



JEFFREY M. BATCHELOR

BATCHELOR MEDIATION + ARBITRATION
1600 Congress Center
1001 S.W. Fifth Avenue
Portland, Oregon 97204

www.BatchelorADR.com

Phone: 503.219.2345

E-mail: Jeff@BatchelorADR.com

LEGAL PRACTICE

- Mediator since 1995.
- Arbitrator, including service as a discovery master in federal court and as a discovery referee in state court, since 1989.
- Appellate specialist from 1972 through 2011, practicing in state and federal courts (Markowitz, Herbold, Glade & Mehlhaf, P.C.; Jeffrey M. Batchelor, P.C., 1998-2000; Lane Powell Spears Lubersky LLP, 1980-98; Gearin, Landis & Aebi, 1972-79).
- Admitted to practice in Oregon state courts; the U.S. District Court for the District of Oregon; the U.S. Court of Appeals, Ninth and Federal Circuits; and the U.S. Supreme Court.

EDUCATION

- Oklahoma State University, 1964-65 (athletic scholarship).
- Brigham Young University, B.S., 1969 (athletic scholarship).
- Willamette University College of Law, J.D. 1972 (cum laude; member of law review).

PROFESSIONAL AND CIVIC ACTIVITIES

- Listed in Best Lawyers in America (Business Litigation and Alternative Dispute Resolution), 2003-2013. Portland Alternative Dispute Resolution Lawyer of the Year for 2010, 2013.

PROFESSIONAL AND CIVIC ACTIVITIES (CONT'D)

- Listed in Oregon Super Lawyers (Appellate Law and Alternative Dispute Resolution), 2006-present. Recognized as one of Top 50 Lawyers in Oregon, 2008-present.
- American Academy of Appellate Lawyers, 1991-2009 (Secretary, 1996-97; Board of Directors, 1996-2000).
- Member, Appellate Practice Committee of ABA Appellate Judges Conference, 1998-2000.
- Oregon State Bar Appellate Practice Section, 1993-2011 (Executive Committee, 1997-2004; Chair, 2001-02; Chair-Elect, 2000-01; Secretary, 1999-2000).
- Oregon Rules of Appellate Procedure Committee, 1990-96.
- Oregon Court of Appeals Settlement Conference Program, 1995-present (Mediator).
- Oregon Circuit Court Judge Pro Tempore, Multnomah County, 1993-99.
- Oregon Law Institute, 1997-2010 (President, 2004-2008; Vice President, 2000-03; Secretary, 1999-2000; Board of Directors, 1997-2009).
- Cancer Care Resources Board of Directors, 2003-06.
- Green Gables Guest House (for cancer patients) Campaign Finance Cabinet, 1996-97.
- Facilitator, Understanding Racism Foundation, 1998-2008.
- Willamette University College of Law Board of Visitors, 1997-2001 (Chair, Scholarship Committee).
- Owen M. Panner American Inn of Court, Master, then Emeritus, 1994-present.
- U.S. District Court of Oregon Historical Society, 1990-present (President, 1997-99; Board of Directors, 1993-present).
- Oregon State Bar Examination Review Board, 1996-98 (Chair, 1997-98).
- Oregon State Board of Bar Examiners, 1977-80 (Vice-Chair, 1979-80).
- Oregon State Bar Continuing Legal Education Committee, 1974-77.
- Multnomah Bar Association Continuing Legal Education Committee, 1989-93 (Chair, 1992-93).

REPRESENTATIVE CASES

- *Shin v. Sunriver Preparatory School, Inc.*, 199 Or. App. 352 (2005), securing the affirmance of a \$2,229,000 judgment based on a preparatory school's negligent failure to protect its student, and for negligent infliction of emotional distress, during the student's enrollment at the school.
- *Doe v. Oregon Conference of Seventh-Day Adventists*, 199 Or. App. 319 (2005), securing the affirmance of a \$2,000,000 judgment for a child based on a church's negligent supervision and failure to warn of a pastor's son's sexual proclivities.
- *Westar Electric Co. v. Westar Acquisition Corp.*, 177 Or. App. 174 (2001), securing the affirmance of a \$1,600,000 judgment on an earn-out provision in a business acquisition deal.
- *Midgett v. Tri-County Metropolitan Transp. Dist.*, 254 F.3d 846 (9th Cir. 2001), securing the affirmance of a summary judgment of no discrimination under ADA Title II.
- *Portland 76 Auto/Truck Plaza, Inc. v. Union Oil Company of California*, 153 F.3d 938 (9th Cir. 1998), securing the reversal of a \$7,000,000 judgment on a price discrimination claim under the Robinson-Patman Act.
- *Ainslie v. First Interstate Bank of Oregon*, 148 Or. App. 162 (1997), securing the reversal of an \$11,000,000 judgment on a state RICO claim
- *McGanty v. Staudenraus*, 321 Or. 532 (1995), establishing the meaning of "intent" in the wrongful discharge tort and in cases of intentional infliction of severe emotional distress.
- *Hall v. May Department Stores Co.*, 292 Or. 131 (1981), for 15 years (until *McGanty v. Staudenraus*), the leading case in Oregon addressing the intent element of the wrongful discharge tort.

LEGAL PUBLICATIONS AND PRESENTATIONS

- Program Planner, Speaker, and Moderator, "Mediation and Arbitration in Oregon – Learn from the Experts" (Oregon Law Institute, 2004, 2006, 2007, 2009)
- Program Planner, Speaker, and Moderator, "Anatomy of an Appeal" (Oregon Law Institute, 1996, 1998, 2005)

LEGAL PUBLICATIONS AND PRESENTATIONS (CONT'D)

- Speaker, “Lawyers, Mediators, and Social Capital” (Oregon Mediation Association, 2004)
- Program Planner, Speaker, and Moderator, “Handling an Appeal, From Take-Off to Landing” (Oregon Law Institute, 2001)
- Speaker, “Effective Written Advocacy in the Appellate Courts” (Oregon State Bar, 2000)
- Faculty Member, Twelfth Appellate Practice Institute (Appellate Practice Committee of ABA Appellate Judges Conference, 2000)
- Author, “Making the Oral Argument” (Jeffrey M. Batchelor Tips Booklet, 2000)
- Author, “Writing for the Appellate Judge” (Jeffrey M. Batchelor Tips Booklet, 1999).
- Program Planner and Speaker, “Writing for the Appellate Judge,” (Oregon Law Institute, 1999).
- Author, “What the Mediator Wants from the Lawyer in Mediation: A Primer and More” (Oregon Law Institute, 1999)
- Author and Speaker, “Summary Judgment in Employment Cases: The Judges’ Point of View” (Oregon State Bar, 1998).
- Program Planner and Moderator, “The Art of Mediating” (Oregon Law Institute, 1998).
- Author and Speaker, “Making Your Appellate Record in an Employment Case” (Oregon Law Institute, 1996).
- Author, “Motion Practice in the Oregon Appellate Courts” (Oregon State Bar, 1995).
- Program Planner and Moderator, “Persuading Appellate Judges” (Oregon Law Institute, 1994).
- Author, “Writing for the Judge,” 12 Oregon State Bar Litigation Journal No. 2 (1993).
- Program Planner and Moderator, “A Conversation With the Chiefs” (Multnomah Bar Association, 1990, 1992).
- Author and Speaker, “Federal Appellate Practice” (Oregon State Bar, 1990).
- Author and Speaker, “The Essentials of Handling an Appeal in State Court” (Oregon Law Institute, 1989).

- Editor and Author, “Handbook on Appellate Practice” (Oregon State Bar, 1977).