



***Of Privilege & Privacy: Navigating Inconsistent Legal  
Privilege and Personal Data Protection Regimes in  
International Arbitration***

***&  
Year-End Holiday Party  
at  
Musick Peeler***

Monday, December 5, 2022, at 3:30–7:00 pm PDT/6:30-10:00 pm EDT

Los Angeles Chapter of CIARB, North America Branch, California Arbitration ([www.calarb.org](http://www.calarb.org)), and law offices of Musick Peeler, jointly present, an evening of thought provoking discussions combined with networking afterwards at the year-end holiday party, at the law offices of Musick Peeler, 624 S. Grand Avenue, Suite 2000, Los Angeles, CA, on Monday, December 5, 2022, at 3:30-7:00 p.m. PDT/ 6:30-10:00 p.m. EDT. This is an in-person as well as a virtual event.

Unlike domestic litigation or arbitration, international arbitration invariably spans multiple jurisdictions and bodies of law. U.S. rules of evidence typically do not apply, and arbitrators have broad discretion to assess the relevance and materiality of evidence. Assertion of the attorney-client and attorney work product privilege are among the few ways to exclude evidence. But which rules govern? The rules of the juridical "seat" of arbitration? The rules applicable to the physical hearing venue? But what about virtual or remote hearings? The rules in the jurisdiction(s) where legal counsel is licensed? The rules at the place of incorporation, citizenship, or domicile of each party?

While admissibility of evidence can make or break a case, the growing web of national and EU laws and regulations governing the transmission of personal data across borders can entail substantial civil liability (or worse) for violators. An arbitration seated in Asia (for example) can easily involve an arbitral institution in Asia, parties in Europe, China, or the U.S., servers (for remote hearings) in a third country, arbitrators from jurisdictions other than the parties, and legal counsel from any number of jurisdictions. Who are the data handlers and processors and what are their obligations?

A stellar lineup of seasoned international arbitrators, legal counsel, Asian arbitral institution leaders, and current and former general counsels (See bios below), will help demystify, untangle, and navigate the complex legal webs of Privilege & Privacy through interactive panel discussions on multi-jurisdictional Legal Privilege and Privacy.

**[CLICK HERE](#)** to register for the event.

# AGENDA

## ***Of Privilege & Privacy: Navigating Inconsistent Legal Privilege and Personal Data Protection Regimes in International Arbitration***

**&**

## **Year-End Holiday Party**

**at**

## **Musick Peeler**

**624 S. Grand Avenue, Suite 2000**

**Los Angeles, CA 90017**

Monday, December 5, 2022, at 3:30 – 7:00 p.m. PDT

- 3:30 - 4:00pm** Arrival and Sign-In
- 4:00 - 4:10pm** Welcome Remarks from Organizers
- 4:10 - 5:00pm** **Panel 1:** Inconsistent Attorney-Client Privilege - Rules Across Jurisdictions
- 5:10 - 6:00pm** **Panel 2:** Multi-Jurisdictional Privacy & Data - Protection Issues and Risk Management
- 6:00 - 7:00pm** Year-End Holiday Party.

### **Panel for Navigating Inconsistent Attorney-Client Privilege**

**Rules Across Jurisdictions:** Mr. Nathan O'Malley, Ms. Laura Abrahamson, Mr. Peter Rosen.

The panel will be moderated by Mr. Giorgio Sassine.

### **Panel for Multi-Jurisdictional Privacy & Data Protection Issues**

**and Risk Management:** Ms. Dawn Haghigi, Ms. Adriana Uson, Dr. Mariel Dimsey .

The panel will be moderated by Mr. Peter Neumann.

***CLE Credit will be provided for live attendance at this event.***

**In-Person Registration Closes on December 3<sup>rd</sup>.**

**[CLICK HERE](#)** to register for the Event.

# PANELIST BIOS

## Panel 1

**Mr. Nathan O'Malley** is a partner in the Los Angeles office of Musick Peeler. He leads the firm's International Arbitration and Litigation Practice, where he focuses on representing parties involved in renewable energy and infrastructure projects. Mr. O'Malley has advised on and arbitrated matters arising out of a range of clean energy projects, including solar thermal power facilities, waste-to-energy plants, natural gas-fired facilities and other forms of clean and renewable energy projects. In addition to renewable/clean energy work, Mr. O'Malley has also acted in disputes concerning port and marine projects, pipe infrastructure and conventional energy projects, as well as for clients involved in general commercial disputes.

Mr. O'Malley is also an adjunct professor of international arbitration at the University of Southern California Gould School of Law and has published a leading text on evidence in international arbitration entitled "*Rules of Evidence in International Arbitration*".

**Mr. Peter Rosen** began his full-time ADR career in January 2019 following his prestigious legal career litigating high-profile disputes involving policyholders, insurers, reinsurers, reinsured and captive insurers. As a neutral, Mr. Rosen has resolved or arbitrated a wide range of commercial issues and policies including directors' and officers' liability, general liability, property, cyber, employment, professional liability, construction, fidelity, environmental, and representations and warranties insurance. He also has mediated and arbitrated disputes involving reinsured, captive insurers and reinsurers. Mr. Rosen has been recognized by *The Legal 500* and *Chambers USA*, which noted, "He is recognized for his 'wealth of expertise' and is described as 'someone you would bring in as a big hitter.'"

Mr. Rosen is the author of leading texts on D&O liability and business interruption claims. He currently teaches International Commercial Arbitration Law and Advocacy at UCLA Law School and taught insurance law at USC Gould School of Law and Pepperdine University School of Law for more than a decade. He is a Fellow of the Chartered Institute of Arbitrators, a Fellow in the American College of Coverage Counsel, an Accredited Mediator through the Centre for Effective Dispute Resolution, and a Certified ARIAS Arbitrator.

