

**2019 AAA®/ICDR®/
AAA MEDIATION.ORG™
PANEL CONFERENCE**

**Arbitration and Mediation
in a Changing World**

March 8-9, 2019 | Omni Nashville Hotel, Nashville, TN



AMERICAN ARBITRATION ASSOCIATION®

INTERNATIONAL CENTRE
FOR DISPUTE RESOLUTION® | AAA Mediation.org



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Eight breakout sessions reflecting the skills needed to effectively arbitrate and mediate in a changing world are being offered. Each breakout session will be offered only once. Registrants can select up to three sessions to attend in addition to the opening plenary session on Friday and the closing plenary lunch on Saturday.

THURSDAY, MARCH 7, 2019	
12:00 PM	Conference Registration
5:00-7:00 PM	Welcome Reception (Drop-In)
FRIDAY, MARCH 8, 2019	
7:00-8:30 AM	Registration and Breakfast
8:30-9:15 AM	<p><u>Opening Plenary Session</u></p> <p>AAA Mythbusters: Addressing Misperceptions and Rumors A challenge to all organizations having a national and international presence is effectively addressing things concerning their operations that are not quite accurate. This opening plenary session will tee-up, and clear up, a number of common misperceptions and rumors about AAA-ICDR operations in the changing world of ADR.</p>
9:30 AM-12:00 PM	<p><u>Morning Breakout Sessions</u></p> <p>101 – Providing a Respectful ADR Environment In the changing world in which we provide our services, the AAA-ICDR is committed to providing ADR environments characterized by communications and interactions that are civil, respectful, and considerate of AAA-ICDR staff and each participant in the ADR processes we administer. This session will focus positively on specific things AAA-ICDR Panelists can do to support this commitment.</p> <p>Speakers: Erika Birg, Esq., <i>Nelson Mullins; Atlanta, GA</i> David Kotzian, Esq., <i>Gasiorek Morgan Greco McCauley & Kotzian; Farmington Hills, MI</i></p> <p>102 – Ethics and Fitness: Protecting the Integrity and Quality of the Arbitration Process The quality of ADR processes provided by AAA-ICDR Panelists is, in large measure, determined by adherence to prescribed ethical standards and meeting the demands arbitration and mediation require. This session will focus on key provisions of the <i>Code of Ethics for Arbitrators in Commercial Disputes</i>, the <i>Model Standards of Conduct for Mediators</i>, and the <i>Standards and Responsibilities for Members of the AAA Roster of Arbitrators and Mediators</i> and their importance in today's changing world of ADR.</p> <p>Speakers: Theodore K. Cheng, Esq., <i>Theo Cheng Mediation & Arbitration; Princeton, NJ</i> Hon. Peggy Foley Jones, <i>Giffen & Kaminski; Cleveland, OH</i></p>
12:00-1:15 PM	<p><u>Networking/Lunch</u></p> <p>Community Mediation at Work in Tennessee The Mediation Center – AAA-ICDR Foundation Grant Recipient</p> <p>Speakers: Sara Figal, <i>Executive Director, Nashville Conflict Resolution Center</i> Jackie Kittrell, <i>Executive Director, Community Mediation Center; Knoxville, TN</i> Beth Tarter, <i>Executive Director, The Mediation Center; Columbia, TN</i></p>



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FRIDAY, MARCH 8, 2019

1:30-4:00 PM

Afternoon Breakout Sessions

201 – Cybersecurity in Arbitration & Mediation: Protecting Party Confidentiality

Confidentiality is one of the advantages that drives parties to arbitration. This advantage is at risk, however, when arbitrators rely on unsecure platforms to store, serve, and file their case documents, most notably unencrypted emails and commercially available “cloud” repositories. Unwanted and unauthorized access to electronically stored arbitration documents is a breach of an arbitrator’s ethical duties. This session will look at how arbitrators can take advantage of technologies—and not run afoul of the web of regulatory security requirements—to protect party confidentiality.

Speakers:

Stephanie Cohen, Esq., *Cohen Arbitration; Brooklyn, NY*
Sherman Kahn, Esq., *Mauriel Kapouytian Woods LLP; New York, NY*

202 – eDiscovery: Arbitration in a Digital World

Nowhere is the world of arbitration changing faster than in the area of technology. This session is specifically designed to effectively equip arbitrators to manage and resolve electronic discovery issues fairly and expeditiously. Those attending this session will gain valuable insights and a comprehensive understanding of managing fundamental issues of electronic discovery in arbitration.

Speakers:

A. J. Krouse, Esq., *Frilot LLC; New Orleans, LA*
Allison Skinner, Esq., *American College of e-Neutrals; Birmingham, AL*
Peter Vogel, Esq., *Foley & Lardner LLP; Dallas, TX*

203 – Consolidation of Arbitrations and Joining Additional Parties: The Arbitrator’s Authority

This challenging session will look at the settled and unresolved issues of consolidation of cases and joinder of parties and will explore the options arbitrators have at their disposal when faced with such issues. For example, if the parties to a dispute are not all signatories to the same arbitration agreement, absent their collective consent, there is no universal rule of “arbitral economy” permitting arbitrators to order consolidation or joinder. So, what options are there?

