

**KILLEFER MEDIATION**  
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## **Professional Profile**

- *Former Chief, Civil Division, U.S. Attorney's Office  
Northern District of California*
  
- *Adjunct Professor, University of California,  
Hastings College of the Law, Mediation*

## **ADR Practice**

As an ADR neutral and litigator, Gail Killefer offers experience and skill to the dispute resolution process. She has mediated to successful resolution cases including civil rights, construction defect, business, breach of contract, ADA, personal injury and employment disputes. Representative cases include:

- Claim brought by multiple employees alleging violation of their right to privacy when employer and an investigative company conducted video surveillance.
  
- Class action with wage and hour claims for overtime pay from employer with multiple-branch stores.
  
- Construction defect case, involving allegations of water intrusion, mold remediation, and personal injury, brought by owners against the general contractor.
  
- Dispute arising from a brawl, alleging negligence and intentional infliction of emotional distress, brought against three individuals and a security company.
  
- Claim brought under the Americans with Disabilities Act (ADA) to require a bank to make a branch office accessible to disabled persons.
  
- Claim asserting Equal Pay Act violation, gender discrimination and constructive termination.

Ms. Killefer has also arbitrated cases, particularly in the areas of securities law and personal injury. Since 2001, she has regularly taught a course on *Mediation* at Hastings College of the Law. In addition to her work as a mediator and arbitrator, Ms. Killefer has served as a discovery referee and special master. She also handles, as an advocate, several matters, which primarily involve the False Claims Act.

## **Litigation experience**

Prior to starting her private ADR firm in 2001, Ms. Killefer evaluated many hundreds of civil cases for settlement while serving as an Assistant United States Attorney in San Francisco. She served as Chief of the Civil Division from 1998-2001, and as Deputy Chief from 1994-1998. Her experience as both a plaintiff's and defense attorney shapes her approach to dispute resolution.

As Chief of the Civil Division, Ms. Killefer managed litigation in five areas: General Civil Defensive, Affirmative Civil Enforcement, Environmental, Immigration, and Debt Collection. She oversaw the work of over 20 civil attorneys, advising and assisting them evaluate and resolve both complex and simple civil cases.

As an Assistant United States Attorney, Ms. Killefer handled, at the trial and appellate levels, civil defensive cases including employment, tort and constitutional issues, and affirmative prosecutions brought under the False Claims Act. As a Deputy Chief, she also supervised attorneys handling civil defensive and affirmative civil fraud caseloads and performed the duties of Civil Appellate Reviewer, reviewing and approving briefs to be filed with the Ninth Circuit.

Ms. Killefer received several U. S. Department of Justice awards, including a Director's Award for Sustained Superior Performance as an Assistant United States Attorney and the Attorney General's Award for Fraud Prevention. She was a frequent instructor at the trial advocacy programs of the Justice Department and local law schools, including Stanford Law School and the University of San Francisco School of Law.

Prior to joining the United States Attorney's Office in 1989, Ms. Killefer served as a Trial Attorney with the U.S. Department of Justice, Torts Branch, Civil Division in Washington, D.C. and as a law clerk for a federal district court judge in the District of Columbia. She became a member of the District of Columbia Bar in 1981 and of the State Bar of California in 1991.

## **Education**

B.A., Stanford University, History, with departmental honors, 1975.  
J.D., Vermont Law School, 1980.

## **ADR Training**

United States District Court, Northern District of California, Mediation Training (1993);  
Arbitration Training (1994); Early Neutral Evaluation Training (2001)  
United States Department of Justice, Dispute Resolution/Enhanced Negotiations Seminar, 1997  
Intensive Mediation Training Program, The Center for Mediation in Law (2001)  
Commercial Mediation Training, Professional Mediation Associates (2001)  
National Association of Securities Dealers Inc. (NASD) Arbitration Training (2001)  
Appellate Mediation Training, California Court of Appeal, First Appellate District (2001)  
Advanced Appellate Mediation Training, California Court of Appeal, First Appellate District (2003)  
The Masters Forum, Straus Institute for Dispute Resolution, Pepperdine Law School (2003)  
Northern California ADR Teaching Conference (2003), (2004)

## **ADR Panels**

Member, Mediation, Arbitration and ENE Panels, United States District Court, Northern District of California

Member, Mediation Panels for the Alameda, Contra Costa, Fresno, Marin, San Mateo, Santa Clara, Solano and Sonoma County Courts

Member, Appellate Mediation Panel, California Court of Appeal, First Appellate District

Member, NASD Dispute Resolution, Inc. Board Of Arbitrators

Public Arbitrator, Pacific Exchange

Member, Arbitration Panels for Alameda, Contra Costa, Marin, Sacramento and Solano County Courts

Panelist, Bar Association of San Francisco, Early Settlement Program & Voluntary Early Mediation Program

## **Professional Memberships**

Marin County Bar Association

Chair, ADR Section (2002)

Bar Association of San Francisco

Association for Conflict Resolution