

# PETER K. RUNDLE

*Attorney ~ Arbitrator*

[www.RundleLawCorp.com](http://www.RundleLawCorp.com)



## Introduction

Peter Rundle is a well-known and experienced arbitrator and attorney based in California. He is a member of the State Bar of California, where he is admitted before all state and federal courts. Mr. Rundle obtained degrees from the University of California at Irvine (B.A., Classics, *cum laude*, *Phi Beta Kappa* 1982) and the University of California, Hastings College of the Law (J.D. 1985) – now known as UC Law San Francisco.

Mr. Rundle has practiced with both large national law firms and smaller regional and local boutique firms – always focused on complex litigation and dispute resolution. Prior to leaving the firm in 2003, Mr. Rundle served as co-chair of Arter & Hadden LLP’s national alternative dispute resolution practice. He thereafter established his own practice emphasizing arbitration, litigation and trial work, while at the same time providing his clients with ongoing risk management and dispute avoidance counseling.

## Practice

### ➤ *Technology -*

Has managed the legal, regulatory and administrative affairs for a wide variety of regional, national and international clients. Early experience as ICC arbitration counsel to an overseas technology conglomerate involved in the design and manufacture of consumer electronics led to additional assignments representing national and international clients in their manufacturing, joint venture, IP and licensing disputes. Has represented semiconductor packaging house in a variety of design / manufacturing, supply chain and warranty issues. A keynote speaker at international conferences focused on technology innovation, a peer-reviewed author, as well as a frequent university lecturer, Mr. Rundle has a deep understanding of the issues affecting the high-tech community. In 2020, obtained a favorable arbitration award for a client in a years' long, high-stakes dispute concerning CRM software development, IP licensing, trade secrets and accounting.

### ➤ *General Business -*

Routinely represents an array of stakeholders in business and investment matters including: valuation and buy-out of LLC membership interest in financial services firm; executive compensation and employment dispute involving data center colocation business; litigation concerning equity ownership in automobile industry (documentation, valuation, inducement, fraud, etc.); securities, contract and fraud matters arising from promotion and sale of real estate investment contracts; breach of fiduciary duties, fraud and undisclosed distribution claims involving ownership and management of telecommunications service provider; breach of contract, business torts, trade secrets, unfair competition and defamation issues raised following employee departures to competitors in pharmaceutical, finance, construction and other industries; false advertising matters ranging from sale of consumer goods to financial services, including claims by regulators and consumers; partnership and joint venture disputes involving management, capital contributions and ownership of developed land, product and IP.

➤ *Real Estate, Lending & Construction -*

Has represented several large lenders, title insurers, owners, developers and sub-contractors in a variety of disputes ranging from forged instruments, lien priority claims, easements and boundaries, construction lending, mortgage banking and securitization, incomplete / incorrect design or specification, defective materials and installation, delay, licensing, and related E&O and CGL insurance matters.

➤ *Import / Export / Shipping -*

Advisor to businesses engaged in the design, manufacture and export of products and commodities, including OEM / ODM Master Service Agreement terms, conditions and warranties, as well as applicable trade association by-laws and arbitration rules. Represented exporter concerning dispute over applicable INCOTERMS.

➤ *Cannabis Industry -*

Arbitrator in matters involving investors in dispensary and testing facilities; business formation, governance and reporting; commercial lease disputes, including impact of local business and zoning regulations; as well as impacted banking and financial services. Litigation counsel to interstate equipment and material supplier to grow industry involving advertising, trade secrets, intellectual property and regulatory matters.

## **Experience**

For more than 35 years, Mr. Rundle has represented domestic and international clients in a wide array of litigation and arbitration matters. Over the last 25 years, Mr. Rundle's practice has expanded to include service as a neutral arbitrator. Disputes have involved:

- Commercial, Business, Corporate, Joint Venture, Partnership
- Software Development and Licensing (JAMS Arbitration)
- Intellectual Property, Privacy and Cyber-Security
- Construction (Performance, Scope, Conditions, Delay) (California Superior Court – Los Angeles, Sacramento and Yolo Counties; JAMS Arbitration and Mediation)

- Banking, Lending, Financial Products (California Superior Court – Orange County; US District Court, Central District of California)
- Trade Secrets, Unfair Competition, Business Torts (AAA; JAMS)
- Import / Export, Commodities (California Superior Court – Orange County)
- Federal Agency Litigation (US District Court, Central District of California)
- Overseas Manufacturing / Master Service Agreements (ICC)
- Patent Licensing (ICDR)
- Original Equipment & Original Design Manufacturing (US District Court, Northern District of California)
- Supply Chain and Warranty (ICC)
- Product Warranty / Epidemic Failure / Product Liability (CPR Institute, New York)
- Corporate Governance, Fiduciary Duty, Internal Investigations, Fraud
- Real Estate Development, Finance, Management, Acquisition / Disposition (AAA)
- Technology (Licensing, Manufacturing, Product Development)
- Finance, Investment, Securitization (AAA)

