

VERDICTS & SETTLEMENTS

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Gently Blunt

Neutral Ronald Prager knows how to tell people what they don't want to hear.

By Shane Nelson

Special to the Daily Journal

Neutral Ronald S. Prager has always thought of himself as a problem solver, a skill he says served him well during his 29 years on the bench and continues to be a tremendous asset in his work as a private neutral.

"This seems like the perfect final act in my career," Prager said of working as a mediator, arbitrator and special master for Signature Resolution. "I feel like I'm able to use all my life experience and all the experience I developed on the Superior Court – and even on the Court of Appeal – to help people resolve their disputes."

A 1969 graduate of USC School of Law, Prager spent nearly a decade at the San Diego County district attorney's office and another seven years at the California attorney general's office before becoming an El Cajon Municipal Court judge in 1988. Elevated to the San Diego County Superior Court in 1989, Prager handled criminal cases early on, but spent more than 20 years running an independent civil calendar. He oversaw several high profile, statewide, coordinated tobacco class actions and natural gas antitrust cases. Prager spent the last 18 months of his bench career as an assigned judge on the 4th District Court of Appeal in San Diego before his retirement in 2017.

"It took me a long time to leave the court because I really, really enjoyed every minute of it," Prager said. "And while it may be hard to believe, I've never worked harder than I'm working right now. But I do it because I just enjoy it so much. It just makes me so happy."



Thomas Kurtz / Special to the Daily Journal

Prager has been a private neutral since 2017, when he joined Judicate West's roster of ADR providers. He moved to Signature Resolution in 2021, however, in part because the company's San Diego office is just minutes from his home.

"That's a big deal. When I forget things, my wife can run them over to the office in five minutes," he said with a chuckle.

Prager said the number of employment disputes he's working to resolve has increased since he became a private neutral six years ago, but he still handles a wide variety of business and real property cases, professional malpractice, construction, environmental and admiralty matters.

In many of the arbitrations he's handled over the years, he's found attorneys want to have extensive discovery, an approach Prager is more than happy to accommodate. And well-reasoned arbitration awards are also something lawyers appreciate, Prager said, noting he frequently makes use of skills he honed while working at the 4th District Court of Appeal to craft those documents.

"I really enjoyed the writing process," Prager said of his time handling appeals. "So I carry that over to my work now. When I have to write an arbitration award in a complicated business case, I like to rise to the challenge. I enjoy giving the attorneys what they want, which is a well-reasoned award."

Ronald S. Prager

Signature Resolution
San Diego

Areas of Specialty:

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Business
Admiralty
Personal
Injury,
Real Estate
Intellectual Property

San Diego plaintiffs' attorney Joshua D. Gruenberg has used Prager several times to resolve employment disputes in mediations and arbitrations. Gruenberg described Prager as an extremely thorough and conscientious arbitrator.

"He was not afraid to interject and ask questions where he felt it was necessary to get to the bottom of the issue, which sometimes makes lawyers nervous," Gruenberg said. "But I always found his questions to be on point and direct."

Before mediations, meanwhile, Prager likes to receive briefs from all the parties and to speak over the phone with attorneys. Most of his mediations begin with a more facilitative approach, where building rapport is critical.

"When you engage people and you're genuinely interested in them and you're sharing common experiences, often, you really pick up things about their personalities and about what's important to them," Prager explained. "And although it seems like these discussions are

not really focused on the merits of the case, ultimately, that knowledge you gain will be key in trying to fashion a settlement agreement and getting them on board with a final resolution of the case."

Carlsbad plaintiffs' attorney Jennifer B. Cottis appeared before Prager when he was a judge and said she's since used him at least a dozen times to settle employment disputes. Cottis said that Prager is skilled at handling the intense emotions often involved in employment cases.

"He has an effective way of focusing in on the sensitive issues without being insulting to one side or the other," Cottis said. "He knows how to ask your client direct questions about something that may be sensitive or important in the case without coming across sounding judgmental. ... Judge Prager just has a way of lessening the tensions and really getting both sides to be reasonable and to listen to his perspective on the case."

San Diego defense attorney Ma-

ria C. Roberts has used Prager to resolve several harassment, discrimination and retaliation cases, and she agreed that he connects well with clients on both sides of the dispute.

"He's invested," Roberts said. "It matters to him. It's not an eight-hour gig and then it's over no matter what the outcome."

Roberts added that Prager will also candidly share his thoughts about cases when he feels it's appropriate.

"He will be blunt," she said. "And he'll twist arms. But what makes him effective is that he understands how to communicate the weaknesses and the strengths of both sides and the importance and the value of reaching a settlement."

Gruenberg agreed that Prager's frank assessment of cases is a strong suit.

"The reason I have used Judge Prager a number of times is I find he has a very keen sense of fairness," Gruenberg said. "He doesn't agree with every point I make, but I ap-

preciate his honesty with me in regard to issues he thinks may not be our strongest. And conversely, I know that when we have really strong issues, he is making those points in the other room. And that's different than a lot of mediators, who are just trying to find the middle ground."

Gruenberg noted that Prager also knows how to tell litigants things they may not want to hear.

"He's always respectful to the parties. He's never abrasive," Gruenberg said. "He just has a very nice way about him – a very gentle way. He knows when to be gentle with the clients that need a gentle touch."

Here are some attorneys who have used Prager's services: Joshua D. Gruenberg, Gruenberg Law; Jennifer B. Cottis, Law Offices of Jennifer B. Cottis; Maria C. Roberts, Greene & Roberts LLP; Neil S. Lerner, Cox Wootton Lerner Griffin & Hansen LLP; Daniel A. Lawton, Klinedinst PC.

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