

## Diplomacy Dreams

*Mandatory settlement conferences should be positive experience, L.A. County Judge Zaven Sinanian says*

By Ricardo Pineda

Daily Journal Staff Writer

LOS ANGELES – In the vast majority of cases Judge Zaven V. Sinanian has presided over, the parties ended up taking the alternative route to an “antagonistic” or “adversarial” trial: a negotiated settlement.

“When they come to me I want them to think of this department as an oasis of peace,” said Sinanian, who oversees the Los Angeles Superior Court’s Judicial Mandatory Settlement Program.

“I always advise both sides that litigation is expensive, time consuming, slow and it can be emotionally draining,” Sinanian said. “I want the persons who are before me to feel as if the process and the outcome is something they want to be involved with, because it’s a voluntary process.”

Conferences could take three to eight hours on a given day. “So, I tell them ‘Let’s put our heads together, roll up our sleeves and try to come up with an outcome that both sides feel comfortable and good about.’”

When a new case comes into his calendar, “I start with everybody together and then I need to talk to them separately, you know, to take their temperature, figure out what the issues are,” he explained.

He reminds them he is always looking at potential risks of going to trial, or its benefits.

“What I do is I give a sort of an assessment if I feel comfortable, if it is my place to do so. I am not going to impose on anyone but I can give an assessment based on my training and experience,” he said.



Ricardo Pineda / Daily Journal

An example of what he accomplishes was resolving a lawsuit over the FedEx big rig multifatality crash in 2017. After more than 20 expert depositions and 17 motions in limine that seemed heading toward an inevitable tough-fought trial, Sinanian over a two-day period enabled the last-minute agreements. Los Angeles County Superior Court Judge John Shepard Wiley sent home prospective jurors a day before jury selection was set to begin in earnest. *Federal Express vehicle Collision Cases*, JCCP47889 (L.A. Super. Ct., July 22, 2014).

It’s not always about the financial claim, he noted. “There are also issues that have an emotional aspect to it. The most important thing I can do is I want the parties to understand that I studied the issue, I understand the facts and the law, and I am going to listen, and I am going to care about the outcome.”

Sinianian “is a pleasure to work with” and exemplifies all the characteristics and qualities of “a fabulous mediator,” said Brian Panish of Panish Shea Boyle Ravigudi LLP. “Great mediators are seen as friendly, empathetic and respectful.



**Zaven V. Sinanian**

Superior Court Judge  
Los Angeles County  
(Los Angeles)

**Career Highlights:**  
Appointed to the Los Angeles County Superior Court by Gov. Gray Davis, June 5, 2002; deputy attorney general, State of California, Department of Justice, 1989-2002.

**Law School:**  
Chicago-Kent College of Law, 1987

They listen carefully, appreciate the emotions and needs that underline each conversation and come across as genuinely concerned with the well-being of everyone involved.”

Beverly Hills attorney Gregory W. Smith praised the judge as a good listener. “He’s very easy to work with and has got me good results,” Smith said. “I’m not always happy with some outcomes, but he’s very effective as a mediator. He has a capability to listen to both sides and I appreciate the insight he gives me.”

Diplomacy is something Judge Sinanian wanted to pursue early in his career.

"I always felt conflict resolution was really important," he recalled. In his chambers there are two old pictures framed on the wall next to his desk. One is from his maternal grandfather, an architect in Syria. The other is his paternal grandfather in a class of law school graduates in Istanbul at the turn of the century. His name was also Zaven Sinanian.

Fleeing the Armenian genocide under the Ottoman Empire, his grandfather moved the family to Cyprus, where the judge was born. "He sort of inspired me by spirit," proudly shared the judge. The Turkish invasion of Cyprus sent the family fleeing again to the United States when the judge was a teenager.

After obtaining a master's degree in international relations at the American University School of International Service in Washington, D.C. and "sort of drifted into law."

"I wanted to make an impact on people's lives," he said, given his background. He was able to perform a diplomatic service later. In 1992, Sinanian took a sabbatical from the California attorney general's office to offer his expert assistance in establishing a foreign ministry for the new Republic of Armenia.

A decade later he was appointed Superior Court judge. He presided over criminal, civil and family law cases. He was assigned to the Mandatory Settlement Conference program in 2012, when Judge Helen Bendix – his mentor – was the managing judge of the program. In 2018, when Judge Bendix was elevated to the Court of Appeal, Judge Sinanian was assigned to the position of managing judge of the MSC program and has been in that position ever since.

"My role is no longer an adjudicator of the facts," Sinanian says. "When you become a mediator, adjudication is not the primary goal. As a judge we are hired or appointed to adjudicate the dispute."

Pierce Kavcioglu Espinosa & Cesar LLP partner Heather L.

