

AUGUST 2022 NEWS AND EVENTS



CI Arb
evolving to resolve
North America Branch

Dear Members,

This month's newsletter is packed with programs, dates, and featured members all highlighting how robust the CI Arb North America Branch is focused on membership news and events. I again remind everyone about the **NAB Members' Retreat in Santa Fe, New Mexico** (details below).

Read about the latest arbitration case from the U.S. Court of Appeals, for the Second Circuit, *Esso Expl. and Prod. Nigeria Ltd. v. Nigerian Nat'l Petroleum Corp* The Opinion of the Court is [here](#).

We congratulate seven new Featured Members that we are now starting to insert into the newsletter itself rather than just having readers click on a link. We hope this better introduces you to your fellow NAB members.



Finally, as a lover of the night sky, August is so special—it's the peak of the Perseid meteor shower. The peak this year is expected to occur in the early morning hours of **August 12th**. At its peak, you can expect to see up to 150 meteors with the naked eye. Enjoy stargazing in August! More info at: [American Meteor Society \(amsmeteors.org\)](http://amsmeteors.org)

Steven J. Cologne FCI Arb, NAB Newsletter Editor

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New Email Address? If your email address changes, please remember to advise memberservices@ciarb.org and communications@ciarbnab.com

Upcoming Events & Featured Programs



A Free webinar series, "Ask the Arbitrator" will kick off on Friday, **August 19, 2022**, at 2:00 p.m. EDT/11:00 a.m. PDT with an interview with Amb. (r.) **David Huebner FCI Arb and CI Arb** Trustee for the Americas moderated by **Kirsten Teo**, Vice Co-Chair, Programming Committee of CI Arb NAB. "Ask the Arbitrator" will present hour-long sessions of light-hearted conversations with seasoned international arbitrators that are not only fun, but also substantive, with a focus on how to break into the field of international arbitration. Register for the August webinar [here](#):

August 25, at 10:00 a.m. PDT/1:00 p.m. EDT, CI Arb NAB and LCIA, present "Insider's Views on Arbitral Appointments in the New Normal: Perspectives from the London Court of International Arbitration and the Equal Representation in Arbitration Pledge," a dynamic conversation with two international arbitration insiders: **Jacomijn (Jackie) van Haersolte-van Hof**, Director General, London Court of International Arbitration (LCIA), and **Dana MacGrath FCI Arb**, MacGrath Arbitration, co-chair of the Pledge USA Sub-Committee. Moderated by **Susan Franck**, Co-Chair of the Washington D.C. Chapter, Professor of Law, American University, Washington College of Law and **David Wilson FCI Arb**, Member, Sherman & Howard L.L.C. The program will have a Q & A session with both speakers, with live questions from the audience/participants. Registration is now open: <https://us06web.zoom.us/j/87587575909>

August 29, NAB is supporting the SIAC Symposium in a hybrid format with the in-person site at the Shangri-La Hotel in Singapore. After a keynote by Mr. K. Shanmugam, SC, Minister for Home Affairs and Minister for Law, Singapore, the session will include a panel "International Arbitration - Charting the Next Lap", a panel "Ethics in International Arbitration: A Legal Quagmire?", Lunch conversations titled "Generations in Arbitration - Observations on Building an Arbitration Practice Then and Now", a Townhall on the SIAC Rules Revision, and ArbxBtalks "The Brave New World: International Arbitration and the Metaverse, Cryptocurrency and NFT Disputes." Additional details and registration are available [here](#).

The September "Ask the Arbitrator" event will be an interview with **Albert Bates, Jr. FCI Arb** moderated by NAB Board Member **Chris Campbell**, on Wednesday, **September 21** at 1:00 p.m. EDT/10:00 a.m. PDT. Register for the September webinar [here](#):

September 30–October 1, the Advanced Route to Fellowship (International Arbitration Assessment Plus Exam). This course will be offered in Washington, D.C. in cooperation with ICC NY. More details will be available in the future.

Friday, **October 7, 2022**, 9:00 a.m. to 5:15 p.m. EDT, the Americas Conference in Miami. Come network with arbitrators from all 7 Americas Branches and attend great panel events all day. This is your chance to meet arbitrators from other countries! And, combine it with in-person attendance at CI Arb's Mediation Symposium in Miami on Thursday, **October 6**, 9:00 a.m. to 5:15 p.m. EDT. Both the Americas Conference and CI Arb's Mediation Symposium day in Miami will be at [Bilzin Sumberg Baena Price & Axelrod LLP](#). Various fees to attend CI Arb's event apply with an early bird discount. Register for CI Arb's event at: <https://www.ciarb.org/events/mediation-symposium-2022/> Virtual option available. Registration, cost, and more details for the Americas Conference will be announced in the future.

