

KATHERINE L. GALLO

Discovery Referee/Special Master/Mediator
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PROFESSIONAL EXPERIENCE

- 1994 to present: Discovery Referee, Special Master, Mediator, Arbitrator.
Since 1994, served as a court assigned or party-court selected private Discovery Referee or Special Master in over 200 litigated matters in the fields of business, insurance, construction, employment, real estate, family law and personal injury. These assignments have come from the Superior Courts of Alameda, Contra Costa, Sacramento, San Benito, San Joaquin, Santa Clara, San Mateo and Sonoma counties.
- Handled over 200 cases as a Mediator or Pro-tem Settlement Judge with a settlement rate in excess of 90% in the areas of real property (including eminent domain, easements and commissions), personal injury, product liability, elder abuse, construction defect (including liens and construction operations losses), employment (including wrongful termination, discrimination, harassment and wage and hour claims), business disputes and Lemon Law.
- 1992 – 1994 Research Attorney for Law & Motion Department of Alameda County Superior Court. Researched and drafted bench briefs for Law and Motion Judge regarding matters on the Law and Motion Calendar. Responsible for all discovery motions as well as mediating discovery disputes.
- 1987 – 1991 Litigation Attorney. Responsible for case load of 60 active files in the areas of personal injury, product liability and commercial litigation.

EDUCATION

- McGeorge School of Law, University of the Pacific
Juris Doctorate, 1986
University of California, Irvine
Bachelor of Arts, 1981
- Mediation and Conflict Resolution Training (40 Hours) 1996
Mediating Complex Construction Disputes (18 Hours) 2006
Mediating the Complex Case (18 Hours) 2007
Temporary Judge Training (20 Hours) 2009

REPRESENTATIVE CASES HANDLED AS A REFEREE OR SPECIAL MASTER

- **Construction Delay and Fraud** action against a major general contractor and an architect involving a design build, multi-prime public works project. Responsibilities included case management, coordinating discovery, pre-approval of discovery, rulings during depositions and rulings on discovery motions.
- **Personal Injury** action where passenger fell off platform and was run over by a train. Claim of driver intoxication, transit rail platform design defect and spoliation of evidence. Responsibilities included case management, ruling on discovery motions and in camera review of personnel documents.
- **Product Liability** case against major cosmetic company involving claims of facial burns and permanent scarring from product usage. Responsibilities included ruling on discovery motions, in camera review of customer complaints to review third party privacy and relevance prior to production and supervising notice to those customers pursuant to *Colonial Life* (31 Cal. 3d 785).
- **Class Action** involving claims of fraud against life insurance companies marketing life insurance policies as annuities. Responsibilities included case management, rulings on discovery motions and *Colonial Life* notice to class members.
- **Wage and Hour** claims by 240 managers against a chain retail store. Responsibilities included case management, ruling on discovery motions, outlining procedure for trial and settlement negotiations.
- **Construction Defect and Fraud** claim against developer, experts, insurance company and law firm for alleged fraudulent settlements of prior construction defect claims. Responsibilities included case management, ruling on discovery motions, outlining procedure for trial and settlement negotiations.
- **Sexual Molestation** action. Responsibilities included ruling on claims of attorney-client, marital, physician-patient, psychotherapist-patient, clergy-penitent and self-incrimination privileges at depositions.
- **Legal Malpractice** action for failure to file an international patent for bio-tech company. Responsibilities included case management, ruling on discovery motions and rulings during depositions.
- **Class Action** involving the management of several limited real estate partnerships throughout the country and challenging the merger of two publicly traded companies. Responsibilities included case management, rulings at deposition and rulings on discovery motions.
- **Wrongful Termination, Sexual Harassment and Age Discrimination** cases. Responsibilities included case management, rulings at depositions, in camera review of personnel records and rulings on discovery motions.
- **Family Law** cases. Responsibilities have included court supervised sale of property, case management, rulings on discovery motions and rulings on trial issues.

