
RACHEL K. EHRlich CURRICULUM VITAE

Experience Mediating Cases Involving

Insurance Coverage	Subrogation
Insurance Bad Faith	Professional Liability
Personal Injury	Business Litigation
Landlord-Tenant	Class Action
Abuse/Molestation	Mass Tort
Real Estate	Employment

Mediation. Ms. Ehrlich became a full-time mediator in 2014 and has mediated over a thousand cases resulting in settlements that range from zero into nine figures, sometimes with highly complex terms. She establishes rapport with counsel and parties through well-informed, candid, and empathetic communications. Ms. Ehrlich works with counsel and parties to craft effective resolution plans that are acceptable to all sides. Ms. Ehrlich's perspective on mediation is unique as she draws upon her multi-faceted background as a casualty and coverage attorney, insurance claims person, underwriter, and executive. She also draws upon different living experiences, including rural and urban dwelling and time overseas, to assist her understanding of parties and issues.

Insurance Claims. As a claims executive, Ms. Ehrlich was responsible for ensuring the appropriate handling and resolution of over 20,000 claims, representing hundreds of millions of dollars in reserves. She evaluated matters to determine the merit of the claim, the reasonableness of alleged damages, and the settlement value the claim. As an insurance company executive, she established claims handling standards, administered audits, and addressed reinsurance issues.

Insurance Coverage and Bad Faith. As an insurance coverage lawyer, Ms. Ehrlich advised her client-employer regarding appropriate handling and resolution of matters across the country. She drafted policy language, managed coverage and bad faith litigation, and represented insurance companies in coverage disputes and litigation. This insurance coverage experience and expertise adds value to the resolution process, allowing her to understand and address insurance coverage positions that might pose an obstacle to resolution.

ADR-RELATED APPOINTMENTS

Judicate West
Mediator

US District Court, Northern District of California
Mediator
Early Neutral Evaluator

California Court of Appeal, Third Appellate District
Mediator

Superior Court of California, Alameda County
ADR Administration Committee
Mediator Civil Mediation Panel
Mediator Unlawful Detainer Mediation Program

Superior Court of California, Contra Costa County
Mediator
Settlement Mentor

ADR-RELATED AWARDS & RECOGNITION

SuperLawyer – Alternative Dispute Resolution (Northern California) 2018 – 2024

Negotiation/Mediation Process & Practice

University of California, College of the Law, San Francisco
San Francisco, CA – Spring Semester 1996

American Jurisprudence Bancroft-Whitney Award & CALI Excellence For The Future Award

BAR ADMISSIONS

California and US Supreme Court

EDUCATION

University of California, College of the Law, San Francisco (fka UC Hastings)

Juris Doctor, 1996 – Admitted to California Bar, December 1996

Hastings West Northwest Journal of Environmental Law & Policy, 1993-1996 (Executive Editor, 1995-1996)

University of California, Santa Cruz

B.A. Politics, 1990 – Phi Beta Kappa, Honors in the Major, College Honors

EMPLOYMENT
(ADR, Insurance, Legal)

