

LAWDRAGON

The Lawyer Limelight: Jeffrey Grubman

By Xenia Kobylarz



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[Jeffrey Grubman](#) practiced as a litigator before embarking on his career as a mediator in 2005, first at his own practice and more recently at [JAMS](#), which he joined in 2012. Motivated by a desire to help parties and busy trial lawyers avoid the often unpleasant road of litigation, Grubman has certainly made his mark – with about 1,000 disputes under his belt across a vast range of industries. The 1989 graduate of the [University of Southern California Law School](#) is based in Miami but, as a mediator of many complex cases around the U.S., has worked out of many JAMS offices.

Lawdragon: You have a pretty diverse ADR practice. How did your practice evolve over time and is there a certain industry or matters that are more interesting to you than others?

Jeffrey Grubman: For the first couple of years that I mediated, I focused exclusively on resolving disputes between stock brokerage firms and their customers, which was an area in which I practiced as a lawyer. When I realized how much I enjoyed serving as a mediator, I made a conscious decision to

expand my mediation practice into additional substantive areas. I enjoy mediating a wide variety of business disputes. The most interesting part of mediating to me is figuring out the issues that are important to the clients and the attorneys and the factors that are serving as a road block to settlement. More often than not, those issues have nothing to do with the legal issues in the case.

LD: What skill or experience helped you most in being good at what you do?

JG: While my significant litigation experience has been helpful, I would say the following two things have been more important: One, the ability to listen carefully and empathetically and to communicate clearly, and two, a strong work ethic and competitive drive. I have found over the years that parties do not mind hearing negatives about their case from me so long as they feel that I have listened to them, and objectively and intelligently evaluated the merits of the case. Also, I pride myself on never giving up. I believe what separates the average mediators from the very good mediators is being tenacious in pursuing all mechanisms to settle the case.

LD: What made you want to switch from advocacy to ADR?

JG: I really enjoyed the mediation process when I was an advocate and thought I would be good at it and would very much like doing it, which thankfully has been the case. I also like helping people solve problems and resolve lawsuits. Litigation is stressful and unpleasant and I know I am doing a service when I help parties settle a lawsuit. In a similar vein, I enjoy helping busy attorneys get cases off of their docket. Trial lawyers are under tremendous pressure and I like easing their burden when I help them settle a case that is close to trial. Finally, when I was an advocate, I got tired of seeing clients frustrated with the litigation process at the end of a case, seemingly regardless of the outcome.

LD: You joined JAMS in 2012 after having your own practice. How has the transition been for you and what lessons, if any, have you learned so far?

JG: The transition has been pretty seamless. Given the national scope of my practice, I have mediated cases in nine or 10 JAMS offices throughout the country. Every single JAMS employee I have met is intelligent, professional and extremely nice. I was working on my own with an assistant prior to joining JAMS, and it has been terrific to be part of something much larger than just me. I have learned a great deal about business development and marketing, and also picked up some invaluable mediation and arbitration techniques from other JAMS neutrals.

LD: You've written a recent column in Inside Counsel discussing the merits of using ADR in the entertainment industry. Why do you think that the industry has not taken full advantage of ADR in resolving commercial disputes?

JG: Part of the reason for the underutilization and under-appreciation of ADR is that many entertainment lawyers and members of the entertainment industry do not realize that there are ADR professionals with substantive entertainment law experience and knowledge. JAMS has addressed

this issue by creating an entertainment practice group, which educates its neutrals regarding cutting edge issues in entertainment law and reaches out to entertainment lawyers to let them know who among its neutrals have entertainment experience.

LD: Do you still remember your first entertainment matter you've handled? Or the most significant or memorable?

JG: They are all significant in their own way. I have had the privilege of representing and serving as a mediator for many famous entertainers and professionals athletes. One memorable mediation involved a famous rap star with whom I had just finished a long and difficult mediation. We had reached an agreement in principle and when I walked back into the singer's room, he and his attorney were close to throwing blows at one another. This resulted in a second, mini-mediation.

LD: Aside from the entertainment industry, are there are any other sectors that you think have not taken advantage of the ADR process and could benefit from it?

JG: In general, I find that the level of use of ADR is more geographic than industry specific. Certain areas of the country, like my state of Florida, have strongly utilized mediation for a long time. In other parts of the country this is much less true. However, let me give you an answer to your specific question regarding specific sectors or industries. I mediate many securities disputes. There has been a large uptick in actions brought by securities regulators in recent years. However, those cases are rarely mediated, which is unfortunate and should change.

LD: What do you do for fun?

JG: I am a big sports fan and I enjoy playing sports. I play basketball and racquetball as often as possible. I also enjoy attending sporting events. For example, I recently attended major league baseball games with my family in a few different cities in the Northeast. We managed to sneak in some pretty great meals during that trip too, which is another thing I do for fun.