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MICHAEL R. DILIBERTO, ESQ.

Michael Diliberto is an internationally recognized mediator and arbitrator in full-time practice since 2003. He is expert at working with complex facts and legal issues as well as cross-cultural dynamics. Mr. Diliberto also serves as an Administrative Law Judge pro tem for the Office of Administrative Hearings, conducting administrative hearings with various agencies of the State of California. A prolific writer, speaker and consultant on mediation, he has trained lawyers and judges in the United States, Europe and South America. Mr. Diliberto is a skilled negotiator, and teaches “negotiations” as an adjunct professor at Loyola Law School.

AREAS OF EXPERTISE

Business/Commercial: Breach of contract and commercial agreements; partnership and corporate matters; dissolution and winding up of partnerships and corporations; buy-sell agreements; joint venture and franchise disputes; attorney/client fee disputes; professional malpractice claims; insurance coverage and bad faith claims. Mr. Diliberto also conducts arbitrations for securities violations claims brought before the Financial Industry Regulatory Authority (FINRA).

Employment: Wrongful termination; discrimination (FEHA, Title VII, ADEA, and ADA); sexual harassment; whistleblower and retaliation; wage and hour; executive and personal services contracts; and ERISA. Mr. Diliberto conducts administrative hearings for public employee termination appeals for the City of Los Angeles Civil Service Commission, and retirement benefits appeals for the Orange County Employees Retirement System. Mr. Diliberto also conducts Board of Rights hearings for police officer use of force, officer-involved shootings, and other disciplinary matters for the Los Angeles Police Department.

Entertainment: Motion picture, television, music, advertising, internet, new media, and publishing disputes; copyright and trademark infringement; idea submission; misappropriation of name and likeness; First Amendment; defamation; rights of publicity; licensing agreements; royalty accounting; and profit participation. Mr. Diliberto also conducts international motion picture arbitrations involving production agreements, financing agreements, film exhibition agreements, royalties, and above-the-line employment issues brought before the Independent Film & Television Alliance (IFTA).

Intellectual Property: Copyright, trademark, trade dress, and patent infringement; rights of publicity, trade secrets, unfair competition, and domain name disputes.

Real Estate: Residential and commercial purchase and sale contracts; homeowners associations; partnership disputes; breach of fiduciary duty claims; design and construction defects; boundary lines and easement rights; premises liability; and environmental matters.

LITIGATION AND TRIAL EXPERIENCE

- Kleinberg & Lerner, LLP, Partner, Los Angeles, California, 1993-2003
- Sheldon & Mak, LLP, Associate, Los Angeles, California, 1990-1993
- Allen, Allen & Hemsley - Solicitors, Sydney, Australia, 1989
- Diliberto, Booth, Sibley & Guttieres, Associate, Miami, Florida, 1987-1989

EDUCATION

- J.D., University of Miami School of Law, 1987
- Temple University School of Law, Summer Session, Rome, Italy, 1985
- B.A., University of Miami, 1981

SELECTED PROFESSIONAL AFFILIATIONS

- Los Angeles Copyright Society, Member
- Italian American Lawyers Association, Past President
- Fulbright Senior Specialist, Council for International Exchange of Scholars

SELECTED PUBLICATIONS

- “Whose privilege is it anyway?” Daily Journal, Cover Story [Sept. 2016]
<http://www.adrservices.com/wp-content/uploads/2016/11/Michael-Diliberto-DJ-9.15.16.pdf>
- “Mediation works, but will it play in Macedonia?” Daily Journal, Verdicts & Settlements [Nov. 2011]
<http://www.adrservices.com/wp-content/uploads/2016/11/md-dj.pdf>
- Author of monthly mediation and negotiation articles [2009-present] View articles at
<https://www.dilibertoadr.com/adr-tips.html>
- “Opening Offers – Who’s On First?” Advocate [Oct. 2009]
<http://www.adrservices.com/wp-content/uploads/2016/11/Diliberto-Advocate-article.pdf>
- Michael R. Diliberto, “Looking through the Rear Window: A Review of the United States Supreme Court Decision in Stewart v. Abend,” 12 Loy. L.A. Ent. L. Rev. 299 (1992). [Cited in “Alfred Hitchcock’s Rear Window” by John Belton, Cambridge University Press, 2000]
<http://digitalcommons.lmu.edu/elr/vol12/iss2/2>

SELECTED SPEAKER ENGAGEMENTS

- Adjunct Professor, Loyola Law School, Los Angeles, California
- Visiting Professor, Elon University School of Law, Greensboro, North Carolina
- Continuing Education of the Bar, Los Angeles, California
- U.S. Department of State, Washington D.C.
- Academy for Training of Judges and Prosecutors of the Republic of Macedonia, Skopje, Macedonia
- Corte Provincial de Justicia, Loja, Ecuador
- Universidad Técnica Particular de Loja, Loja, Ecuador

SELECTED PROFESSIONAL RECOGNITIONS

- Southern California Super Lawyers: Alternative Dispute Resolution
- Mediator Profile: “In Tune at the Table,” Daily Journal, Verdicts & Settlements [Nov. 25, 2011]
- Mediator Profile: Daily Journal, Extra [April 19, 2004]

LANGUAGE

- Fluent in Spanish