

Mark W. Shem



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Mark W. Shem is a partner in the San Jose office of Borton Petrini, LLP. He received his undergraduate degree in political science and history from the University of California, Davis in 1987, and earned his Juris Doctorate from Temple University School of Law in Philadelphia, Pennsylvania, in 1990.

Mark's primary area of focus is civil litigation from landlords, homeowners to contractors ranging from defect claims, breach of contract, habitability, indemnity issues, landlord-tenant, premises liability and employment questions. He has represented homeowner's associations, homeowners, developers, general contractors to subcontractors in both state and federal courts involving a variety of legal issues. Mr. Shem is a firm believer in effective use of written discovery to narrow the issues and achieve early settlement. While the special master process has its benefits, sometimes, even picking up the phone can achieve the best results.

Before coming to Borton Petrini, LLP, Mr. Shem's legal experience included handling insurance defense cases from personal injury, premises liability, landlord-tenant, habitability, toxic tort to skilled nursing home/elder abuse as well as personal injury actions against governmental entities.

Mr. Shem has tried multiple cases and prevailed recently in summary judgment on three cases involving employment and construction defect issues.

Mark is an active participant in the life of his community. He is an active member of the Santa Clara County Bar Association, serving as the 2010 President. In 2011, he was elected to a three-year term on the California State Bar's Board of Trustees where he focused on access to justice and legal education issues. He is an attorney coach for the Lynbrook High School mock trial team, and a member on the Advisory Committee of the Silver Creek High School Legal Academy Program.

He is a member of the Santa Clara County Bar Association and the California State Bar. Mark is also admitted to the Ninth Circuit Court of Appeals, the Northern District of California and Eastern District Federal Courts of California.

Education:

- University of California, Davis, B.A., 1987
- Temple University School of Law, J.D., 1990

Admitted:

- State Bar of California, 1991
- U.S. District Court, Northern District of California, 1991
- U.S. District Court, Eastern District of California, 2002
- United States Court of Appeals for the Ninth Circuit, 1991

Business and Professional Associations:

- Santa Clara County Bar Association, President, 2010
- State Bar of California, Board of Trustees, 2011-2014
- Central Coast Claims Association
- Lynbrook High School Mock Trial Team, Coach

Seminars:

- Persuasive Legal Writing and Effective Oral Advocacy, Santa Clara Bar Association
- Top Ten Tips to Avoid Getting Bounced from Court, Santa Clara Bar Association
- Pleadings as a Weapon in the Litigation Battle
- Summary Judgment Motions, Mysteries of the Deep & Calm Seas, Santa Clara County Bar Association
- E-Discovery Update
- When Judges Cross the Line, Santa Clara County Bar Association
- Sanctions Denied!
- E-Discovery is Discovery
- Elimination of Bias: How Well Do I Know Myself?