

# ONE MEDIATOR

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## Curriculum Vitae

*of One Mediator Matthew W. Argue*



*“Perseverance is the most important attribute for a mediator.” – Matthew W. Argue*

**Overview** Mr. Argue has been a full-time mediator since and arbitrator since 2004. He has over 25 years of experience in complex construction disputes, mediation and arbitration. Based in San Diego, he is a full-time neutral focusing on construction, insurance and real estate mediation and arbitration throughout Southern California. Mr. Argue has successfully mediated over 450 construction cases to settlement and been lead arbitrator on over 200 cases.

He began his mediation training as a mediation extern for a distinguished Federal District Court Judge Lawrence Irving (Ret.), after which he obtained his Mediator’s Credential from the National Conflict Resolution Center in San Diego and completed Pepperdine Law School’s Straus Institute for Dispute Resolution mediator training programs focusing on “Mediating the Litigated Case” and “Mediating Complex Construction Disputes”. Mr. Argue has furthered his mediation experience by co-mediating or observing prominent mediators, including Randall Wulff, Esq., Ross Hart, Esq., Craig Higgs, Esq. Scott Marcus, Esq. and Judge Herbert Hoffman (Ret.).

After practicing as a trial lawyer involved in hundreds of mediations and arbitrations in Southern California for nearly 15 years, Matthew W. Argue incorporated his own mediation company, “One Mediator” in 2004, focusing on real estate, insurance, and construction defect mediation and arbitration. In 2006, Mr. Argue joined preeminent construction mediator Ross Hart at Arbitration, Mediation, Conciliation Center (“AMCC”) in San Diego as a full-time AMCC Panel Neutral. Mr. Argue serves on the following mediation and arbitration panels: AMCC Panel of Construction Mediators; American Arbitration Association Panel of Complex Construction Mediators and Arbitrators; and California State License Board Arbitrator. Mr. Argue also serves as a Dispute Resolution Advisor and Dispute Resolution Board member for Caltrans.

Mr. Argue was an associate and then Partner with the San Diego law firm of Procopio, Cory, Hargreaves and Savitch LLP from 1989 to 2001. In 1997, he became the head of the construction litigation department for the firm.

Mr. Argue represented both large developer defendants and plaintiffs in construction defect cases. Some of his more notable cases are: (1) representation of plaintiffs in the largest verdict at that time in San Diego County for a single-family residential construction defect case (\$2.5 million), (2) representation of 84 plaintiffs in *AAS v. Superior Court* which was appealed to the California Supreme Court and changed the recovery of damages in construction defect cases, (3) representation of 300 plaintiffs in *Marshall v. The Baldwin Company et al.* for construction defect damages totaling over \$25 million, and (4) representation of state-wide developer, The Grupe Company, in defense of construction defect cases throughout State of California.

**Business**    **Mediator:** 2004–Present  
*One Mediator – Carlsbad, CA*

**Attorney at Law:** 1988–2001  
*Procopio, Cory, Hargreaves & Savitch – San Diego, CA*

- Partner at 75 lawyer law firm
- Litigator—real estate, insurance, and construction defect
- Prosecution of construction defect cases, including high end custom single family residences, large mass tract single family developments, commercial and hotel properties, and condominium associations
- Litigation experience also includes insurance bad faith/Cumis counsel issues, mechanic's liens, landlord and tenant, real estate fraud cases, broker/agent disclosure laws, insurance law, and condemnation law

**Education**    **Administrative Assistant to Member of Parliament (“MP”):** 1986  
*House of Commons – London, England*

**Mediation Externship:** April–Dec. 2004  
*Honorable J. Lawrence Irving (Ret.) – San Diego, CA*

- Observation of retired Federal District Court Judge mediation practice

**Calvary Chapel Bible College:** 2001–2003  
*Murrieta, CA*

**University of Southern California Law Center (Juris Doctorate):** 1986–1989  
*Los Angeles, CA*

**San Diego State University (Bachelor of Arts, Cum Laude):** 1982–1986  
*San Diego, CA*

***Mediation  
Panels***

AMCC, Construction and Real Estate Mediator with Ross Hart, Esq.