**Ms. Laura C. Abrahamson** is a member of the CIARB North America Branch's Board of Directors and Vice President of California Arbitration. She is a full-time independent arbitrator and mediator with JAMS. Prior to joining JAMS, Ms. Abrahamson served for five years as Senior Vice President, Deputy General Counsel and Global Head of Litigation at AECOM, an American multinational firm that provides engineering, design, consulting, and construction services, where she oversaw complex, cross-border disputes. Previously, Ms. Abrahamson spent nearly 20 years in-house at Occidental Petroleum (OXY), where she led major litigation and domestic and international arbitration efforts. She also serves as a panelist on multiple domestic and international arbitration centers, including the Hong Kong International Arbitration Centre (HKIAC); the London Court of International Arbitration (LCIA); the Court of Arbitration for Sport (CAS) and California's Public Works Contract Arbitration Program (PWCA).

Ms. Abrahamson holds a degree in business administration from the Haas School of Business at UC Berkeley, with a dual major in accounting and finance, and J.D. from the UCLA School of Law.

## Moderator

**Mr. Giorgio Sassine** is an associate in the Los Angeles office of Musick Peeler & Garrett. He is a member of the International Arbitration and Litigation and Construction Practice Groups with extensive experience on domestic and international high-value, complex commercial and construction disputes. Mr. Sassine has represented clients in multiple forums across the United States and abroad, including California and New York state courts and U.S. federal courts and under the arbitral rules of the International Chamber of Commerce (ICC), American Arbitration Association International Center of Dispute Resolution (AAA-ICDR), London Court of International Arbitration (LCIA), Dubai International Arbitration Centre (DIAC), and the International Centre for Settlement of Investment Disputes (ICSID).

*Co-sponsored by the California Lawyers Association, ADR Committee and The Pepperdine-International Arbitration Society*

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International Arbitration Society

# PANELIST BIOS

## Panel 2

**Ms. Dawn Haghighi** is the General Counsel, privacy, and compliance officer for the Murcor Real Estate family of companies. She serves on the board of directors and chairs the risk committee for Elevate Services, a global legal support company. Her career encompasses senior legal positions at global institutions including Princess Cruises, Charter One Bank, NA (RBS), Fireman's Fund/Allianz Group, and Nordstrom. Ms. Haghighi has held multiple senior leadership roles in the Association of Corporate Counsel and is a frequent lecturer before corporate boards, foundations, and professional organizations. As a graduate of the TED Talks ACC Masterclass, she recently delivered her first Ted Talk: Say Hello To Your Better Self Going From The Ordinary To The Extraordinary.

**Ms. Adriana Uson** has broad experience as an arbitration practitioner – having served as arbitrator, international arbitration lawyer, and Counsel in the SIAC Secretariat. As Head (Americas) of the Singapore International Arbitration Centre (SIAC), Ms. Uson oversees the activities of SIAC in North and South America. She first joined SIAC as Counsel, during which time she administered over two hundred cases under the SIAC Rules and UNCITRAL Arbitration Rules, with a particular focus on disputes involving States, State-controlled entities, and intergovernmental organizations. She was involved in the drafting of the SIAC Rules 2016, SIAC Investment Arbitration Rules 2017, and the SIAC Practice Notes on third party funding.

Ms. Uson was also a key contributor in the Singapore Institute of Arbitrators (**SIArb**) working group that published the SIArb Guidelines on Party-Representative Ethics. She is an active member of the Young SIAC Committee (**YSIAC**) and the Chartered Institute of Arbitrators (Singapore) Young Members Group.

**Dr. Mariel Dimsey** is the Secretary-General of the Hong Kong International Arbitration Centre responsible for its international dispute resolution services and operations from Hong Kong, Seoul, and Shanghai. She is an international commercial and investment arbitration specialist.

Prior to joining the HKIAC, Mariel was a Partner at CMS and Co-Head of the global CMS International Arbitration Group. She has over 15 years' experience acting as adviser and advocate in numerous international arbitrations. She has extensive experience in both common law and civil law disputes, including disputes involving Chinese parties, and has full professional fluency in German. She also sits regularly as arbitrator and has experience as arbitrator under the HKIAC, ICC, KCAB, and DIS Rules, and in ad hoc disputes. She is on the arbitrator panels of several institutions. She is a past co-chair of the HK45 Committee, and a Vice-Chair of WILHK. She is consistently ranked in both the regional and global editions of the leading legal directories.

Mariel has a Dr. Jur. (Summa cum laude) from the University of Basel, an LL.M. from the University of Cologne and an LL.B./B.A. (Business German) from the University of Queensland. She is admitted to practice law in Australia and Hong Kong.

## Moderator

**Mr. Peter Neumann** is an independent arbitrator, adjunct professor of law at the Pepperdine Caruso School of Law, Straus Institute for Dispute Resolution, and international corporate lawyer with over 25 years of cross-border law practice experience, including 20 years in Greater China. Peter is listed on the arbitrator panels of multiple international arbitral institutions in the U.S. and Asia and Chairs the Los Angeles Chapter of the Chartered Institute of Arbitrators (CIArb) North America Branch.

Prior to focusing on international arbitration, Peter served as the Shanghai office managing partner of Deacons, Faegre & Benson (currently Faegre Drinker Biddle), and Greenberg Traurig. He has also held the positions of Asia Pacific General Counsel with Celanese Corporation, and Deputy General Counsel – Asia with Ares Management.

Peter read, writes, speaks, and arbitrates in Mandarin Chinese.

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