

# VERDICTS & SETTLEMENTS

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## Reading the Room

*Irene Takahashi has a knack for putting all parties at ease.*

By Don DeBenedictis

Special to the Daily Journal

What makes Irene Takahashi a good mediator is that she likes people. “I enjoy the people, the interaction with people. That’s why I enjoy what I do.

“I like it because I feel that I can really help both sides avoid the cost, the stress and the risk [of trial] by ... bridging the communication gap,” she added.

Takahashi is, after all, “extremely personable,” according to Bay Area plaintiffs’ attorney Todd Emanuel.

“She has an ability to come into a room [and] ... relate to everybody on their level,” including adjusters, clients and attorneys, said Wilma Gray, an insurance defense attorney in Pleasant Hill. “She really shines in in-person mediation.”

Takahashi was an insurance defense attorney herself for many years before becoming a mediator. But another defense attorney, Maria Zeyrek, said that plaintiffs are comfortable with her. “She shows sympathy. ... When you talk to her, you know she’s listening. ... She’s one of the most effective mediators I’ve had.”

Zeyrek added she especially likes going to Takahashi with cases with difficult plaintiffs. “She does make everybody comfortable, not only the plaintiff, but also my adjusters.”

Nicholas Mastrangelo represented a difficult plaintiff recently in a mediation. He said Takahashi was able to quickly read the client’s personality and then to advise him on how she thought it could impact the case. “It made me think there’s something there, ... so that was a factor in my consideration of settlement,” he said. And she has used that same insightfulness “with the other side to let them know that



Gary Wagner / Special to the Daily Journal

they need to make sure to get the case resolved because ... the jury’s going to like [the plaintiff].”

San Francisco plaintiffs’ attorney Robert Arns said Takahashi was “a problem-solver” as a lawyer and now as a mediator “has great instincts to get cases resolved.”

Takahashi said she often approaches mediation as “a psychological chess game.”

“I think my value is being able to see both sides of the case, pointing out the strengths and weaknesses of both and trying to broker a settlement that’s acceptable,” she said.

One way she accomplishes that

is to cut to the chase, according to plaintiffs’ attorney Reuben Donig of San Mateo. She lets both sides make their case, but then she “forces you to focus on what the issues are, to get off your soapbox,” he said. “She’s extremely tenacious, she sees the case clearly, and she achieves what she can with what’s possible.”

Takahashi described herself as a “straight-shooter.” Especially with attorneys she’s worked with before, “we get right to it,” she said. She tells them what she thinks about their cases, even if they may not like what she says.

### Irene Takahashi

ADR Services, Inc.  
Oakland

#### Areas of Specialty:

Employment  
Personal Injury  
Sexual Misconduct  
Public Entity  
Business/Breach of Contract  
Landlord Tenant

She prides herself on not taking a cookie-cutter approach to achieving settlements. “It’s being able to read the situation and adjust. ... I often find pretty creative ways of doing it, and it comes naturally. I speak to the attorneys, I get an idea, I run it by them, and nine times out of 10, we find a way to get to settlement,” Takahashi said.

“It depends on the players, it depends on the issues, it depends on the human dynamics.”

She ascribes some of her insight into people to her psychology major in college.

Takahashi was born in San Francisco after her parents – her father is from Japan, her mother from Palo Alto – were released from the U.S. internment camps after World War II. Her father became the first Asian physician hired by Kaiser Hospitals in Oakland. She grew up in El Cerrito, where she still lives.

“I grew up thinking ... that the only way to be treated equally – because I saw what happened to them simply by virtue of the color of their skin – was to be better through education,” she said.

Takahashi spent her first two undergraduate years at what is now the California College of the Arts in San Francisco. “I felt that I had an artistic streak, and I just decided I would pursue it. Come to find out I had an artistic streak, but that was about it.”

She transferred to U.C. Berkeley. “It was a great time to be in my 20s,” she said about the Bay Area in the late 1960s. “Let me tell you, I loved it.”

