



555 University Avenue, Suite 294
Sacramento, CA 95825
(916) 437-5900
www.munozdisputeresolution.com

Mr. Muñoz is a civil trial attorney and third-party neutral with over 20 years of experience defending attorneys, and other professionals such as architects and engineers, real estate agents/brokers, real estate appraisers, and insurance brokers, as well as defending personal injury, toxic torts, products liability, defamation, wrongful termination/harassment, wage and hour and discrimination claims.

Highlights

Mr. Muñoz is a certified specialist in Legal Malpractice Law by the California State Board of Specialization.

Mr. Muñoz has been listed as a Northern California *Super Lawyer* every year from 2012 through 2022.

Recognized in Sacramento Magazine's Top Lawyer List in 2017 under Insurance.

Recognized in Sacramento Magazine's Top Lawyer List in 2016 and 2019 as the sole attorney under Professional Malpractice and one of six attorneys recognized under Legal Malpractice.

Professional and Community Contributions

Mr. Muñoz is currently a member of the California State Bar Committee on Professional Responsibility and Conduct ("COPRAC") where the Committee interprets and issues opinions regarding legal ethics and the California Rules of Professional Conduct. Mr. Muñoz also serves as an arbitrator for the State Bar's Mandatory Fee Arbitration program. Mr. Muñoz previously served as the Chair for the Legal Malpractice Law Advisory Commission for the State Bar of California Board of Legal Specialization responsible for preparing and grading the legal malpractice legal specialization examination as well as assessing the qualifications of potential applicants seeking the legal malpractice law specialization designation and recertification. He has presented locally and nationally on issues of legal malpractice, conflicts of interests and legal ethics and currently has a quarterly column in the Association of Defense Counsel for Northern California and Nevada's *Defense Comment* entitled "The Lawyer's Lawyer" addressing issues of legal malpractice avoidance and legal ethics. Mr. Muñoz acts as an expert witness on ethical issues and standard of care issues in legal malpractice and attorney-client fee disputes.

In addition to his work as an expert, Mr. Muñoz has his own mediation practice and continues to work as a mediator for the Third District Court of Appeal Mediation Program, a Dispute Resolution Conference judge for El Dorado County Superior Court and a Judge Pro Tem for Sacramento County Superior Court successfully resolving civil disputes. Additionally, Mr. Munoz has 40 hours of mediation training from the Pepperdine School of Law Straus Dispute for Dispute Resolution and 40 hours of mediation training through the National Conflict Resolution Center.

Mr. Muñoz's mediation practice focuses on professional liability, personal injury, miscellaneous torts (toxic torts, products liability, defamation), probate/trust, and employment claims.



Email:

william@munozdisputeresolution.com

Primary Practice Areas

Professional Liability
Personal Injury
Employment Litigation
Legal Ethics

Admissions

All State and Federal courts in the State of California

All State courts in the State of Nevada

The Ninth Circuit Court of Appeals

Dispute Resolution Conference
Judge for El Dorado County
Superior Court

Judge Pro Tem Sacramento
County Superior Court

California Third District Court of
Appeal Mediator

Education

J.D., Hamline University, School of
Law in St. Paul, MN, *cum laude*

B.S., Chemistry, University of
California, Davis

Pepperdine School of Law –
Straus Institute for Dispute
Resolution - 40 Hours mediation
training

National Conflict Resolution
Center – 40 hours mediation
training.

Compassion for the Parties. Dedication to the Process. Investment in the Outcome.

Employment History

Muñoz Dispute Resolution, Inc. – January 2021-present – Full-time third-party neutral providing mediation, arbitration, and discovery referee services. Additionally, provide expert standard of care and legal ethics opinion testimony in legal malpractice matters

Murphy, Pearson, Bradley & Feeney – March 2000-December 2020 – Managing Shareholder for the firm's Sacramento office primary handling the defense of professional liability (primarily attorneys), employment and personal injury matters. Responsible for all aspects of cases from inception through trial, as well as daily management and oversight of clerical staff and associate attorneys in the Sacramento office.

