to exchange briefs.

"There's such a strange resistance to that still among counsel, but more and more of them are coming around," she said. "I just see no advantage to ambushing the other side with surprise evidence in a mediation. ... If you want to enable both sides to make an informed decision, which is my ultimate goal, then getting new information on the day of mediation doesn't always work. You can't always effectively process that information."

Page said she's ultimately content to leave that decision about exchanging briefs to the attorneys, and she will also leave to them choices about joint sessions with litigants. But there are occasions in which she



Justin L. Stewart / Special to the Daily Journal

thinks bringing people together can have a transformative impact.

"The reality of the Southern California marketplace is lawyers have decided they don't like joint sessions anymore," Page said. "I don't push them at the outset, but I do keep an eye and an ear open to an opportunity to bring everybody together."

Page was also quick to mention she's never quick to give up on disputes she's been asked to help resolve.

"If I see a path to resolution, and I'm usually the most optimistic person in the room. I just keep going until it's done," she insisted. "And sometimes, that's a week or two after the mediation session."

San Bernardino employment attorney Sanford A. Kassel, who has worked with Page on many mediations over the years, described her as "highly regarded

Christine A. Page

Page Dispute Resolution
Los Angeles

Areas of specialty:

Labor and employment, real estate, securities, and other business disputes

by both sides" and lauded her persistence.

"When she mediates a case — no matter how unlikely the parties or counsel regard the chances of a possible settlement — more likely than not she is going to get it resolved," Kassel said. "Oftentimes, mediators just wash their hands and say, 'I can't do anymore.' But Christine just continues very persuasively to work both parties very hard, and I think that's commendable."

El Segundo employment litigator Saba Zafar, who worked

for the first time with Page on a recent Department of Fair Employment and Housing dispute that didn't settle the day of mediation, agreed about the mediator's persistence.

"That kind of follow-up is becoming more and more rare for mediators, and if they do follow up, it's somewhat passively," Zafar said. "But I thought Christine really put everything into it to make sure she was doing everything she could to help the parties resolve the case."

Zafar was also impressed with Page's grasp of employment law.

"Most mediators stick to what's in the brief," Zafar said. "But Christine went past the briefs and said, 'Hey, these are all these other legal theories and defenses. Have you considered how these might impact the case?' The reason she was able to do that is because of her very,

very good understanding of the law and because she's clearly kept up with learning new law."

Page is also working as an arbitrator and serves on multiple panels, including the American Arbitration Association.

Fully aware of the fact that both parties are rarely participating in an employment arbitration happily, Page said she likes to try to remind everyone early in the process about the advantages she can provide over a jury trial.

"The biggest advantage of arbitration is my availability and responsiveness," she said. "If any issues arise, unlike in court and particularly right now during COVID, any of the parties can send me a communication, and I can respond within the same day or the next day. Or if a dispute has arisen that needs to be resolved over a discovery issue, it can get

resolved within a week instead of festering for months before a court can resolve it."

San Diego employment attorney Camille L. Gustafson worked recently with Page on a dispute involving allegations of disability discrimination that ultimately settled — though not on the day of mediation.

"Christine had a very calm demeanor throughout the mediation, which was helpful because we had some very emotional parties," Gustafson said, noting Page's extensive experience as an employment attorney was also a big help in her case. "She really did understand what the issues were, and in the end, it came down to just one factual point. Christine was very effective at helping both sides see how that fact could go either way under the legal analysis."

Making the decision to focus

full time on helping people resolve their disputes certainly appears to have been the right choice for Page.

"I can say without hesitation the last eight years have been the happiest years of my professional career," she insisted. "It's much less stressful than being a litigator, and that allows me to give the energy and mental space to every case I handle. Of course, every day you settle a case is a good day, and I settle most of my cases, so it's been a fantastic career transition for me."

Here are some attorneys who have used Page's services: Camille L. Gustafson; Paul, Plevin, Sullivan & Connaughton LLP; Saba Zafar, Boren, Osher & Luftman LLP; Sanford A. Kassel Sanford A. Kassel APLC; Rosha Jones, Folger Levin LLP; Patricia M. Bakst, Los Angeles