Frisch's overall impression of Sinanian is that he is very willing to go into detail and suggest some possible creative solutions.

"We tried to settle this case for over a year," she explained. "He was very patient, level headed and clear in all of his suggestions with our situation."

The attorney added, "Not all mediators or judges recognize when it was time to be done with the settlement negotiation. Instead of pushing to find a solution, he recognizes when the negotiation has reached an end, and is no longer beneficial for the parties to try to reach a settlement."

Steven C. Glickman of Glickman & Glickman ALC has known Sinanian, first as a trial judge and now as a mandatory settlement judge. "Not all great trial judges translate well into settlement," Glickman cautioned.

His assessment of Sinanian? "He is like the Swiss army knives of judges. He can really cut through and see what the really important parts were and focus on those to have the case settled."

Marta A. Alcumbrac, of Robie & Matthai APC and president of the Association of Southern California Defense Counsel, has not tried a case before Sinanian, but has worked with him in the Judicial Mandatory Settlement Conference Program.

"In this arena," Alcumbrac wrote in an email, "it was clear that Judge Sinanian would go the extra mile in working with the counsel and the parties to resolve the case."

Also, she worked with Sinanian in establishing the Resolve Law LA Virtual Mandatory Settlement Conference program. "His dedication to assisting with the establishment of that program, which included providing training for the settlement officers that volunteer to participate in the Resolve Law LA program, is among the key reasons why the program is a success. His expertise in guiding litigants to resolve their dispute proved to be invaluable."

That is the great value of the process, according to the judge,

to create a dialogue opportunity. "I feel civility is also important in our profession," Sinanian says.

Attorneys can help the judge by preparing for the settlement conference, and preparing their clients, "providing with the five-page statement prior to, which I would read and make notes," he said.

For Gary A. Dordick of Beverly Hills, "Judge Sinanian has a gift when it comes to settling cases. Sure, he is well prepared and works hard but he has a genuine ability to understand the lawyers' and parties' positions, show them the risks involved and bring them to a compromise that both sides are satisfied with. He has a wonderful disposition and seems to really enjoy being a judge both in a trial court and as a settlement judge."

Trust and confidence goes a long way.

"You see that gelling in the process," the judge explained. "The clients I don't know, but the attorneys I do, generally."

Being old school, he was skeptical and thought at first he wouldn't be able to adapt to remote settlement conferences. "Would I prefer to shake hands and sit at a table, having personal interaction, and eye contact? Of course!"

But he admits the process has worked, to his surprise, better than expected. And he thinks it's going to remain the same for a while.

"I always try to instill that in the lawyers and the parties who are in front of me, to think of this as a positive experience, not a negative," he said.

As the managing judge of the settlement conference program, he gets intake forms from 80 courtrooms countywide and assigns them to judges.

Lawyers can request a particular judge and Sinanian will do his best to accommodate them, "because they develop a relationship, trust and confidence in that judge. They are going to be much more willing to be honest and candid with that judge."

Outside of court, Sinanian likes to travel and try different foods. He is a fan of jazz and soccer and

football, and during his reading time he is more partial to essays and articles than books.

"And I love walking," the judge added. "I found that three to four miles a day is a very good way to sort of clear your mind and freshen up to be ready for the next day."

He offers law clerks and students in general a word of advice: "You have to live your dream. It's the most important thing in life. We live in a country that gives you the opportunity to achieve."

His father always stressed, "Your legacy in life is not going to be how many material things you accumulated. It's about what impact you had on people's lives."

*Here are some of Judge Sinanian's recent cases and the attorneys involved:*

- *Nike USA v. 5860 West Jefferson LLC et al.*, BC722308 – breach of rental/lease contract

For plaintiff: Heather L. Frisch, Pierce Kavcioglu Espinosa & Cesar LLP

For defendant: James R. Evans, Alston & Bird LLP

- *Cueto v. City of Los Angeles*, 19STCV30478 – employment

For plaintiff: Gregory W. Smith, Beverly Hills

For defendant: Valorie L. Ferrouillet, FordHarrison LLP

- *Mendieta v. Atria*, 20STCV32204 – employment

For plaintiff: MaryAnn P. Gallagher, Los Angeles

For defendant: Tyler J. Woods, Fisher & Phillips LLP

- *Lopez v. Citrus Valley Medical Center*, BC692954 – medical malpractice

For plaintiff: Steven C. Glickman, Glickman & Glickman ALC

For defendant: Stephen A. Rosa, West & Rosa LLP

- *Sherlock v. Permacity Const Corp.*, BC692058 – negligent breach of contract/warranty

For plaintiff: Boris Treyzon, Abir Cohen Treyzon Salo LLP

For defendant: Michael C. Parme, Haight Brown & Bonesteel LLP

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