Speakers:

Richard Greenleaf, Esq., *Berg Hill Greenleaf Ruscitti LLP; Denver, CO*
Laird Lawrence, Esq., *Laird Lawrence Arbitration Services; Dallas, TX*

4:00-5:00 PM

Free Time/Networking

5:00-6:15 PM

Reception

6:30-8:00 PM

Dinner and Keynote Address

India Johnson, *President & CEO, AAA-ICDR; New York, NY*



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SATURDAY, MARCH 9, 2019

7:00-9:15 AM	Breakfast/Networking
9:30 AM-12:00 PM	<u>Morning Breakout Sessions</u> 301 – Striving for Excellence: Emotional Intelligence, Personalities, and the Value-Driven Mediator This interactive, advanced mediation session will explore how psychological dynamics impact negotiations at all phases of the mediation process and how mediators can bring “high-value” dynamics to the process that are not part of most mediations today. Participants attending this session will come away with (i) an appreciation for the impact of emotions on decision making, (ii) greater confidence in their ability to constructively engage high-conflict personalities in the parties’ negotiations, and (iii) an understanding of how to bring genuine value to the mediator’s role. Speakers: Matthew Argue, Esq., <i>One Mediator, Inc.; Carlsbad, CA</i> Harold Coleman, Jr., Esq., <i>Executive Director, AAA Mediation.org; New York, NY</i> 302 – The Arbitration Award: Delivering a Quality Decision The award is the final disposition of the dispute between the parties. It is the arbitrator’s final product; it is the goal. Therefore, the entire arbitration process should be managed with a view toward providing the parties with a quality decision. This session will focus on specific things arbitrators can and should do at every stage of the arbitration process to ensure they deliver a decision of the highest possible quality. Speakers: John “Mac” McArthur, Esq., <i>Law Office of John Burritt McArthur; Berkeley, CA</i> Allison Snyder, Esq., <i>Porter Hedges LLP; Houston, TX</i> 303 – Case Finances: What Arbitrators Need to Know (ACE 19) Rule 50 – Arbitrator’s Fee of the AAA’s Commercial Arbitration Rules from 1952 begins with: “ <i>If the parties desire to compensate the Arbitrator...</i> ” As recently as 1995, arbitrators served for the first day for free and then \$500 per day thereafter. Talk about a changing world! This session will examine the AAA’s expectations regarding compensation and the various financial processes related thereto. Speakers: John Bishop, Esq., <i>Vice President, American Arbitration Association; Atlanta, GA</i> Melinda Cooper Holladay, Esq., <i>Arbitrator; Atlanta, GA</i>
12:00-2:00 PM	<u>Lunch and Closing Plenary</u> Legal Update: 2018 Cases Impacting Arbitration The highlight of this closing event of the conference will be a presentation summarizing the most significant legal developments of 2018 having an impact on arbitration.
2:00 PM	Conference Adjourns



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REGISTRATION INFORMATION

Conference Registration Fees

REGISTRATION FEES	
Panel Member	\$985
Early Bird (through January 9, 2019)	\$875
Includes all meals and conference materials.	
Guest	\$395
Early Bird (through January 9, 2019)	\$350
Includes all meals, including the Friday reception and dinner; and all events except for the breakout sessions.	
Friday Reception/Dinner Only	\$50

To Register Online: Go to www.aaau.org and sign in using your education credentials.

To Register Offline: *If paying by check*, you will need to register offline by contacting AAA Education Services at AAAEducation@adr.org or 212-716-3977 to request a conference registration form.

Refund Policy: To receive a refund minus \$75 USD cancellation fee, notify us via email at AAAEducation@adr.org or by telephone at 212-716-3977 by **February 15, 2019**. We regret that no refunds will be made after this date. Registration fees are non-transferrable.

Conference Attire: Conference events will be informal. Casual dress is appropriate.

CLE CREDIT INFORMATION

West LegalEdcenter is procuring continuing legal education (CLE) credits on behalf of the American Arbitration Association. This program is available for CLE credits in Alabama, Arkansas, California, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, and Texas. Credit amounts vary by attendance verification and jurisdictional rules.

HOTEL ACCOMMODATIONS

Omni Nashville Hotel

250 5th Ave S
Nashville, TN 37203

Accommodations are not included in the registration fee. A limited block of rooms is available at a special group rate of **\$278** (Single/Double) plus tax per night. To make your hotel reservations [click here](#) or call 1-888-444-6664. Rooms will be available at the aforementioned special group rate until **5:00 p.m. CST 2/14/19** unless the block is sold out prior to that date. For general information, visit www.omnihotels.com/nashville. Event Resources of New Orleans, the AAA's conference planner for the event, is available to assist with hotel reservations. For assistance contact Kimberly at Kimberly@eventresourcesnola.com or call 504-208-5510.

Questions? Please contact AAA Education Services at AAAEducation@adr.org or 212-716-3977.