<p>Ehrlich Mediation <i>Mediator</i> Mediate, evaluate, and arbitrate litigated and non-litigated matters. Affiliated with Judicate West. 2016 – Present</p>	2014 – Present
<p>CAMICO Mutual Insurance Company San Mateo, CA <i>Chief Claims Officer & Vice President</i> Manager of claims department of national mutual insurer providing professional liability and employment practices liability coverage to CPAs.</p>	2013 – 2014
<p>Navigators Management Company* San Francisco, CA <i>Senior Vice President, US Casualty Claims (2012 – 2013)</i> <i>Vice President Specialty Claims (2009 – 2012)</i> Managed national departments handling primary and excess casualty, personal lines excess, automobile, environmental, and commercial surety claims. Claims types included construction site injuries and damages, construction defect, automobile injuries and damage, product liability, premises liability, life sciences, global package, and surety.</p>	2009 – 2013
<p>The Travelers Indemnity Company Walnut Creek, CA <i>Claim Legal Coverage, Managing Counsel, Construction Defect (2005 – 2009)</i> Manager of national legal group providing dedicated construction defect claim related coverage advice and litigation management. <i>National Team Leader/Coordinator for Regulatory Compliance (2004 – 2006)</i> Led team of attorneys serving national claims department on regulatory/compliance issues including responding to inquiries from state regulators, preparing for and responding during market conduct exams, SIU referrals for prosecution, responding to federal agencies (including Homeland Security and Social Security), and advice and training on claims handling laws and regulations. <i>Claim Legal Coverage Counsel (fka Dwain W. Bird & Associates) (1998 – 2005)</i> Advice counsel for commercial and personal lines claims in eight Western states regarding property, inland marine, employee dishonesty, general liability, garagekeepers, auto, D&O and E&O issues and good faith claim handling and regulatory/compliance issues. Handled some high profile national matters outside of assigned territory and conducted audits of counterparts around the country. <i>Staff Attorney (Dwain W. Bird & Associates) (1997 – 1998)</i> Staff attorney handling all aspects of civil litigation for commercial lines and personal lines insureds.</p>	1997 – 2009
<p>Robinson & Wood, Inc. San Jose, CA <i>Associate Attorney</i> Civil litigation of tort and business disputes including patent and trademark infringement, legal malpractice, bodily injury, and insurance coverage and bad faith.</p>	1996 – 1997
<p>Maloney & Associates (Aetna Staff Counsel) Walnut Creek, CA <i>Law Clerk</i></p>	1994 – 1996
<p>Alameda County Superior Court Law & Motion Department Oakland, CA <i>Judicial Extern</i> to the Honorable Judge Sandra Margulies</p>	1996 – 1996
<p>Wexford Underwriting Manager San Francisco, CA <i>Assistant Underwriter</i></p>	1992 – 1993
<p>American E&S* [*Now known as RT Specialty] San Francisco, CA <i>Claims and Office Administrator</i></p>	1991 – 1992

VOLUNTEER WORK

University of California, College of the Law, San Francisco	
Board of Trustees	2024-Present
Alumni Association Board of Governors	2018-2024
President	2021-2022
President Elect	2020-2021
Co-Chair Student Liaison Committee	2019-2020
Mentor students and alumni in job search and career planning	2007-Present
Alameda County Superior Court, ADR Administration Committee	2016-Present
Collaborate and consult with Judicial Officers, Court Staff, and other Community members to insure appropriate provision of ADR Services to litigants and counsel	
ABA Committee on Mediator Ethical Guidance	2015-2021
Co-Chair	2019-2021
Member: Collaborate on opinion drafting and submission review	2015-2021

ARTICLES

Mediators Speak

Published by ABA Section of Litigation, Insurance Coverage and Litigation Committee, Quarterly Q1-2022 – Present

- Mediating When Your Case is Strong Q4-2024
- How Candid Can – or Should – You Be With Your Mediator? Q3-2024
- Extreme Opening Demands and Offers Q2-2024
- Force in Mediation Q1-2024
- Joint Session Q4-2023
- Fatigue: Tool or Trouble? Q3-2023
- The Difficult Client Q2-2023
- Online Mediation: “Are We There Yet?” Q1-2023
- Mediating in the Shadow of Eroding Limits Q4-2022
- What About Court-Ordered Mediation? Q3-2022
- How to Deal With Clients' Emotions Q2-2022
- When They Bring The Wrong People Q1-2022

How To Make Remote Mediation Work For Your Cases

Published by SFTLA *The Trial Lawyer*, Summer – 2020

Alert for Attorneys Who Represent Clients in Mediation

Published by Alameda County Bar Association, February – 2019

New Attorney Duties When Going To Mediation

Published by Bar Association of San Francisco, February – 2019

Your Own Mediation-Confidentiality Agreement

Published by CAALA *Advocate*, Volume 45, Number 8 – August 2017

Questions Every Litigator Should Ask About Mediation Confidentiality

Published by American Bar Association, Section of Litigation *Woman Advocate Committee* Vol. 21, No. 4 – Summer 2016

Effective E-Signatures: Tips on Navigating the UETA

Published by Daily Journal Corp. *California Lawyer* – December 2015

Shhhh! The Big Risk Associated With Mediation Confidentiality That Nobody Talks About

Published by *Mediate.com* – September 2014

Independent Counsel (Walk-In or Reservations Required?)