NAB will also be sponsoring cocktails and networking on **October 6** in Miami at 5:30 p.m. EDT after CI Arb's Mediation event and prior to the next day's Americas Conference. Cost to be announced in the future. The event will be at [Bilzin Sumberg Baena Price & Axelrod LLP](#).

NAB and CPR Dispute Resolution Services LLC (CPR) are presenting a two-day Accelerated Route to Fellowship (International Arbitration) Assessment (ARF) course on **October 7** (8:30 a.m. to 5:00 p.m.) and **October 8** (9:00 a.m. to 5:00 p.m.) at the offices of Williams & Connolly in Washington DC. The ARF is designed for practitioners with substantial experience in the field of dispute resolution, typically those with at least 10 years' experience in complex litigation and/or ADR. The cost is \$2,250 (a \$300 discount is available for current members of NAB or CPR). Full details and registration will be forthcoming on the NAB website and social media.

The October "Ask the Arbitrator" event will be Wednesday, **October 19**, at 1:00 p.m. EDT/10:00 a.m. PDT: "*How to be the Best Prepared/Most Responsive Arbitrator*," an interview with Arbitrator Jean Kalicki moderated by Blanca del Carmen Martinez Mendoza, Secretary of NAB. Register for the October webinar [here](#):

NAB is a cooperating entity with the ABA Dispute Resolution Section who has asked us to advise you to save the dates for the following events: Ombudsman Day (**October 13**), Mediation Week Celebration (**October 19**), Mediation Institute (**December 1–3**), and its 2023 Spring Conference (**May 10–13, 2023**).

SAVE THE DATES – April 14–16, 2023, for the NAB Members Retreat in Santa Fe, New Mexico

NAB will hold a Members' Retreat in Santa Fe, New Mexico from **Friday, April 14 – Sunday, April 16, 2023**. The event will take place at the Inn and Spa at Loretto near the Plaza in Santa Fe. Full details are still being planned and will be announced by the Fall of 2022. It will be a chance to meet and network with other NAB members and enjoy the culture and sights of Santa Fe, New Mexico. There will also be some educational opportunities. **PLAN ON BEING IN SANTA FE TO ATTEND APRIL 14–16, 2023!**

New Program Expands Arbitration Training Across Brazil!

Brazil has become one of the most dynamic arbitration markets in the world. CI Arb's North America (NAB) and Brazil Branches, and the University of Miami School of Law have joined forces to offer the Capacity Sharing Program (CSP) this year to three Brazilian regions less exposed to alternative dispute resolution mechanisms. The Brazil Arbitration CSP will be held in a hybrid format and will take place in the cities of Manaus–AM (North), Goiania–GO (Center), and João Pessoa–PB (Northeast) during the week of **October 10 to 14, 2022**, just before the Sao Paulo Arbitration Week. This exciting program will cover a range of topics related to arbitration, with a faculty composed of leading figures in the field of international and Brazilian arbitration.

Vice Chairs of the CSP are NAB Fellows **Mauricio Gomm** and **Rose Rameau**.



Congratulations to **Ann Ryan Robertson C.Arb FCI Arb** who was awarded the 2022 Sarah T. Hughes Women Lawyers of Achievement Award by the Women and Law Section of the

State Bar of Texas last month. Read more about it [here](#).

Lionel Schooler FCI Arb, Chair of the Texas Chapter of the NAB, was one of the panelists presenting to the Houston Bar Association's Labor & Employment Section last month for its annual Supreme Court Review of Employment Decisions. Mr. Schooler addressed three recent arbitration decisions by the Court related to employment matters: *Southwest Airlines v. Saxon*, *Morgan v. Sundance*, and *Badgerow v. Walters*. Mr. Schooler, a partner at Jackson Walker in its Houston office, has previously served as Chair of the Labor & Employment Section.

Richard D. Faulkner FCI Arb and Federalist Society Litigation Practice Group Chair Erika Birg presented a Federalist Society Webinar on June 1 discussing the recent U. S. Supreme Court decision in *Morgan v. Sundance*. A recording of the webinar can be found [here](#).

CI Arb Fellow Richard D. Faulkner and co-author Phil Loree wrote a May 27, *Law 360* article, "After High Court Ruling, Arbitration May Lose Its Luster" discussing *Morgan v. Sundance*. They are currently preparing a more comprehensive review of the U. S. Supreme Court's recent arbitration cases for publication later this year, as well as working on a new book on Federal Arbitration Act jurisprudence. In May, Richard and his wife, former CI Arb member, Judge Gena Slaughter taught their 5th annual arbitration and mediation law class at the University of North Texas College of Law.

