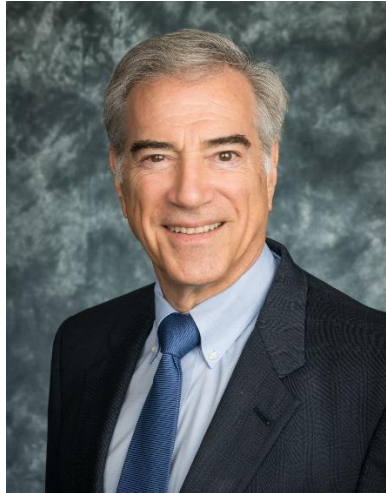




Harvey C. Berger, Esq.
Mediator

OVERVIEW:

Harvey Berger became an attorney in 1982 and offers over 40 years of experience in employment law and employment litigation to his work as a mediator and arbitrator. Throughout his career, he has represented both individuals and employers in all aspects of employment disputes, including over 75 class and PAGA actions, wage and hour claims, wrongful termination, discrimination, harassment, and executive severance negotiations, and drafting and negotiating employment contracts.

In addition to his role at Berger & Williams, LLP, Harvey serves as a mediator and arbitrator with the American Arbitration Association's Employment Panel, a Judge Pro Tem for San Diego Superior Court, and an arbitrator for attorney fee disputes through the San Diego County Bar Association. He has been widely recognized by peers and publications as one of San Diego's top employment lawyers, earning repeated honors from *Super Lawyers*, and the *San Diego Business Journal*, among others.

Elected to the College of Labor and Employment Lawyers in 2015, Harvey is also a frequent lecturer and trainer on wage and hour issues, class actions, sexual harassment, disability law and management practices. His depth of experience, coupled with his reputation for professionalism and civility, underscores his effectiveness in guiding parties toward meaningful resolution.

RATES:

- Half day - \$5,000 flat rate: includes two hours of preparation (including brief review and pre-mediation Zoom test sessions) and 4 hours of mediation time; \$695 per hour thereafter, in ½ hour increments
- Full day - \$9,500 flat rate: includes two hours of preparation (including brief review and pre-mediation Zoom test sessions) and 8 hours of mediation time; \$695 per hour thereafter, in ½ hour increments
- \$400 administrative fee per party

LEGAL CAREER & PRIOR EXPERIENCE:

- Berger & Williams, LLP, San Diego, California (2022 - current)
- Berger, Williams & Reynolds, LLP, San Diego, California (2018 – 2022)
- Pope, Berger, Williams & Reynolds, LLP, San Diego, California (2015 - 2018)
- Pope, Berger & Williams, LLP, San Diego, California (2003 - 2014)
- Pope & Berger, San Diego, California (1996 - 2002)
- Haasis, Pope & Correll, A.P.C., San Diego, California (1984 - 1996; equity partner from 1989)
- McInnis, Fitzgerald, Rees, Sharkey & McIntyre, San Diego, California (1982 - 1984)

EDUCATION:

- Pepperdine University
 - Strauss School of Mediation - Mediating the Litigated Case (2013)
- University of San Diego School of Law
 - Juris Doctor (1981)
- Mit Sloan School of Management
 - M.S. in Management, Concentration in Industrial Relations (1976)
- State University of New York at Stony Brook
 - BA Magna Cum Laude, Major in Economics (1974)

ADR SPECIALTIES:

- Wage & Hour
- Representative Matters (Private Attorneys General Act - PAGA)
- Class Actions Harassment/Sexual Harassment
- Whistleblower and Retaliation
- Wrongful Termination
- Severance Claims
- Leave of Absence and Accommodation
- Hostile Work Environment/ Harassment, Sexual Harassment
- Discrimination: ADA, disability, Age, Gender, Race, Religion, Sexual Orientation, Pregnancy, National Origin, military
- Pre-Litigation Matters
- Litigated Matters

PUBLICATIONS:

- Certificate of Appreciation for Significant Contributions to the Advancement of the Law as Chapter Author for Wage and Hour Laws: A State-by-State Survey, 2008 Cumulative Supplement
- American Bar Association Section of Labor and Employment Law, BNA Books, and Uniform Services Employment & Reemployment Rights Act (USERRA) Chapter Editor
- Contributing author: BNA Wage & Hour Laws - a State by State Survey

ORGANIZATIONS:

- State Bar of California
- Arbitrator & Mediator, American Arbitration Association Employment Panel (2016-present)
- San Diego County Bar Association (Lawyer Referral Information Service, Board Chairman 2012/2013; and Labor & Employment Section, Co-Chairman 2012/2013)
- College of Labor and Employment Lawyers
- California Employment Lawyers Association
- National Employment Lawyers Association
- Consumer Attorneys of San Diego
- Association of Trial Lawyers of America
- San Diego Defense Lawyers Association
- Society for Human Resource Management
- Lawyers Club of San Diego
- American Bar Association
- Former Board Member, and Advisory Board and HR Committee of The Jacobs & Cushman San Diego Food Bank (7/2020- present)
- American Diabetes Association Attorney Advocacy Network
- American Cancer Society Cancer Action Network
- Center for International Legal Studies (CILS) - Senior Lawyer in Salzburg, Austria - Senior Instructor of American Law, Arbitration and Mediation (taught in Latvia, Hungary, Poland and Austria)
- Former Member San Diego Superior Court Alternative Dispute Resolution (ADR) Committee

AWARDS:

- *Southern California Super Lawyers* (2007 – 2025)
- Voted One of the *Best Lawyers in America and San Diego*, San Diego Magazine (2008 – 2024)
- Top 50 *Super Lawyer* in all practice areas for San Diego (2007, 2009, 2014, 2016, 2017, 2023)
- *Lawyer of the Year*, Labor Law-Management in (2022)
- *Lawyer of the Year*, Employment Law-Individuals (2020)
- *Top 100 Labor & Employment Lawyers* in the State of California, American Society of Legal Advocates (2018)
- *Best of the Bar*, San Diego Business Journal (2016)
- *10 Best Client Satisfaction in the Labor and Employment Division*, American Institute of Legal Counsel (2016)
- *Top 10 Employment Lawyers in San Diego* by fellow employment lawyers (2005 - 2008, 2012, 2014, 2015, after which the award was discontinued)
- Top 10 *Super Lawyer* in all practice areas for San Diego (2015)
- Elected to the College of Labor and Employment Lawyers in 2015
- *Top Lawyers*, Corporate Counsel Magazine Annual Guide to Labor & Employment Law (2008)

HOBBIES & INTERESTS:

Harvey enjoys spending time with his grandchildren, cross-fit workouts, hiking, and skiing.

To schedule a mediation, please contact Veronica Montenegro at 619-238-2400 x259 or vmontenegro@westcoastresolution.com or email Harvey at hberger@westcoastresolution.com.