Published by CLM *Litigation Management* – Winter 2014

PRESENTATIONS

Tips, Tactics and Techniques at Mediation

Nationwide ESS – Defense Counsel Summit
Scottsdale, AZ – March 2024

MCLE Week: Effective Advocacy at Mediation

Judicate West
Virtual – January 2024

California Insurance Law Year in Review – 2023

Bar Association of San Francisco
Virtual – January 2024

California Insurance Law Year in Review – 2022

Bar Association of San Francisco
Virtual – January 2023

California Insurance Law Year in Review – 2021

Bar Association of San Francisco
Virtual – January 2022

Mediation Coach: Training For California Labor Commission

UC Law SF
Virtual – Various Dates 2021

Pursuing Racial Justice, Diversity, and Inclusion in the Insurance Industry

American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee CLE Seminar
Virtual – March 2021

California Insurance Law Year in Review – 2020

Bar Association of San Francisco
Virtual – January 2021

Real Estate Mediations: How Insurance Considerations Can Make or Break a Settlement

Contra Costa County Bar Association
Virtual – October 2020

Using Video in Litigation and Trials: What Has Been and What is to Come

National Trial Lawyers Associations
Virtual – September 2020

Mediation of Construction Matters Virtually

CLM Construction Conference
Virtual – September 2020

**Update on Business Interruption Insurance Issues and Strategies:
Plaintiff's Perspective, where this litigation is going with Plaintiff and
Defense Counsel**

Bar Association of San Francisco
Virtual – September 2020

**Eliminating Bias and Tackling Issues of Diversity and Inclusion in the
Insurance Industry**

American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee CLE Seminar
Tucson, AZ – March 2020

Dean School of Claims Mediation

CLM Claims College
Baltimore, MD – September 2019

Mapping Toward a Mediation Practice

Bar Association of San Francisco
San Francisco, CA – July 2019

Mediation and Negotiation Ethics

Judicate West Sponsored for Law Firms and Organizations
Various Locations, CA – May 2019

Lifting the Veil – The Future of Confidentiality in Mediation and Settlement

CLM Annual Conference
Orlando, FL – March 2019

Coverage Nightmares

American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee CLE Seminar
Tucson, AZ – March 2019

No More Failed Mediations

National Association of Mutual Insurance Companies – Claims Conference
Phoenix, AZ – February 2019

When Bias Manifests In Mediation

Alameda County Bar Association
Oakland, CA – January 2019

Women In The Courtroom

Daily Journal Corporation – Women Leadership In Law
San Francisco, CA – November 2018

Making the Most of Mediation – 90+percent of ALL Cases Settle!

CLM Construction Conference
Chicago, IL – September 2018

Dean School of Claims Mediation

CLM Claims College
Baltimore, MD – September 2018

Mediation and Negotiation Ethics

Judicate West Sponsored for Law Firms and Organizations
Various Locations, CA – June & August 2018

Mediator Risk Management – Malpractice Insurance

The Mediation Society
San Francisco, CA – July 2018

Claims Managers Speak – Moderator

West Coast Casualty Construction Defect Seminar
Anaheim, CA – May 2018

Mediation

Stanford Law School
Palo Alto, CA – April 2018

Mediation and Negotiation Ethics

Judicate West Sponsored for Law Firms and Organizations
Various Locations, CA – March & April 2018

Mediator Risk Management – Paperwork

The Mediation Society
San Francisco, CA – February & April 2018

Mediation – Does Gender Matter?

Alameda County Bar Association
Women Lawyers of Alameda County
Oakland, CA – March 2018

Does Sophie Have a Choice? Ethics and Consequences when Right to Independent Counsel is Triggered

CLM Annual Conference
Houston, TX – March 2018

What Did 2017 Teach Us?

