

Rausch Mediation Services

Commercial & Business Disputes and General Civil Controversies

Personal Biography

2013

Since January 1993, when he opened his own law firm, Peter Rausch has been litigating a wide variety of complex business cases and commercial disputes for selected clients throughout California and the United States from offices in Lodi, San Francisco and the Central Coast of California. During that time, he has participated as an advocate in countless mediation and settlement conferences. After seeing first hand the value and benefit of facilitated voluntary dispute resolution, and appreciating the increasingly frequent use of mediation as a popular tool selected for use in managing high stakes, complicated business litigation, Peter developed an interest in the study of the art and science of negotiation and the psychology of



human communication in the context of alternative dispute resolution.

Desiring to serve as a neutral, Peter trained to act as a small claims court judge pro tem with the San Joaquin County Superior Court also serves on the Court's Judicial Arbitration Panel. Peter trained to serve as a neutral in the context of mediating business and general civil disputes. In addition to various ongoing bar association sponsored mediator training programs, Peter completed an intensive five (5) day mediation training program in 2005 with Steven Rosenberg. He then completed advanced mediation training in the spring of 2007. In 2009 Peter completed a six (6) day course with the Pepperdine University Straus Institute for Dispute Resolution and joined the San Joaquin County Court mediation panel. In 2012 Peter completed extensive training sponsored by the California Court of Appeal for the Third Appellate District and now serves on the Third District Court of Appeal Mediation Panel.

Mediation Philosophy and Approach

Peter tends to approach mediation with a facilitative perspective, allowing the parties to use their own creativity and judgment to guide the mediation toward settlement. He believes an effective mediator must fully understand the factual contentions of all sides and assess and analyze the laws surrounding the dispute thoroughly before settlement discussions begin. The most successful mediations tend to be those cases in which the mediator is most prepared. In addition to preparation, creativity, flexibility and a firm yet diplomatic utilization of evaluative reflection are important ingredients to any successful mediation.

Practice Areas and Industry Experience

Peter's practice experience includes a broad range of complex commercial and business litigation; general civil litigation and appeals; corporate and business entity selection, formation, governance and dissolution; selected commercial and business transactions; private investment financings; trademark and copyright registration; intellectual property infringement litigation; trade secrets and related unfair competition disputes; intellectual property licensing and transactions; asset protection and wealth transfer; creditor / debtor rights, commercial collections, personal property lien enforcement; employment matters, real property disputes; non-medical professional liability claims, personal injury, elder abuse claims and trusts and fiduciary relationships.

Law Practice Client Base

Peter's client base and mediation experience covers a wide range of business areas and industries including: Agriculture, Broadcasting, Communication, Transportation, Equipment Leasing, Investment Banking, Real Estate Development and Construction, Health Care, Renewable Power, Direct Marketing, Commercial Manufacturing, Wholesale and Retail Sales, Entertainment and the Arts, Post Secondary Education, Internet Services, Publishing, Hospitality, Software, Website Design and Professional Corporations.

Educational and Professional Background

Mr. Rausch was admitted to practice law in California in 1987. He formed his own firm in January 1993. Mr. Rausch holds a Bachelor of Arts degree in Philosophy (1981) from the University of the Pacific and a Juris Doctor (1986) from the University of the Pacific's McGeorge School of Law, where he served on the Pacific Law Journal (1984-1985).

Mr. Rausch is admitted to practice before:

- California Supreme Court (1987);
- U.S. District Court, Eastern and Northern Districts of California (1987);
- U.S. District Court, Central District of California (1990);
- U.S. Court of Appeals, Ninth Circuit (1990);
- U.S. District Court, Southern District of California (1992);
- U.S. Supreme Court (1992);
- U.S. District Court, District of Michigan (2000);
- U.S. District Court, District of Arizona (2003).
- U.S. District Court, District of Colorado (2004).

Mr. Rausch represented clients in litigation resulting in the following published decisions: *Turbinator v. Superior Court*, (1995) 33 Cal.App.4th 433, and *In Re Bi Coastal Corporation*, (1991) 124 B.R. 602.

Mr. Rausch is a member of the American Bar Association, California State Bar, San Joaquin County Bar Association, and other County Bar Associations.

Mr. Rausch is an occasional guest lecturer at the University of the Pacific, Eberhardt School of Business, on legal topics involving business formation, entity selection and intellectual property issues. He is the author of "Technology in Small Firm Practice," *California Lawyer*, Nov. 1997 and an MCLE Course on Mediation, *Across the Bar*, March 2008 (San Joaquin County Bar Association).

Mr. Rausch serves as a small claims court judge pro tem, a judicial arbitrator and a mediator panelist with the San Joaquin County Superior Court, and a mediator with the California Third District Court of Appeal Mediation Program.

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