

Bob Blum – Mediation

Bob@BobBlumMediation.com

415-815-8633

Mediation

For over 40 years I have worked with multiple stakeholders in large public and private organizations who have conflicting needs to help them develop practical legal and business solutions to resolve complex problems concerning employee compensation and benefits.

I have mediated cases involving disputes about employment, disability, business contracts, technology, real property rights, public land use, real estate, and construction. In all of these cases, my key task has been to clearly understand the parties real interests and with that understanding help them to find basic common ground. A critical part of my work is to listen carefully to what is said, and to what is *not* said, and dig out the real dispute and the parties' base line goals. Then I can help the parties understand the options, find common ground and move toward settlement.

My success in mediation is built on my work as a mediator, lawyer, HR consultant, and in government. As a lawyer, I focused on employee benefits, compensation and employment issues. This includes advice, claims and litigated disputes involving employees, employers, joint labor/management boards of trustees, collective bargaining issues and the significant amounts of money that pay for benefits. As an HR consultant, I have led teams that helped hospitals revise their administrative and clinical procedures for better health outcomes and patient service while achieving significant cost reductions. In government, I was Legislation Counsel for the Joint Tax Committee, U.S. Congress and part of teams that wrote legislation that bettered the lives of tens of millions of Americans.

This experience has given me insight into how to help parties reach practical and workable resolution of complex issues.

Law Practice and Consulting

2013-present, Deputy General Counsel, Benefits, The Permanente Medical Group, Inc. ("TPMG"). TPMG provides all medical care to more than 4 million Kaiser-Permanente members in Northern California. TPMG employs over 40,000 people with over 8,000 physicians, 6,000 non-union employees and 25,000 union employees. TPMG is separate and independent from Kaiser Foundation Health Plan, Inc.

Previously, partner in Hanson Bridgett (2001-2013); senior HR consultant for Mercer, an international human resource, compensation and benefits consulting firm (1992-2001) and partner in Orrick, Herrington and McCutchen, Doyle (1976-1992) and Groom & Nordberg (Washington, DC, 1975).

Government

Legislation Attorney/Counsel (1972-1975) to the Joint Committee on Taxation, U.S. Congress and one of the key staff on the team who wrote ERISA and tax legislation.

Member of Congressional staff team that audited the tax returns of President Richard M. Nixon and led team investigating the use of the IRS for political purposes in several Administrations.

Law Practice Focus

Primary law practice focus has been compensation and benefits, which includes advice, resolving claims and disputes including litigation on pensions, health benefits, disability benefits, employment discrimination, collective bargaining agreements, employee relations, contracts, finances and financial institutions, and trust and fiduciary issues.

Clients have included private organizations and public agencies including public sector retirement systems as CalPERS, publicly traded and privately held companies, the country's largest Taft-Hartley retirement plan (Western Conference of Teamsters Pension Trust Fund), the University of California, Stanford University, over a dozen large joint labor/management board county retirement systems, the State of California and California counties, cities, and districts.

Litigation and Disputes

Co-led teams in major class action or association lawsuits involving retiree health benefits and pensions. E.g., *Sonoma County Association of Retired Employees vs. Sonoma County* (9th Cir., 2013).

Led teams in disputes with and audits by IRS and Labor Department, including one of the largest non-corporate tax audits, with successful resolution ("no change").

Legislation and Regulation

In private practice, developed federal tax legislation that has been enacted. Also developed and drafted California legislation which established new pension benefits and innovative methods of funding retiree health benefits for public agency employees. Additionally, obtained IRS tax rulings (both "public" and "private").

Author and Speaker

Nationally recognized author and speaker on tax and benefits issues for the American Law Institute – American Bar Association; California State Association of Counties, League of California Cities and other organizations. I have provided over 60 hours of CLE training.

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Honors and Awards

- Fellow, American College of Tax Counsel
- Northern California Superlawyers (2004 – 2013)

Bar Admissions

- California and District of Columbia
- U. S. Supreme Court
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. Tax Court

Education

- B.A. University of California, Berkeley (Economics; Highest Honors; Phi Beta Kappa)
- M.A. University of California, Berkeley (Economics; advanced to candidacy for Ph.D.; dissertation not completed)
- J.D. University of California, Berkeley (Order of Coif; California Law Review)

Presentations And Publications

Presentations and publications include the following

- 2017-2018 – Author of articles published in the Daily Journal including
 - Fee Shifting in ERISA Cases – Considerations in Mediation (8/1/2019)
 - Long Term Disability, “Unretirement” and Pension Plans (12/18/18)
 - Sure That Plaintiff You Settled With Won’t Sue Again? (9/2/18)
 - Tax Bill Affects Employment Litigation Settlements (1/12/18)
 - Truth or Consequences (180 Million of Them) (9/22/17)
- 2013 - Affordable Care Act – Author of client articles; presenter for webinars sponsored by California State Association of Counties and League of California Cities and other organizations.

- 2012-2013 - California Public Pension Reform – Author of client articles and "Opportunities to Save Pension Costs Through Collective Bargaining After Pension Reform", *Western City*; presenter at "PEPRA, Selected Issues", League of California Cities Spring Conference.
- 2011- 2013 presenter at County Counsel Association and County Administrative Offices Conference on several issues including pension reform and IRS payroll tax audits
- 2001-2013 - State Association of County Retirement Systems – multiple presentations on issues including: disability benefits, contribution rate relief; deferred compensation, pension reform, retiree health benefits; and California Supreme Court developments.
- 1979-2008 - American Law Institute – American Bar Association ("ALI-ABA") – Over 60 presentations and articles on multiple tax and benefits issues involving all aspects of employee benefits, including finance, fiduciary issues, regulatory issues, compensation design, attorney ethics, health care, pensions, and U.S. Supreme Court developments