

ADR PROFILE

**Kyriacos 'Gig' Kyriacou****Alternative Dispute Resolution Group:** Independent**Types of cases:** Various**Law School:** Boalt Hall**Career Highlights:**

1991- present, principal, Plotkin, Marutani & Kyriacou;
 1989-1991, partner, Levin, Ballin, Plotkin & Zimring;
 1984-1989, associate, Levin, Ballin, Plotkin & Zimring

Hugh Williams
 Daily Journal

Settlement Pedigree: Grandson Carries On Tradition

At a corner café in Cyprus, circa late 1950's, Kyriacos Kyriacou would hold court from his table, unofficially mediating disputes among villagers. Forty years later and in a more formal sense, his grandson and namesake, Kyriacos "Gig" Kyriacou, does the same.

"Maybe it's in the blood," said the younger Kyriacou, who learned of his grandfather's avocation only a few months ago from an uncle who immigrated to the United States long after Gig's father.

Kyriacou, a principal with North Hollywood's Plotkin, Marutani & Kyriacou began the transition from civil litigator to neutral four years ago, when opposing counsel on an especially contentious series of cases recognized his problem-solving abilities and encouraged him to enter the mediation field.

The transition, now almost complete, has been fairly effortless for Kyriacou, whose skills as an attorney often resembled a mediator's. "I never really liked the litigation battle; the wasteful side of it and the head to head combat," he said. "As an attorney, I always tried to engage the other attorney early on in ways to resolve the case."

Kyriacou, who has remained with the same two partners, Jay J. Plotkin and Nancy O. Marutani, since joining his firm in 1984, said his practice is now "95 percent mediation and 10 or 20 percent law." Although he gave his last bit of litigation to his partners a few weeks ago, he has no plans to leave the firm. "I like to keep one foot in the door of the legal practice, because it allows me to still see the practice of law and see what attorneys are going through with the litigation of their cases," he said. "My biggest connection is with the lawyers out there."

Indeed, in mediations, he takes his cues from the attorneys. "I don't isolate attorneys from the process," he said. "I try to talk to them in advance and find out what's going on in the case that's getting in the way of negotiations and a potential settlement. I like to get a feel for what the issues are, and how we might be able to approach the mediation in a very positive way. "Every case is different," he said. "I do a lot of listening, and I try

to figure out the needs that have to be satisfied in order to resolve the case."

"Quietly tenacious" is an apt phrase to describe his mediation style, said Kyriacou. "When someone tells me a case can't settle, I take it as a personal challenge. In my own way, I keep the discussion going, and I find creative ways to keep the negotiations moving forward."

Beverly Hills civil litigator Ramin Azadegan, who has appeared before many mediators in his 13 years of practice, found Kyriacou's mediation approach a refreshing change. "There are some mediators who are

Southern California. The difficult personalities and big egos of his fellow future journalists dissuaded Kyriacou from pursuing that career goal any further, however. Instead, he said, "of all things, I picked law school."

Kyriacou, a 1984 graduate of Boalt Hall, turns 40 in July. His relative youth, he said, is "initially, I think a hindrance. Parties sometimes do a double-take when they see how young I am." By the end, however, his skill wins them over. "I think part of the reason I'm good as a mediator is because I love doing it. I love figuring out ways to solve problems."

Although Kyriacou also does some arbitration, mediation is his favored form of dispute resolution. Much of what an arbitrator does, he said, "is make hard decisions for the parties. I like to participate in helping the parties make the decisions themselves by showing them the alternatives."

One case, in which two brothers were fighting over a gas station, was especially gratifying to mediate, he said. Negotiations

advanced to a critical point, and neither brother would budge. Kyriacou asked the attorneys if he could speak to their clients alone. "They said, 'By all means,' because they were both so frustrated with their clients. It was so close, but each of them drew a line in the sand and we were a little bit apart," he recalled about the mediation.

The brothers' dispute had created tension in their family, and was particularly hard on their mother, said Kyriacou. "It was close to Thanksgiving, so I brought them together and asked them one question: 'Who's having Thanksgiving dinner?' They thought it was a very strange question to ask in the course of a mediation, but they also knew exactly what I was talking about," he said. The question eased the hostile atmosphere and got the two men talking. Soon after, they settled their fight.

It's those difficult cases, he said, "usually involving personality conflicts or emotional issues, that really test whether someone is a good mediator. As long as I think a case has a chance to settle, I'll do my best to keep the parties talking."

- Mary Micheletti

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extremely aggressive, which sometime makes the parties uncomfortable. Then there are some mediators who are so passive they don't accomplish anything." Kyriacou, he said, has a very strange way of approaching mediation. On the face of it, he is extremely passive, but he is also extremely aggressive. He listened as long as he wanted to listen, and then, in a very subtle way, he brought the parties to reality."

Azadegan represented the plaintiff in the complex, multiple-defendant case. He was "very pleased" with the outcome reached with the help of Kyriacou.

David A. Tartaglio of Musick, Peeler & Garrett in Los Angeles also considers Kyriacou an effective neutral. "He's a very low-key mediator who focuses on the facts of the case, as opposed to [making] some general speech about why the parties should settle."

Kyriacou, who serves as co-chair of the Courts Committee of the Southern California Mediation Association, started out with the intention of becoming a journalist. He was editor of his junior high and senior school newspapers, which were both nationally ranked, and went on to major in journalism at the University of