American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee CLE Seminar
Tucson, AZ – March 2018

Mediation and Negotiation Ethics

Judicate West Sponsored for Law Firms and Organizations
Various Locations, CA – February 2018

Cannabis Insurance Symposium – Chair

California Cannabis Industry Association, Insurance Committee
Sacramento, CA – February 2018

Contrasting Mediation Perspectives: Claims Executives and Mediators

DRI Insurance Coverage and Practice Symposium
New York, NY – December 2017

Mediation and Negotiation Ethics

Judicate West Sponsored for Law Firms and Organizations
Various Locations, CA – September 2017

Dean School of Claims Mediation

CLM Claims College
Baltimore, MD – September 2017 and ongoing

Faculty in Alternative Dispute Resolution School of Construction

CLM Claims College
Baltimore, MD – September 2017

Mediator Training

Maryland Circuit Court for Baltimore City, Civil Division, ADR Program
Baltimore, MD – September 2017

Claims Managers Speak – Moderator

West Coast Casualty Construction Defect Seminar
Anaheim, CA – May 2017

Special Considerations for Special Education Mediation

Northern California Attorneys & Advocates (NCAA)
San Francisco, CA – April 2017

Mock Mediation – Explosive Coverage Arguments Meet Bad Facts

CLM Annual Conference
Nashville, TN – March 2017

Deciding Whether to Jump into the Ring of Fire or Just Walk Away

CLM Annual Conference
Nashville, TN – March 2017

Mediator Training

Maryland Circuit Court for Baltimore City, Civil Division, ADR Program
Baltimore, MD – March 2017

Mediation and Negotiation Ethics

Judicate West Sponsored for Law Firms and Organizations
Various Locations, CA – January 2017

Are Ethical Negotiations an Oxymoron?

Bar Association of San Francisco
San Francisco, CA – December 2016

Are Settlement Discussions Soundproof? The Confidentiality And Admissibility Of Settlement Negotiations And Offers In Extra-contractual Disputes

CLM New York Conference
New York, NY – December 2016

Dean School of Claims Mediation

CLM Claims College
Baltimore, MD – September 2016

Faculty in Alternative Dispute Resolution and Executive Council Member School of Construction

CLM Claims College
Baltimore, MD – September 2016

Documenting the Deal

The Mediation Society
San Francisco, CA – August 2016

The Set Up: How a Jurisdiction's Insurance Bad Faith Law Affects the Resolution of Construction Defect Claims

West Coast Casualty Construction Defect Seminar
Anaheim, CA – May 2016

Problems & Solutions: Resolving Multi-Layered Complex Construction Defect Cases

West Coast Casualty Construction Defect Seminar
Anaheim, CA – May 2016

Negotiation

Guest lecturer/mediator UC Hastings School of Law
San Francisco, CA – April 2016

How Confidential Are Mediation Communications? You Might Be Surprised (Pitfalls for the Unwary and Tips to Avoid Them)

American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee CLE Seminar
Tucson, AZ – March 2016

Mediation Ethics - But that was just posturing in a negotiation!

Various attorney audiences
Various Locations, CA – January & April 2016

Ethics in Negotiations and Mediation

Bar Association of San Francisco
San Francisco, CA – December 2015

Mediation Ethics - But that was just posturing in a negotiation!

Various attorney audiences
Various Locations, CA – February 2015, May 2015, September 2015

Mediation Advocacy

Guest lecturer/mediator UC Davis School of Law
Davis, CA – November 2015

Dean, School of Claims Mediation

CLM Claims College
Philadelphia, PA – September 2015

Faculty in Alternative Dispute Resolution and Executive Council Member School of Construction

CLM Claims College
Philadelphia, PA – September 2015

Insurance In Mediation: How Mediators Can Keep Liability Company Priorities From Derailing Settlement

Orange County Bar Association, Alternative Dispute Resolution Section
Newport Beach, CA – June 2015

Coverage Tail Wagging the CD Dog? Strategies for Handling Coverage Issues in Mediation

West Coast Casualty Construction Defect Seminar
Anaheim, CA – May 2015

Mediation Advocacy

Guest lecturer UC Davis School of Law
Davis, CA – April 2015

How Mediators Can Keep Liability Insurance Company Priorities From Derailing Settlement

The Mediation Society
San Francisco, CA – March 2015

Streamlining Resolution of Complex Multi-Party Construction Cases

Second Annual Axis Construction Conference (Best Practices for Managing & Resolving Construction-Related Issues)
San Francisco, CA – October 2014

Mediation Ethics - But that was just posturing in a negotiation!