## **Technology Proficiency**

Extensive experience with electronic component and system design, qualification, manufacturing and installation / use, including accelerated life-cycle testing and prognostic and health monitoring (PHM) using statistical modeling and analysis. Understands various root cause failure analysis techniques, including physics of failure (PoF). Hands-on use of the full suite of Microsoft and Adobe products, accounting software (e.g., Quickbooks), time-keeping software, remote meeting and video-conferencing programs such as Zoom. Often engages e-discovery consultants and works with ESI tools and software. Applies widely-acknowledged proportionality principals when issuing - and supervising compliance with – ESI discovery protocols. Regularly utilizes secure file sharing tools (ftp software), as well as Dropbox, Google Docs and similar programs. Familiar with the use of virtual design and construction (VDC) software and modeling, as well as construction management, scheduling and documentation / communication programs. Having represented a well-known developer

of CRM and data management software, understands nuances of software development and customization, including scope of work, benchmarks, timing, deployment, integration, debugging and support. Understands the use of code comparison, review and audit tools in the context of trade secret and IP disputes. Familiar with the scope and application of California's Consumer Privacy Rights Act (CPRA) and the EU's General Data Protection Regulation (GDPR) - particularly as these laws constrain the selection and design of datasets to train machine-learning / AI models.

## **Professional Associations / Memberships**

### ➤ *Current*

State Bar of California; California Lawyers Association (CLA); American Bar Association (ABA); Association of Business Trial Lawyers (ABTL), Bar Association of San Francisco (BASF); Los Angeles, Orange, San Diego and Riverside County Bar Associations. Mr. Rundle is a member of the Dispute Resolution, Litigation, Intellectual Property, Privacy & Cybersecurity and Business Sections, *inter alia*, of these bar associations.

### ➤ *Prior*

International Bar Association; United States Council for International Business (USCIB), New York; London Court of International Arbitration (LCIA), North American Users' Council; Member, The Chartered Institute of Arbitrators (MCI Arb), London.

## **Selected ADR Training & Seminars**

Process Essentials for AAA Arbitrators, 2022; Impartiality: Do You Know Where Your Biases Are? 2021; Cyber Security: A Shared Responsibility, 2020; AAA/ICDR Panel Conference, 2019; 2018 AAA Construction Conference; AAA Red Flags & Risk Areas: Challenges to Arbitrator Authority, 2017; AAA ADR Case Law Update, 2016; AAA Best Practices in Commercial Arbitration, 2016; AAA Roundtable - Arbitration Panels, 2015; Conducting Research & Investigations: The Arbitrator's Authority; AAA Developments in Arbitration Law: Non-Signatories, Discovery and Vacatur, 2014; LACBA/ICDR, 3rd Annual International Arbitration Conference, May 2014; ICC Institute, Master Class for Arbitrators, Singapore, January 2014; AAA/ICDR Neutrals Conference,

2012; ICDR International Symposia in Advanced Case Management Issues, 2012; Atlanta International Arbitration Society (ATLAS) Inaugural Conference, 2012; ICC Asia Pacific Conference, East Meets West: Evolving Issues in International Arbitration in the Asia - Pacific Region, 2010; AAA | ICDR Neutrals Conference, San Diego, 2009: +International Awards: Remedies, Damages and Interest, +Chairing the ICDR International Arbitral Tribunal, +Managing the ICDR Guidelines on Information Exchange, 2009; +Electronic Discovery in Arbitration: What You Need to Know; London Court of International Arbitration (LCIA), Advocacy and Cultural Conflict in International Arbitration, London, 2002.

## **Appointments**

Settlement Officer, U.S. District Court, Central District of California, 1999 – 2002; Arbitrator, Superior Court of California, County of Los Angeles, 2004 – 2012; Special Master, Orange County Superior Court; Special Master, California Penal Code, Section 1524 Proceedings; AAA National Roster of Arbitrators, including Commercial and Real Estate Large, Complex Case (LCC) Panels (1996 – Present); CPR Panel of Commercial Arbitrators (2002 – 2015); Member, Technical Committee, First International Conference on Reliability Systems Engineering & 2015 Prognostics and System Health Management Conference - Beijing (2015 ICRSE & PHM-Beijing); Member, Int'l Advisory Board, Conference on Asian Green Electronics, "Design for Manufacturability and Reliability," Shanghai (2005).

## **Selected Articles & Speaking Engagements**

- *How Poor Reliability Affects Warranties: An Analysis of General Motors' Powertrain Warranty Reduction*, IEEE Access, Digital Object Identifier: 10.1109/ACCESS.2018.2803679 (2018)
- *Challenges in the Qualification of Electronic Components and Systems*, IEEE Transactions on Device and Materials Reliability, Vol. 13, No. 1 (March 2013)
- *Arbitration Awards: Process, Content & Challenges* (April 25, 2017).
- *Best Arbitrator Management Practices re: Damage and Remedy Claims* (October 25, 2016).

- *Crafting Arbitration Awards to Preserve Confidentiality* (September 29, 2015).
- *The Arbitrator's Mandate: To Follow the Law, or Do Justice & Equity* (April 28, 2015).
- Visiting Lecturer, University of Maryland, A. James Clark School of Engineering, 2001 - Present (Reliability, Prognostics & Health System Management, Warranty, Supply Chain, Manufacturing, and Related Legal Issues).
- Keynote Speaker, *International IEEE Prognostics & System Health Management Conferences*, National University of Defense Technology, Zhangjiajie, Beihang University, Beijing, 2012 & University of Macau, 2010.
- Speaker & Panelist, *Int'l IEEE Conference, Business of Electronic Product Reliability and Liability*, Hong Kong and Shenzhen, 2003.

## Contact

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