Professor **William W. (Rusty) Park FCI Arb** has retired as General Editor of the LCIA's Arbitration International after 17 years in the position. Congratulations Rusty!

Negotiation Simplified by **Jim Reiman FCI Arb** is now available as an audio book for download or streaming on [Amazon.com](#), [Audible](#) and [iTunes](#).

You can now invite non-members who might be interested to sign up for the newsletter at [CI Arb North American Branch Newsletter](#).

CI Arb Dues for 2022

A reminder that dues for 2022 must be paid by **September 1, 2022**. If you have any questions about your membership status or dues, contact memberservices@ciarb.org.

Featured Members. This month's Featured Members are: **Thomas P. Hanrahan, Charles E. Harris, II, Glenn P. Hendrix, Mark Kantor, Hon. Elizabeth Ray, Donald Rose, and John A. Shope**. Learn about them below and on the homepage of NAB's website [NAB Website](#).



Thomas P. Hanrahan (Manhattan Beach, CA)

Tom is an arbitrator and mediator with TP Hanrahan Dispute Solutions. He is a fellow of the Chartered Institute and a Fellow of the College of Commercial Arbitrators, as well as a member of the National Academy of Distinguished Neutrals. He serves on the AAA Large and Complex Case panel, and has arbitrated well over 100 cases focused on a variety of commercial disputes. Building on his diverse practice as a trial lawyer and partner at Sidley Austin in Los Angeles, where he was the Litigation Group Head and a co-chair of the firm-wide Commercial Litigation Practice, he has served as sole arbitrator and panel chair and panel member on matters involving product development, marketing and distribution, partnership disputes and corporate governance, professional malpractice, real estate, technology development, and intellectual property. For the past several years, Tom has been the co-chair of the annual ABA Arbitration Training Institute, and a panelist at the Institute teaching on multiple phases of an arbitration case.

Charles E. Harris, II (Chicago, IL)

Charles is a partner in Mayer Brown's Litigation & Dispute Resolution practice and a member of the firm's International Arbitration group.



He focuses on complex commercial disputes and has represented clients in domestic and international arbitrations before many arbitral institutions, including the AAA, ICDR, ICC, and International Film and Television Alliance. He has also served as sole arbitrator and a panelist (including the chair) in nearly 50 arbitrations ranging from disputes over complex software integrations to large-scale investment projects. Mr. Harris is recognized as a thought leader in international arbitration and has started a podcast, International Arbitration “Across the Pond.” He is a fellow of the Chartered Institute of Arbitrators, a member of The National Academy of Distinguished Neutrals, a AAA Higginbotham Fellow, the author of the treatise, *Emerging Trends in Litigation Management*, and listed on the Lawyers of Color’s inaugural list of “Nation’s Best.”



Glenn P. Hendrix (Atlanta, GA)

Glenn is the chair of Arnall Golden Gregory LLP. The *Global Arbitration Review* describes him as "understanding complex legal and factual issues, distilling them to their essence and then issuing rulings laying out his reasoning in a convincing fashion." His cases tend to involve cross-border business disputes or healthcare/life science industry matters. Glenn chairs the Amicus subcommittee of NAB’s Program Committee and authored an amicus curie brief for NAB in the U.S. Supreme Court in the case of *GE Energy Power v. Outokumpu*. He is active in the ABA, having served as chair of its Section of International Law, its representative to the US State Department’s Advisory Committee on International Law, and as a member of the ABA’s House of Delegates, among other positions. He was the founding president of the Atlanta International Arbitration Society (Atlas) and has served on the executive committee of the American Society of International Law (ASIL). Glenn is a dual US-British citizen. He speaks English and Russian.



Mark Kantor (Washington, D.C.)

Mark is an arbitrator in commercial and international investment disputes, Adjunct Professor, Georgetown University Law Center, and Editor-in-Chief of the online journal Transnational Dispute Management. He is a Chartered Arbitrator of the Chartered Institute of Arbitrators. Kantor is a retired partner of Milbank, Tweed, Hadley & McCloy, a former member of the World Bank Group Sanctions Board, the American Arbitration Association Board of Directors and the Council of the American Arbitration Association, and former Chair of the DC Bar International Investment Committee and the DC Bar International Dispute Resolution Committee. He has authored *Valuation for Arbitration: Compensation Standards, Valuation Methods and Expert Evidence* (OGEMID Best Book 2008) and *A Code of Conduct for Party-Appointed Experts in International Arbitration - Can One be Found?*, 26 Arb. Int. 323 (2010) (OGEMID Best International Dispute Resolution Article 2010).