Wagner, Kirkman, Blaine & Youmans – May 1999-March 2000 – Associate Attorney responsible for all aspects of business litigation, employment, and personal injury cases, including written discovery, depositions, dispositive motions, alternative dispute resolution, and trial

Valerian, Patterson, Field & McGraw – January 1998-May 1999 – In-house counsel to Farmers Insurance representing insureds in personal injury auto and premises liability cases. Responsible for all aspects of case from filing the answer through trial.



Selected Publications

- *Getting Back to the Basics*, published in The Lawyer's Lawyer section of the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 35, No. 1, Spring 2020.
- *Business Transactions with Clients – A Trap for the unwary Practitioner*, published in The Lawyer's Lawyer section of the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 34, No. 3, Fall 2019.
- *Getting Back to the Basics – Ethical Implications of Representing Multiple Defendants*, published in The Lawyer's Lawyer section of the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 34, No. 2, Summer 2019.
- *California's Rules of Professional Conduct Makeover*, published in The Lawyer's Lawyer section of the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 33, No. 3, Fall 2018.
- *Disengagement Letters – Ending the Relationship*, published in The Lawyer's Lawyer section of the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 33, No. 2, Summer 2018
- *Conflict Waivers – Why Do We Need Them?*, published in The Lawyer's Lawyer section of the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 33, No. 1, Spring 2018.
- *You Have Landed the Client, Now What? Formulating the Attorney-Client Relationship*, published in the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 32, No. 2, Summer 2017.
- *To Accept or Not to Accept a New Client*, published in the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Vol. 32, No. 1, Spring 2017.
- *Defending Legal Malpractice Claims in California and Nevada - A Day at the Beach or Stranded in the Desert?*, published in the Association of Defense Counsel of Northern California and Nevada's Defense Comment, Spring 2015.

- *Cassel v. Superior Court - The California Supreme Court Rejects Attorney Malpractice Exception to Mediation Confidentiality* published in the March 14, 2011 edition of the Defense Research Institute's Professional Liability Committee quarterly electronic newsletter *Riding the E & O Line*, and *Westlaw Journal*, Professional Liability, Volume 21, Issue A (September 2011).
- *How Far May a State Labor Law Reach?*, In-House Defense Quarterly for the Defense Research Institute, Winter 2012.

Selected Presentations

- *Mediation Boot Camp* co-presented with Peter Linn to the law firms of Boutin Jones, Murphy, Pearson, Bradley & Feeney, and Hoge Fenton; September 20, 2022, September 28, 2022, and November 16, 2022, respectively;
- *You are Not Immune: Avoiding Malpractice Claims by Carriers*, Association of Defense Counsel for northern California and Nevada Summer Session, August 25-26, 2022;
- *Ethical implications of Working Remotely* webinar presented to Somach, Simmons & Dunn, May 24, 2022
- *Encountering Difficult or Deceptive Clients: What are My Options?*, webinar presented with Daniel Sharp and Arie Eee, sponsored by the Asian American Bar Association of the Greater Bay Area, January 28, 2022
- *Ethical Traps for the Unwary Practitioner: Successive and Concurrent Representation*, webinar presented with Christine Henry, sponsored by Association of Defense Counsel for Northern California and Nevada Annual Meeting, December 10, 2021
- *Is this a Conflict? Ethical Traps That Could Surprise You*, webcast presented with Alison Buchanan, sponsored by ALI CLE, January 10, 2019
- *Understanding Human Resources Role in a Lawsuit*, Co-Presented with Nathan T. Jackson, Webinar for Sacramento Area Human Resources Association (SAHRA), August 29, 2018
- *Conflicts of Interest: Navigating the Perils of Joint Representation*, co-presented with Alison Buchanan, sponsored by Lawyers' Mutual Insurance Company, October 2017
- *Enforceability of Advance Conflict Waivers*, Presented at Argo Pro Lawyers' Professional Liability Conference, Las Vegas, NV, June 28 – 29, 2017
- *The Good, the Bad and the Ugly: 2016 Professional Liability in Review*, Presented at Defense Research Institute Professional Liability Conference, New York, NY, December 8-9, 2016
- *Trying a Case and Strategies for Handling Legal Malpractice Cases: Emerging Trial Issues, New Defenses and Novel Ideas, and a Brief Examination of Circumstances under which It Can Be Appropriate to Admit Negligence?*, Presented at American Conference Institute's Advanced Forum on LPL/Legal Malpractice, New York, NY, October 24-25, 2016
- *Preserving the Intrafirm Privilege in a Subsequent Legal Malpractice Action*, presented to the American Board of Professional Liability Attorneys annual conference, San Francisco, CA, 2015
- *Understanding Cyber Risk and Your LMIC Policy*, Co-presented with Simone McCormick, sponsored by Lawyers' Mutual Insurance Company, Burbank, CA, July 2015