CASES HANDLED AS A MEDIATOR/PRO TEM JUDGE

- Personal Injury
- Product Liability
- Elder Abuse
- Construction Defect (including liens and construction operations losses)
- Probate
- Lemon Law
- Employment (wrongful termination, discrimination and wage and hour claims)
- Real Property (including eminent domain, easements and commissions)
- Professional Malpractice
- Business Disputes

SEMINARS GIVEN ON CONSTRUCTION LITIGATION

“Emerging Trends in ADR for California Construction Litigation”

ABA 10th Annual Section of Dispute Resolution Spring Conference - April 2008

“The Critical Path to Resolution—The First 200 Days”

Lorman Seminar, San Jose - October 2007

“Emerging Trends in Complex Litigation: Litigating in the Brave New World After Jeld-Wen”

Santa Clara Bar Association - September 2007

“The Aftermath of Jeld-Wen”

In house seminar for Wood, Smith, Henning & Berman - February 2007

“THE SPECIAL MASTER PROGRAM—Is it Getting the Job Done?”

11th Annual AIG-CS Construction Defect Seminar - May 2006

SEMINARS GIVEN ON DISCOVERY

“E-Discovery—Are You Ready?”

Santa Clara County Bar Association – January 2009

“Discovery Plans -The First 200 Days”

In House seminar for Van De Poel & Levy - July 2006

In House seminar for Paul Hastings - July 2005

“Ethics of Discovery”

Queens Bench of San Francisco County Bar Association – October 2002

Santa Clara County Bar Association - December 1996

“How to Win Your Discovery Motions”

San Mateo County Bar Association – June 1999

“What You Should Know Before You Take a Deposition”

San Mateo Clara County Bar Association – April 11, 1997

“How to Ethically and Strategically Propound and Respond to Discovery”

San Mateo County Bar Association – October 1996
Santa Clara County Bar Association - November 1995

“The Do's and Don'ts of Discovery”

San Mateo County Bar Association - November 1994
Santa Clara County Bar Association - July 1995

PUBLISHED ARTICLES ON DISCOVERY

“The 1986 Discovery Act—Is it Working?”

Fall 2007--*Comment Magazine*—Assoc. of Defense Counsel of No. Cal.

“There’s This Case That Says. . . (Depositions)”

October 2007--*The Docket*—San Mateo County Bar Association

“The Codes—They Are a Changin’”

May 2005--*The Forum*—Consumer Attorneys of California

“Oops! Now What Do I Do?”

April 2004--*The Forum*—Consumer Attorneys of California

“I Have This Great Doctor You Gotta See”

August/September 2001--*The Docket*—San Mateo Bar Association

“Do You Have All Your Ducks (Experts) in a Row?”

November/December 1999--*The Docket*—San Mateo Bar Association

“The Ultimate Discovery Outline”

May/June 1999--*The Docket*—San Mateo Bar Association

“Why Aren’t You Using Requests for Admissions?”

January/February 1999--*The Docket*—San Mateo Bar Association

“Let the Other Guy Do the Work—What Parts of Litigation-Related Investigations are not Protected from Disclosure?”

November/December 1998--*The Docket*—San Mateo Bar Association

“Five of the Most Annoying Discovery Objections by Opposing Counsel and the Rulings That Are Sure To Follow.”

August/September 1998--*The Docket*—San Mateo Bar Association

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES

Alternative Dispute Resolution (ADR) Panel for the Superior Courts of Alameda, Contra Costa, San Francisco, San Mateo and Santa Clara Counties.

Arbitration Panel for the Superior Courts of Alameda and San Mateo Counties.

San Mateo County Superior Court Complex Committee (2005-2008)

Alameda County Bar Association (1998–present)
ADR Committee (1998-present)
ADR Panel (1998-present)

Santa Clara County Bar Association (2007-present)
Civil Litigation Committee (2009-present)
ADR Committee (2010)

San Mateo County Bar Association (1994-present)
ADR Committee (1994-01);
Bench Bar Committee (1998-02)
Membership Committee Chair (2000),
MCLE Committee (1994-1999) and Chair (1996-1999)