



Ernest "Will" Klatte, III

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MEMBERSHIPS & ASSOCIATIONS

- American Bar Association (Section of Dispute Resolution)
- Orange County Bar Association
- Federal Bar Association
- Southern California Mediation Association
- National Association for Community Mediation
- International Council for Online Dispute Resolution

Mr. Klatte brings to his mediation practice over thirty-five years of civil litigation experience in state and federal court proceedings throughout the state of California. In addition to his private mediation practice, Mr. Klatte serves as a court-appointed mediator for the Superior Court in the counties of Los Angeles, Orange, and San Bernardino. Mr. Klatte also provides mediation services in conjunction with the Los Angeles County Department of Consumer & Business Affairs.

Prior to becoming a mediator, Mr. Klatte regularly appeared in State and Federal Court throughout Central and Southern California. Over the course of his career, he had multiple cases in each of the Southern, Central, and Eastern Districts of California as well as in the following California Superior Courts in Central and Southern California: Los Angeles, Ventura, Orange, Riverside, San Bernardino, San Diego, Fresno, and Kern. His experience with California courts also included litigating cases in the following Northern California judicial districts: the Northern District of California (multiple), Alameda County (multiple), San Francisco County (multiple), Santa Clara County (multiple), Sacramento County (multiple), Yolo County, Monterey County, and Humboldt County. He tried to judgment, whether by dismissal, summary judgment, or trial, cases in the Southern, Central and Northern Districts of California, Los Angeles County, Orange County, Riverside County, San Bernardino County, San Diego County, San Francisco County (Northern California), Santa Clara County (Northern California) and Sacramento County (Northern California).

Mr. Klatte argued cases before the Ninth Circuit and the Second, Third, Fourth, and Sixth Districts of the California Courts of Appeal. Among his accomplishments, Mr. Klatte successfully argued a case of first impression in California involving the application of the First Amendment free exercise and establishment clauses to claims under the California Fair Employment and Housing Act. *Schmoll v. Chapman University*, 70 Cal. App. 4th 1434 (1999). He has twice had cases taken up for review by the California Supreme Court.

Mr. Klatte's commercial litigation experience included the defense and prosecution of claims for misappropriation of trade secrets, unfair competition, interference with contractual relations and prospective economic advantage, and breach of contract. Mr. Klatte also has significant experience with consumer claims under the California Unruh Civil Rights Act.

Prior to starting his own firm in 2012, Mr. Klatte was a senior partner at Rutan & Tucker, LLP, the largest full-service law firm in Orange County, where he served at various times as a member of the firm's Executive Committee and the Chair of its Labor & Employment Section. After almost 26 years at Rutan, Mr. Klatte left friends and colleagues to pursue with his current partners the dream of having their own firm.

AREAS OF EXPERIENCE

- Mediation of Employment, Commercial, and Consumer disputes, both pre-litigation and litigation matters
- Mediation of State and Federal Wrongful Termination and Discrimination
- Mediation of Wage and Hour Class Actions
- Mediation of Trade Secrets, Unfair Competition, and Related Business Litigation
- Mediation of Consumer, ADA, and Unruh Civil Rights Claims
- Mediation of Commercial and Breach of Contract Claims

Mr. Klatte is AV rated by Martindale Hubbell (1994 to present), has been named to the Southern California Super Lawyers list each year since 2005, and was named to *The Best Lawyers of America*® list in 2020.

Mr. Klatte received his Bachelor of Arts Degree with Highest Honors in his Major (English Literature) from the University of California, Santa Cruz in 1981. He received his Juris Doctor degree in 1984 from King Hall School of Law, University of California, Davis, where he was a member of the Moot Court Board. While at King Hall, he was selected to the Wagner Labor Law National Moot Court Competition where his team made it to the Quarter Finals.

Mr. Klatte is currently pursuing his L.L.M. degree in Alternative Dispute Resolution with an emphasis on Mediation at the Straus Institute for Dispute Resolution at Pepperdine School of Law, where he expects to receive his degree in the Fall of 2020. Mr. Klatte's mediation interests include employment mediation, commercial mediation, consumer mediation, and family mediation in both litigated and pre-litigation matters.

Throughout his career, Mr. Klatte has been actively engaged in legal, civic, and charitable endeavors in his community. In the legal community, Mr. Klatte has served on committees for the Orange County Bar Association, including its Judicial Nominating Committee. He has also served as a Board Member of the Orange County Chapter of the Federal Bar Association. In 1991, Mr. Klatte received the California State Bar Association's highest award for *pro bono* services in connection with his representation of a group of homeless individuals. He has mentored law students from Chapman University and from the University of California, Irvine, and he has served as an Adjunct Professor of Employment Law at Chapman University School of Law. In 2013, Mr. Klatte's firm served as co-counsel with Dean Erwin Chemerinsky of the UCI Law School in a *pro bono* case before the United States Supreme Court. *U.S. v. Apel*, 571 U.S. ____ (2014). In his civic and charitable endeavors, Mr. Klatte has served on the Board of Directors of the Newport-Mesa YMCA. Since 2005, he has been on the Board of Directors of Share Ourselves and he is currently chair for the organization, which is Orange County's largest provider of medical, dental, and emergency social services to underprivileged and underserved families.

Mr. Klatte is a native Californian. Before moving to Orange County, he spent his early childhood in rural Northern California where his father served as the superintendent of a State Mental Hospital. Mr. Klatte lived on the hospital grounds with his family during much of that time. He credits that period in his childhood for developing his lifelong compassion for others and his commitment to serving those in need.

He and his wife of over 40 years have three adult children. He speaks French fluently and Spanish conversationally. In his free time he enjoys tending his vegetable garden, exercising, and travel.