Although she found psychology a fascinating college major, Takahashi didn’t want to do graduate

work in the field. Her boyfriend at the time was applying to law school, and he encouraged her to do the same. “And guess what? I got into law school and he didn’t,” she said. “So that was the beginning of the end of that relationship.”

After graduating from the law school at UC Davis in 1976, her first job was as an Alameda County Deputy District Attorney. Although she had been “painfully shy” as a student, as a young prosecutor, “I realized for the first time that I liked the attention,” Takahashi said. “I figured I could get a jury [to] ... give me a chance and listen to me.”

And while being a woman and person of color might have been a hinderance, people were curious about her and what she had to say in court. “I sensed that not only with the judges, most of whom were male, but also with the jury.”

In 1978, she became an Assistant U.S. Attorney in the Southern District of California. In 1980, she returned to Alameda County to represent minors charged with criminal offenses.

One of her primary assignments was prosecuting child molesters, “probably because people thought I was so good with children,” she said.

Takahashi said she did spend considerable time with her child victims, explaining what would happen at trial and why the judge would be wearing a “big black bathrobe. “I never had a child freeze up on me on the stand,” she said. “But the most rewarding thing was not the conviction, it was giving that child the understanding that she didn’t do anything wrong.”

“That was really the highlight of my entire prosecutorial experience.”

Gov. George Deukmejian named Takahashi to the Contra Costa Superior Court in 1989, where she handled both criminal and civil matters. She loved the work but left the bench after about two years to join a series of insurance defense law firms.

By 1998, she was Managing Attorney for Reliance Insurance’s Staff Counsel Office in San Francisco. Then, in 2001, she joined Lewis Brisbois Bisgaard & Smith as a partner, where she continued to handle insurance defense matters.

After about 15 years there, Takahashi grew restive. And she was working six days a week. She became interested in mediation and asked two well-known mediators that she had come to respect what they thought of her becoming a mediator. To her surprise and delight, they were full of support and encouragement and recommended that she take a mediation training class at Straus Institute at Pepperdine University Law School.

“So I let my law firm think I was going on vacation, but I actually went to this Straus [Institute],” she said. “And I found that it came easy. ... It was just trying to figure out where the opposite sides were coming from and figuring out a way ... to bridge that communication gap.

“I found it fun and so exciting that I said, ‘you know what? I’m going to give it a try.’”

Takahashi joined ADR Services, Inc. in 2017, where she now primarily mediates personal injury and employment cases. “I’ve never been this happy working.”

When she is assigned a case for mediation, she usually calls the attorneys to learn about the case and to encourage them to get briefs in on time. She also asks plaintiffs’ counsel to have the total of any medical bills.

If a mediation stalls and if both sides ask, Takahashi does provide written mediator proposals. About 98% are accepted, she said.

“I’m finding myself saying things a bit more boldly than when I first started,” she said, “because I’ve found that attorneys are receptive and truly appreciate my years of experience as a trial attorney, judge and mediator.”

Outside of work, she grows large, “dinner plate” dahlias that she is very proud of and that she distributes to friends.

She and her boyfriend also travel. He still rides a motorcycle. “But we’re getting older now, and I’m getting smarter,” Takahashi said. “I look down at the ground and think, ‘I’m mediating motorcycle accidents, so why am I doing this?’”

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*Here are some attorneys who have used Takahashi’s services:* Robert S. Arns, Arns Davis Law; Cecelia N. Brennan, HKM Employment Attorneys LLP; Alison Crane, Bledsoe, Diestel, Treppa and Crane LLP; Reuben J. Donig, Law Office of Reuben J. Donig; Todd P. Emanuel, Emanuel Law Group; Wilma J. Gray, McNamara Ambacher Wheeler Hirsig & Gray; Colby Kuvara, Kuvara Law Firm; Nicholas J. Mastrangelo, Mastrangelo Law Offices; Michael R. Welch, Jeanette Little & Associates; Maria Zeyrek, Tate & Associates