American Arbitration Association Complex Commercial and Construction Mediation Panel

Construction Dispute Resolution Services, LLC, Construction Mediator

San Diego Superior Court Mediation Panel

Vista Superior Court Two Attorney Pro Tem Settlement Judge

Riverside County Bar Association Dispute Resolution Services (“DRS”) Mediator

*Formerly* Riverside Superior Court Mediation Panel

*Formerly* Los Angeles Superior Court Mediation Panel

***Arbitration  
Panels***

American Arbitration Association, Commercial and Construction Arbitrator

Arbitrator for the California State License Board

Construction Dispute Resolution Center, LLC, Construction Arbitrator

San Diego County Bar Association Attorney Fee Arbitrator

Riverside County Bar Association Dispute Resolution Services (“DRS”) Arbitrator

***Dispute Review  
Board***

Dispute Resolution Advisor and Dispute Resolution Board member for Caltrans

***Professional  
Affiliations***

American Bar Association’s Dispute Resolution Section

ABA Forum on the Construction Industry

Chairman of Real Estate Section of the Bar Association of North San Diego County (2006–2007)

Bar Association of North San Diego County’s Alternative Dispute Resolution and Real Estate Sections

San Diego County Bar Association’s Alternative Dispute Resolution and Construction Law Sections

Southwest Riverside County Bar Association, Board Member (2007)

Justice Ted Todd Inn of Court, Board Member (2007–2008)

Fiorenzo V. Lopardo Inn of Court

Riverside County Bar Association

California Dispute Resolution Council

***Professional  
Licenses***

California State Bar, Bar # 145134, 1989

Nevada State Bar, Bar # 6889, 1999

Colorado State Bar, Bar # 031418, 1999

Texas State Bar, Bar # 24029121, 2000

Washington State Bar, Bar # 30386, 2001

California Real Estate Broker, 2006

***Speaking  
Engagements***

*Instructor:* Advanced Ethical Issues In Mediation, approved by California State Bar for 1 Hour Ethics CLE Credit, 2013

*Instructor:* Substance Abuse and Work-Life Balance, Presented to Newmeyer & Dillion LLP, approved by the California State Bar for 1 Hour Substance Abuse CLE Credit, 2013

*Panel Speaker:* Claims Litigation Manager's Presentation on "Making Mediation More Effective", 2013

*Instructor:* "Tips to Help Prepare for Mediation", Presented to Lorber Greenfield Polito LLP, approved California State Bar for 1 Hour CLE Credit, 2013

*Panel Speaker:* Association of Southern California Defense Counsel and Construction Defect Claims Managers Association, Presentation on "It is not Impossible to Settle Early in the Mediation Process," 2013

*Panel Speaker:* HB Construction Litigation Conferences: Construction Leader's Forum, Panel Speaker, "Mediation: what's working and what's not", 2013

*Panel Speaker:* West Coast Casualty's Construction Defect Conference, "Arbitrate – Let's see you make me", 2012

*Panel Speaker:* West Coast Casualty's Construction Defect Conference, "Current Trends in Handling SB 800 Cases", 2012

*Panel Speaker:* HB Construction Litigation Conferences: Construction Leader's Forum, "Pre-litigation Settlements and Related Insurance Issues", 2012



*Instructor:* American Arbitration Association ACE Arbitrator Training Program, “Managing the Arbitration Process for Efficiency and Economy Following the Preliminary Hearing”, 2012

*Panel Speaker:* MC Consultant’s Western Region Construction Conference, “What is working and what is not in resolving construction defect cases”, 2011

*Instructor:* “Substance Abuse and Work-Life Balance”, approved for CLE for the San Diego County Bar Association on September 13, 2011, at the Carmel Valley Bar Association, San Diego, CA.

*Panel Speaker:* Vendome Construction Super Conference, 2009

*Panel Speaker:* West Coast Casualty Annual Construction Defect Conference, 2000, 2001, 2007, 2008, and 2009

*Panel Speaker:* Fiorenzo V. Lopardo Inn of Court, “Mediation Techniques”, 2009

*Panel Speaker:* Justice Ted Todd Inn of Court, “Mediation Insights”, with Judge Lawrence Irving (Ret.), 2008

*Panel Speaker:* Orange County Bar Association’s ADR and Construction Law Sections, “Use of Mediation in Construction Defect Cases – What You Can Do To Make It Settle – Insights from Top Mediators”, with Alexander Robertson and Alex Polsky, 2007

*Panel Speaker:* San Diego County Bar Association’s Construction Law Section, “How to Fast Track a Construction Defect Mediation”, with Judge Stephen Sundvold and Judge Robert May, 2006

*Panel Speaker:* Bar Association of Northern San Diego County, “Effectively Resolving Construction Defect Cases”, with Judge Stephen Sundvold and Judge Ronald Styn, 2006

*Panel Speaker:* San Diego County Bar Association’s Construction Law Section, “Mediation of Construction Defect Cases”, with Mediator/Attorney James Chodzco, 2005

*Panel Speaker:* Mealy’s Annual Construction Defect Conference, 2000

*Panel Speaker:* San Diego County Bar Association, “Impact of AAS v. Superior Court on Construction Defect Litigation”, 2000