Various attorney audiences
Various Locations, CA – October 2014

Mediation – Issue Spotting for State Bar Prosecutors

California State Bar
San Francisco, CA – September 2014

Update on Mediation Confidentiality

Construction Defect Claims Managers Association (CDCMA) Meeting
San Diego CA – September 2014

Executive Council Member School of Construction

CLM Claims College
Philadelphia, PA – September 2014

Are Insurers Attending Mediation Naked?

Construction Defect Claims Managers Association (CDCMA) Meeting
El Segundo, CA – June 2014

Risk Management – Avoiding, Mitigating & Covering Construction Exposures

AXIS Consulting Construction Forum 2013
San Francisco, CA – October 2013

Evaluation and Assessment, Impact Reporting

CLM Litigation Management Institute
New York, NY – October 2013

Construction Defect Claims and Insurance Issues Facing the Northeast

West Coast Casualty Construction Defect Seminar
Anaheim, CA – May 2013

Litigation Management: Remodeling the Complex Case Management Order for Improved Case Performance and Metrics

Claims and Litigation Management Alliance (CLM) Annual Conference 2013
San Antonio, TX – April 2013

Plan and Prepare, Part Two: Selecting the Outside Response Team

Hinshaw Culbertson Insurance Services Symposium
Chicago, IL – October 2011

Moderator on Re-Examining the Case Management Order (perspectives from past efforts and a new proposal)

Construction Defect Claims Managers Association (CDCMA)
San Diego, CA – March 2011

Is It Ok to Be Wrong? Can An Insurer Avoid An Extra-Contractual Liability If Its Position Is Fairly Debatable?

Hinshaw Culbertson Insurance Services Symposium
Chicago, IL – October 2010

What the Insurer Client Wants from Counsel

Harmonie Group
San Francisco, CA – September 2009

California & Other Jurisdictions Fair Claims Settlement Practices Regulations

Various dates and locations

PROFESSIONAL TRAINING RELEVANT TO ADR**US District Court ADR Program Advanced Practice Group**

Northern District of California
San Francisco, CA – May 2015-August 2024 (monthly meetings)

International Academy Of Mediators Annual Conference

Seattle – June 2024

Advanced Mediation Training Program

Audrey Lee and David Hoffman of the Boston Law Collaborative for Judicate West
Interactive Video Training – January & March 2024

Advanced Mediation Training Program

Audrey Lee and David Hoffman of the Boston Law Collaborative for Judicate West
Interactive Video Training – June & July 2021

Appellate Mediation Program

National Conflict Resolution Center for California Court of Appeal, Third District
Interactive Video Training – May 2021

Working Creatively With Conflict

The Center For Understanding In Conflict
Interactive Video Training – April 2021

Implicit Bias: Moving Beyond Awareness to Specific Skills

Nina Meierdling for Judicate West
Interactive Video Training – March 2021

Mediator Boot Camp (Ethics, Bias, And Mediating With Self-Represented Parties)

Contra Costa County Bar Association, ADR Section
Concord, CA – September 2019

**Top Ten Coverage Decisions of 2018 – Impact & Implications
Ordinance or Law Coverage
Truthiness & False Claims Act Liability
Recoupment of Defense Costs: What is the State of Law?
The Protection Gap in Property Insurance
Ethical Issues Arising Out of Sharing Information**

American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee CLE Seminar
Tucson, AZ – March 2019

Traumatic Brain Injury: Analyzing Claims

National Association of Mutual Insurance Companies – Claims Conference
Phoenix, AZ – February 2019

Acknowledging and Working Through Racial Bias

The Mediation Society
San Francisco, CA – January 2019

Handling the Handlers

**Ways to Best Tailor an Insurance Policy and Warranty Statement to Fit
Your Client’s Needs**

American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee WIN
Dallas, TX – November 2018

James Gilliland Symposium: A Dialogue on Rethinking Dispute Resolution

The Mediation Society
San Francisco, CA – October 2018

Understanding the Role of Body Language in Mediation

The Mediation Society & JAMS
San Francisco, CA – October 2018

What Every Mediator Should Know About Forgiveness

ABA Section of Litigation, ICLC, Women in Insurance Network Regional CLE
San Francisco, CA – October 2017

