

RESUME OF ROBERT M. HIRSCH

BUSINESS ADDRESS: Law Offices of Robert M. Hirsch
601 Montgomery Street, Suite 520
San Francisco, CA 94111

OCCUPATION: Arbitrator/Mediator/Special Master-Monitor/Fact Finder
Areas: Labor and Employment, ERISA, Civil Rights,
Commercial and Business, Real Estate, Securities, Construction,
Injury

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Legal Experience:

Arbitrator/Mediator 2005--Current. Arbitration and Mediation Practice covering Employment, Real Estate; Civil Rights, ERISA and Commercial matters. Various permanent panel appointments including FINRA (Securities Regulation); SF Bar Association; SF Superior Courts; Alameda County Courts; FMCS, Cal SMCS; EEOC; AAA (Commercial, Employment, ERISA Panels), CalPERB, Kaiser Permanente; Several Labor/Management Panels including Customs & Border Patrol/NTEU; Carpenters/AGC, Laborers/AGC, Cement Masons/AGC; Teamster/ ACA; Drywall Industry; U.S. Panel of Arbitrators—Jurisdictional Disputes in Construction Industry.

General Counsel--McMorgan & Company (Investment Management Firm) 1994—2005.

Oversight responsibility for all corporate and legal affairs, legal compliance with all securities laws including the Investment Advisers Act and Investment Company Act of 1940, ERISA compliance, and compliance with generally applicable federal, state, and local laws and regulations. Areas covered: corporate governance, investment prudence, prohibited transactions, insurance coverage, real estate development, foreclosure actions, banking, contract and employment matters. Represented McMorgan before federal and state regulatory agencies, including the DOL, IRS, SEC and NASD. Member of Management and Executive Committees.

Oversight responsibility for all corporate litigation and legal disputes affecting McMorgan and client portfolios. Matters involved corporate, real estate, securities, pension, contract, employment, banking, tax and administrative laws. Active participation in arbitrations, mediations, Federal and State court trials.

Litigation included: Banking fraud action against Arizona Governor Symington;
Fraud action against commercial lenders;
Securities fraud action against Issuers;
Real Estate foreclosure and default actions;

Breach of fiduciary duties under ERISA and Securities laws

Attorney---Van Bourg, Weinberg, Roger & Rosenfeld (Partner: 1984-1994, Associate: 1980-1984)

Federal and state court trials, labor arbitrations, administrative hearings and mediations involving: NLRA as amended, LMRDA, ERISA, employment discrimination, wrongful termination. Appellate Practice before state and federal appellate courts and US Supreme Court.

Litigation included: Class Action on behalf of pregnant women;
Anti-injunction law and labor disputes;
Discrimination actions;
Disputes over enforcement of collective bargaining agreements;
Anti-trust action against pension fund and investment adviser;
Wrongful termination

Counsel to labor organizations, individuals, class plaintiffs, and Taft-Hartley trust funds on labor, tax, antitrust, fiduciary, real estate and regulatory matters.

Collective bargaining and negotiations.

Arbitration/Mediation Experience:

Twenty-nine years of participation in arbitration and mediation, as an advocate, in Labor/Employment and Business/Commercial matters. Issues have ranged from discipline to broad contract interpretation, investment prudence to insurance coverage, construction defects to regulatory compliance, employment discrimination to commercial fraud. Industries include: Real Estate, Building and Construction, Hospitality, Education, Health Care, Automotive, Trucking/Transportation, Furniture, Meat Packing, Bakery, Office Clericals, Horse Racing, Pension-Fiduciary, Investments.

Five years as a Hearing Officer/Fact Finder for the San Francisco Office of Citizen's Complaints (Police Conduct reviews), 1995-2000.

Mediator, San Francisco Superior Courts, Early Settlement Program (previously, Early Neutral Evaluation Program), 2000 – Present; Alameda County Superior Courts; SF Bar Mediation Panel; SF Bar Attorney Fee Dispute Panel; Federal Mediation & Conciliation Service; Cal State Mediation & Conciliation Service; Equal Employment Opportunity Commission (EEOC); California Public Employment Relations Board (PERB): Kaiser Permanente; Several Labor/Management Permanent Panels including Construction Industry and U.S. Customs & Border Patrol.

Training includes: FINRA (2009); AAA (2008); SF Bar Association Arbitrating Fee Disputes session (2007); FMCS Institute one week course (2005); SF Office of Citizens Complaints (1995).

Teaching Experience:

Hastings College of the Law: Guest Lecturer, Civil Justice Clinic, 1994 - Present

Stanford Law School: Guest Lecturer, Mock Trial---Community Law Practice, 1992

Laney College: Instructor in Law (ERISA and Employment Discrimination) Several years

ERISA Educational Conference: Mock Trial presentation to ERISA Fiduciaries and Staff---Asilomar Convention Center, 1989

General Labor Law, Employment Law and ERISA Instruction to Labor Organizations, 1980-1994.

New College of The Law, Mediation Class, 2008.

Presentations:

Presentation to the Northern California District Counsel of Laborers—ERISA Fiduciary Duties, 2009

Presentation to San Mateo Co Employment Attorneys Bar Assn—Arbitration Best Practices, 2008

National Academy of Arbitrators: Panel Member – Meet the Arbitrators, 2008

Panel Speaker: “Using Labor Capital” –Institute of Industrial Relations, University of California, Berkeley, 1999

Panel Speaker: “High Performance Pensions”—Institute of Industrial Relations, University of California, Berkeley, 1997

Sexual Harassment & Employment—Presented to the Carpenters 46 Northern California Counties Conference Board of Delegates, 1992

Parallel Apprenticeship Programs in California - Presented to the California Apprenticeship Council, Quarterly Meeting, 1988

Professional and Board Affiliations:

California Bar Association

San Francisco Bar Association

American Bar Association (Labor and Litigation Sections)

Martindale-Hubbell AV Rated

AFL-CIO Lawyers' Coordination Committee, 1983-1994

California Apprenticeship Council, Blue Ribbon Committee on Quality Standards, 1992-1995

Mayor's Task Force on Family Policy, San Francisco, 1989-1991

Board of Directors Back-On-Track (San Francisco Tutoring/Mentoring Program) 1997-2003 (President of the Board, 2002-2003)

Board of Directors French American International School 2005 – present

Tutor: 826 Valencia After School Program 2005 – 2007

Advisor: Homeward Bound (Transition Program for Homeless) 2007

Advisor: POWER (Bayview Hunters Point Community Organizer) 2007

Education:

University of California, Davis School of Law---Juris Doctor ---1979

Washington University, St. Louis, Missouri---Bachelor of Arts---1976

Admitted To Practice:

State of California

United States Supreme Court

Ninth Circuit Court of Appeals

California District Courts --- Northern, Central and Eastern Districts