*Panel Speaker:* Orange County Bar Association, “Aftermath of AAS v. Superior Court”, 2000

*Panel Speaker:* Clark County Bar Association, “Pursuing Construction Defect Cases – Plaintiff’s Perspective”, 2000

## ***Publications***

American Arbitration Association's Dispute Resolution Journal, ***Timing is Everything: When is the Best Time to Resolve a Construction Defect Case?***, August/October 2013

American Inn's of Court Magazine, The Benchers, ***Balancing Work and Life after Two Types of Cancer***, 2010

American Arbitration Association's Dispute Resolution Journal, ***Do's and Don'ts of Representing Clients in Mediation***, August/October 2009

Los Angeles Daily Journal, ***Mandatory Settlement Conferences Save Court's Time***, Resources, 2009

Los Angeles Daily Journal, Business, ***Private Life Collide in Luxury-Home Mediations***, 2007

North County Lawyer, ***Mediation of Luxury Home Construction Defect Cases***, 2007

Los Angeles Daily Journal, ***Renovating Recovery: In the wake of the California Supreme Court's 'Aas' decision, construction defect plaintiffs may have to rethink damage claims***, 2001

Nevada Lawyer, The Economic Loss Rule and Construction Defect Litigation, 2000

Condo Management Magazine, ***The Economic Loss Rule: A Potential Nightmare for HOAs and Homeowners***, 1998

Condo Management Magazine, ***Stigma Loss a Real Issue for Homeowners***, 1998

National Law Journal, ***Agents Now are Liable to Buyers***, 1995

## ***Continuing Education***

Construction Super Conference, San Francisco, CA, 2013, 15 hours

NCRC Court Appointed Mediator Training, 2013, 4 hours

American Arbitration Association Court Appointed Mediator Training, 2011, 4 hours

American Arbitration Association's Advanced Mediation Techniques, 2010, 4 hours

American Arbitration Association's ICDR Neutrals Conference, 2009

Construction Super Conference, San Francisco, CA, 2008 , 15 hours

National Conflict Resolution Center, "Mediator Jeopardy," 2008, 4 hours

Los Angeles Superior Court ADR Committee Mediation Training on "Overcoming Impasse," 2007

American Arbitration Association's Construction Mediation Conference, 2007

American Arbitration Association's ACE Training for Construction Panel Arbitrators, 2007

Arbitration Mediation Conciliation Center ("AMCC") Arbitrator Training for the California State License Board, 2007–2012

American Arbitration Association Program on "Complex Construction Arbitration," 2006

Construction Dispute Resolution Services' Training Program in the Theory, Practice and Rules of Dispute Review Board, 2006

Construction Dispute Resolution Services' Training Program in the Theory, Practice and Rules of Arbitration, 2006

International Academy of Mediators Conference, "Meeting of the Minds," 2005

National Conflict Resolution Center, Mediator Credentialing Program, 2005

Pepperdine Law School's Straus Institute for Dispute Resolution mediation training program: Mediating Complex Construction Disputes, 2005

Pepperdine Law School's Straus Institute for Dispute Resolution mediation training program: Mediating the Litigated Case, 2004

National Conflict Resolution Center, Mediators Training, 2004

*Other  
Experience*

Expert Witness for legal malpractice case involving underlying construction dispute.

Guest Lecturer for University of Southern California Law Center, Alternative Dispute Resolution, Brenda Radmacher, Esq. and Mediator Alex Polsky, 2009-2012

Guest Lecturer for University of Southern California Law Center, Alternative Dispute Resolution, Brenda Radmacher, Esq. and Mediator Alex Polsky, 2009-2012

Guest Lecturer for University of Southern California Law Center, Real Estate Transactions Class, Professor George Lefcoe, 2007-2009

***Community Service*** RESOLVE Biblical Mediation with Peacemaker's Ministries, Emmanuel Faith Community Church  
2012–2013

KAIROS – Donovan Prison Ministry  
2005–2011, *Board Member (2007–2008)*

Boys and Girls Club, San Diego  
*Board Member, 1999–2001*

Family Support Foundation  
*Mentor for Teenager, 1997–1998*

The Wellness Community, San Diego  
*Club Wellness Board Member, 1993–1994*

San Diego League,  
*Board Member, 1990–1994*

Commonwealth of Massachusetts “Upward Bound” Program  
*Counselor, Summer 1987*

***Special Interests***

**My wife and two boys**

**Travel and Golf Abroad**

*England, Ireland, Scotland, Wales, France, Italy, Spain, Germany, Austria, Switzerland, Greece, Yugoslavia, Hungary, Russia, Denmark, Sweden, Norway, Netherlands, Israel, Canada, Mexico, and Hawaii*

