



We understand that sometimes litigation may be less desirable because of the cost, delay, publicity, and lack of control over the outcome. Through use of alternative dispute resolution services we can often times achieve more desirable outcomes for our clients who are better served if their cases are resolved outside the courtroom.

Arbitration involves a selection of one or more neutral third parties who render a binding decision following the presentation of evidence. This process is somewhat less formal than the traditional litigation process and sometimes less costly. Most commonly, arbitration is pursued pursuant to the requirement of the parties' contract. Other times, the parties simply agree to pursue arbitration or they may be compelled by court order. In addition, Sandberg Phoenix has an experienced arbitrator, Anthony Soukenik, who arbitrates securities disputes.

Mediation involves the use of a mediator who facilitates settlement by assisting the parties in arriving at their own resolution. In some jurisdictions, mediation may be compelled by order of the court in which the litigation is pending. Mediation has become increasingly popular in recent years as a means of resolving disputes in a manner other than a full trial on the merits.

All of our trial lawyers have significant experience in the mediation process, including three lawyers who are certified mediators: Warren W. Davis, Jonathan Ries and Andrew Kasnetz.

Successes

We successfully obtained a multi-million dollar arbitration award against a Fortune 1000 company in a breach of contraction on behalf of a family-owned manufacturing plant. When the district court refused to compel arbitration per a contract between the parties, we appealed to the 7th Circuit who reversed and enforced the arbitration provision. *Kawasaki v. Bombarier*, 660 F.3d 988 (7th Circuit 2011).