- *Legal Issues with Background Screening*, webinar presented by Strafford Publishing's Security Teleconference addressing the implications of the Fair Credit Reporting Act in pre-employment screening and background checks, 2011
- *The Do's and Don'ts of Reductions in Force*, co-presented for the CalSAE addressing best practices with reductions in force in the workplace, 2011
- Mr. Muñoz has presented seminars for the Sacramento County Law Library and the San Joaquin County Bar Association Family Law Committee on practical ways to avoid malpractice claims and other ethical issues.
- Additionally, Mr. Muñoz has discussed discovery issues before the Continuing Education of the Bar Committee, in presentations such as *Discovery: Planning, Strategy & Dealing with Abusive Discovery Tactics*, July 2008, and *Getting the Most out of Discovery*, July 2009

Published Appellate Decisions

- *Williams v. Sacramento River City Baseball Club, LLC* (2019) 40 Cal.App.5th 280 – holding that there is no *Tameny* wrongful refusal to hire claim based upon race
- *Paskenta Band of Nomlaki Indians v. Crosby, et al.* 2016 WL 6094468 (E.D.Cal. Oct. 19, 2016) – Motion to dismiss complaint pursuant to Fed.R.Civ.P. 12(b)(6) granted with prejudice for clients
- *Brazill v. California Northstate College of Pharmacy, LLC*, 949 F.Supp.2d 1011, United States District Court, E.D. California, June 5, 2013 — Motion to dismiss pursuant to Fed.R.Civ.P 12(b)(6) granted on Plaintiff's False Claims Act
- *Seabright Insurance Company v. US Airways, Inc.*, 52 Cal.4th 590, 129 Cal.Rptr.3d 601, Supreme Court of California, August 22, 2011 — amicus curiae Air Transport Association, Inc. on behalf of Respondent U.S. Airways
- *Riley v. Giguere, et al.*, 631 F.Supp.2d 1295, United States District Court, E.D. California, June 19, 2009 — Partial summary judgment granted on claims against attorney for alleged violations of Fair Debt Collections Practices Act

Academic Distinctions

- Managing editor of the Hamline Law Review at Hamline University School of Law, St. Paul, MN

Cases Retained as Expert

Pesic v. Zouves, Santa Clara County Superior Court, Case Number 2014-CV-271935 (retained by petitioner);

Vyronis v. Clark Allison LLP, et al., El Dorado County Superior Court, Case Number PC 20190127 (retained by defense);

Davila v. McKinney, et al., Sacramento County Superior Court, Case Number 34-2019-00255611 (retained by defense);

Hammett v. King, Shasta County Superior Court, Case Number CV-20-019636 (retained by plaintiff);

Westcott v. Glen, Alameda County Superior Court, Case Number RG 19035152 (retained by defense);

Picayune Rancheria of the Chukchansi Indians v. Fredericks Peebles & Morgan, Sacramento County Superior Court, Case Number 34-2019-00258539 (retained by defense);

In re Shirley Rominger Exempt Bypass Trust UWO Shirley F. Rominger dated August 5, 1998, Yolo County Superior Court, Case Number PR2021-0110 (retained by petitioner);

MWG Holdings Group, Inc. v. Metro Health, Sacramento County Superior Court, Case Number 34-2020-00276561 (retained by defense);

In re Joseph P. Rocco, Attorney Discipline Probable Cause Committee, Supreme Court of Arizona, File No. 21-2147 (retained by respondent);

Chiles and Prochnow v. Jarvis, Santa Clara County Superior Court, Case Number 19CV349912 (retained by defense)

Expert Fee Schedule

Document review, consultation with counsel, travel - \$500/hour

Deposition and trial testimony - \$500/hour