Who’s Afraid of Real Mediation

Alameda County Bar Association
Oakland, CA – October 2017

Mediator Practice Tips for Appellate Mediation

The Mediation Society
San Francisco, CA – August 2017

**Structured Negotiation: A Twenty Year Track Record Of Resolving Claims
Without Lawsuits**

The Mediation Society
San Francisco, CA – May 2017

Customizing the Mediation – The Mediator’s Role as Process Architect

The Mediation Society
San Francisco, CA – February 2017

Mediator's Proposals

The Mediation Society
Oakland, CA – November 2016

Dispute System Design: Underground to Online

The Mediation Society
San Francisco, CA – September 2016

Unlawful Detainer Mediation

California Superior Court of Alameda County and Alameda County Bar Association
Oakland, CA – May 2016

Mediator Malpractice

The Mediation Society
Oakland, CA – May 2016

Making Use of the Behavioral Sciences: The practical implications for mediators of behavioral studies of litigant preferences, attorney handicapping and cognitive biases

The Mediation Society
San Francisco, CA – April 2016

Mediator Certification

The Mediation Society
San Francisco, CA – March 2016

Litigation Tree Analysis - What It Is and How It Can Best Be Used In Mediation

The Mediation Society
San Francisco, CA – March 2016

The Road to Cultural Understanding in a Diverse World: Recognizing and Avoiding Bias for More Successful Negotiations

The Mediation Society
San Francisco, CA – October 2015

Mediation Confidentiality

The Mediation Society
San Francisco, CA – October 2015

Eva Paterson "Race Matters"

The Mediation Society
San Francisco, CA – October 2015

Fee Arbitration

Contra Costa County Bar Association
Concord, CA – July 2015

Impasse

The Mediation Society
San Francisco, CA – June 2015

American Arbitration Association

Higginbotham Fellows Program
New York, NY – May 2015

US District Court ADR Program Mediation Training

Northern District of California
San Francisco, CA – April 2015

US District Court ADR Program Early Neutral Evaluation Training

Northern District of California
San Francisco, CA – April 2015

Unlawful Detainer Mediation

California Superior Court of Alameda County and Alameda County Bar Association
Oakland, CA – March 2015

Challenges and Opportunities of Mediating with Elders and Their Families

The Mediation Society
San Francisco, CA – January 2015

Mediating with Self-Represented Litigants

The Mediation Society
San Francisco, CA – October 2014

Advanced Training Program: Interests

Center for Understanding in Conflict / Center for Mediation in the Law
Mill Valley, CA – April 2014

Mediation and Conflict Resolution

University of California Berkeley
Berkeley, CA – March 2014

Litigation Management Institute

Claims and Litigation Management Alliance (CLM) – Certified Litigation Management Professional
New York, NY – October 2013

Mediation Practice Workshop

American Arbitration Association
San Francisco, CA – 1997

Negotiation/Mediation Process & Practice

University of California, UC Law SF
San Francisco, CA – Spring Semester 1996
American Jurisprudence Bancroft-Whitney Award
CALI Excellence For The Future Award

Mediation

University of California, UC Law SF
San Francisco, CA – Fall Semester 1995

PROFESSIONAL ASSOCIATIONS

(Present & Past)

ABA Section on Dispute Resolution – Committee on Mediator Ethical Guidance,
Co-Chair 2019-2022 (initial appointment September 2015)

ABA Section on Litigation

Alameda County Bar Association

California Dispute Resolution Council (CDRC) – Board member August 2023-
present

The Mediation Society – Member (formerly on Board of Directors, Treasurer
2018/19)

Expired Memberships:

- Ladies Who Lunch Bay Area (2015-2024)
- First Tuesday Lawyers (2015-2024)
- Claims and Litigation Management Alliance (CLM) (expired 2021)
- Bay Area Women Neutrals (disbanded 2020)
- Contra Costa County Bar Association (exp 2019)
- Attorney Action Club (San Francisco) (exp 2019)
- San Francisco Bar Association (Ethics Committee) (exp 2019)
- Mediate.com (exp 2016)
- Women's Construction Litigation Alliance (WCLA) (became part of CLM Diversity program in 2016)
- Defense Research Institute (DRI) (exp 1998)
- Construction Defect Claims Managers Association (CDCMA) (exp 2012)