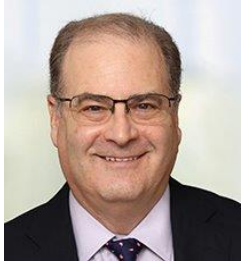


Hon. Elizabeth Ray (Houston, TX)

Elizabeth has accumulated over 40+ years of experience in the area of civil litigation as a trial lawyer, state court judge and, since 2015, an arbitrator/mediator. She has arbitrated over 200 cases, sitting as the chair in over 30 of those. Those cases involved a broad spectrum of disputes, from complex commercial matters, energy disputes both in the US and abroad, technology, health care, labor and employment matters, insurance, and construction cases, among others. As a district court trial judge, she presided over 500+ jury trials sitting in a court with no jurisdictional ceiling in the State of Texas. She is a fellow of the Chartered Institute, as well as a member of AAA (multiple panels), ICDR, and numerous other ADR organizations.

Donald Rose (Pelham, NY)

Don was the Deputy General Counsel-Litigation and Regulatory



Matters of KPMG LLP (US), a “Big 4” professional services firm. In his 26 years with KPMG, and previous 11 years with a large NY law firm, Don litigated complex commercial and professional services disputes, and successfully resolved over 100 lawsuits, arbitrations and government investigations arising from the provision of accounting, auditing, tax, actuarial and consulting services to firm clients in the banking and finance, insurance, government contracting, consumer products and manufacturing sectors, as well as employment and partnership rights claims. Don also has

extensive experience with corporate internal investigations, electronic data preservation, collection and production issues and cross-border litigation and regulatory matters. Don is a CI Arb Fellow, a CEDR Accredited Mediator, a member of IICPR's Panel of Distinguished Neutrals, an AAA Panelist, and serves on the Mediation Panel of the USDC–SDNY and the Panel of Part 137 Arbitrators for the NYS 9th Judicial District. He is active on IICPR's Arbitration, Mediation and Dispute Resolution Committees and the NYSBA Dispute Resolution Section, Ethics Committee.



John A. Shope (Boston, MA and New York, NY)

John is an equity partner of Foley Hoag LLP, an AmLaw 200 firm with offices in Boston, New York, Washington, D.C., and Paris, France. For three decades he has practiced commercial litigation and arbitration, both in the United States and internationally, with a particular emphasis on complex litigation and energy matters, including electric transmission lines, gas pipelines, and power purchase agreements. He serves on the American Arbitration Association and CPR commercial and energy panels, and has served as arbitrator in over thirty cases. He is a graduate of Amherst College and the University of Chicago Law School, where he served on the Law Review and as a research assistant to U.S. Circuit Judge Richard Posner before clerking for then U.S. District Judge Jose Cabranes. He is admitted in Massachusetts, New York, and Connecticut. More details at www.foleyhoag.com.

News About Members

The newsletter has expanded to report news about Members. If you have something to report, please email that information to newsletter@ciarbnab.com. **To ensure the newsletter goes out the first business day of each month, it is requested that information for the September 2022 newsletter be submitted by August 15, 2022.**

When participating in a program or event of another organization, please remember to include in event fliers and publications, if possible, your post-nominal designations such as **FCI Arb**. In addition to showcasing credentials you have earned, doing so helps all members by raising recognition of CI Arb and, by association with you, helping to demonstrate that CI Arb members are highly qualified individuals who have been credentialed by what in our opinion is the world's leading ADR credentialing organization.

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Get involved with one (or more) of the NAB Committees. Communications (and its social media subcommittee), Programs, and Training would definitely appreciate help. Contact information is on the website or email communications@ciarbnab.com to get directed to the right person(s).

Young Members should become part of the young members group (YMG). If you are not on the YMG's membership roster, contact Imad Khan at lkhan@winston.com.

Student Members, please share the information about free student memberships with those of your classmates who have not joined. More details are available on our [website](#).

Finally, don't forget to join, if you have not, the [NAB LinkedIn Group](#). **This group is open to all who may be interested in ADR (not limited to NAB members)**. If you have friends who ought to join, let them know about it. There are currently over 280 members,

mostly NAB members. There, you can post questions, articles, and anything that might be of interest to members and comment on our monthly “What Do You Think?” feature about ADR.



STEVEN J. COLOGNE
FCI Arb

NAB Newsletter Editor
and Board Member



DAVID E. SHARP
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NAB Vice Chair /
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