

APRIL 2023
NEWS AND EVENTS

ciarb.
North America
Branch



“Spring is a time when plants and trees wake up after a long winter’s nap”–Unknown. We can wake up to a month full of programs and presentations. Those of us who registered for the First Annual NAB Members' Retreat are looking forward to the opportunity to network and stay connected to the organization. See below for our fresh and exciting featured members this month and a message from NAB Chair, **David Sharp**.

We also thank all of our fellow NAB members who participated as moderators or panelists at last month’s California International Arbitration week. Well done!

Finally, please see the latest arbitration case *Blasket Renewable Investments v. Kingdom of Spain* out of the United States District Court for the District of Columbia. Petitioner Blasket sought to confirm the international tribunal’s (seated in Switzerland) arbitration award. The district court having found no agreement to arbitrate the dispute existed granted Spain’s motion to dismiss the petition on grounds of subject matter jurisdiction. The Memorandum Opinion can be accessed [here](#).

*Steven J. Cologne FCI Arb
NAB Newsletter Editor
Vice Chair / Communications*

A Message from NAB Chair, David E. Sharp FCI Arb



Dear Members, this month, we will hold the First Annual Members’ Retreat in Santa Fe. Co-Vice Chair/Programs, Tom Cunningham FCI Arb, deserves great credit for all the work he has put in to make the event a success. He has been assisted in that process by Ann Ryan Robertson C.Arb FCI Arb, former President of CI Arb. Additionally, the training team has been extremely hard at work and are announcing that an ARF course will be held in person in Austin, Texas on June 12 –13. That is immediately before the ITA convention in Austin. Another ARF will take place in Miami on November 9–10, immediately prior ICC’s trainings and conference in Miami. Full details will be forthcoming. Your help in marketing these excellent courses to qualified individuals would be extremely helpful. Typically, the course is for practitioners with at least 10 years’ experience in ADR and/or complex litigation or equivalent experience. Jim Reiman FCI Arb or John Pinney FCI Arb (Vice Chair/Training) can answer any questions about qualification to take the ARF. As always, if you have suggestions for improving NAB, you may email me at dsharp@sharplawhouston.com.

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

Upcoming Events & Featured Programs



At noon ET on **April 12**, NAB members **Joan Sterns Johnsen FCIARB**, **Edward Mullins FCIARB**, and **John B. Pinney FCIARB**, along with **Nancy Thevinin**, will present a virtual ABA Litigation Section Roundtable on "**Practice Tips for Litigators Following the Supreme Court's Decision in *ZF Automotive v. Luxshare* (142 S.Ct. 2078 (2022)).**" Register here for the event: <https://form.jotform.com/230385463721152>

The April "**Ask the Arbitrator**" event will be **Wednesday, April 19** at 4:00 p.m. EDT/1:00 p.m. PDT: "**STEM to the Root of ADR: Growing an Arbitrator's Profile**", and will feature **Sandra A. Jeskie**. Ms. Jeskie will be interviewed by **Cariana Jones**, a Juris Doctor (J.D.) candidate at the University of Pittsburgh School of Law. **This program is free**. Register here for the event: https://us06web.zoom.us/webinar/register/WN_eZD0TFmsTK6-B3_PyV3lug

April 20, 6:00–8:00 p.m. EDT. The CIARB D.C. Chapter will hold a "meet and greet" at King & Spalding's Washington D.C. office. This event is co-sponsored by the D.C. Bar International Dispute Resolution Committee. Watch for more details on the NAB website soon.

The May "**Ask the Arbitrator**" event will be **Thursday, May 11** at 11:00 a.m. EDT/8:00 a.m. PDT: "**Journey of a Leading Arbitrator from Mexico**", and will feature **C.Arb., José Antonio Rodríguez-Márquez**. Mr. Rodríguez-Márquez will be interviewed by **Emilia Beuger**, a recent graduate of the University of Pittsburgh School of Law. **This program is free**. Register here for the event: https://us06web.zoom.us/webinar/register/WN_EPC0ZkjuQjKw_AtruYOgPg

The NAB wants its members to be aware of the ABA Section of Dispute Resolution's upcoming program below:

[Spring Conference](#) | **May 10–13** at Caesar's Palace in Las Vegas, NV
Join us as we gather in-person for the first time in three years! The conference will offer attendees over 50 educational programs, separate court administrator and legal educator tracks, nightly networking events including an evening at the UNLV Boyd School of Law, a private tour of the Atomic Museum, and a game/fireworks with the Las Vegas Aviators Triple-A Baseball Team. Anticipated attendance is around 500 mediators, arbitrators, legal educators, ombuds, and practitioners. Register [here](#) using discount **SPECLV23** to receive the ABA member rate. When registering, select the cooperating entity (CIARB) from the drop-down menu.

May 29 to June 1, Mexico Arbitration Week at the Marriott Reforma Hotel, Mexico City. NAB is proud to be a Sponsoring Organization of Mexico Arbitration Week. You can register and find program details [here](#).

NAB is scheduling two in person **Accelerated Route to Fellowship** courses. The first will be in Austin on **June 12 and 13**, just prior to the Institute for Transnational Arbitration's Annual meeting that will be held in Austin starting on Wednesday and running through Friday, **June 14 to 16**. More details on this excellent course (and the course below), including the cost and exact venue will be coming soon.

The second course will be in Miami on Thursday and Friday, **November 9 and 10**. The

Miami program is being held before the start of the Miami International Arbitration Society's Arbitration Week on that Sunday and the ICC's Miami trainings and conference starting on Saturday, **November 11**, and running through Tuesday, **November 14**.

FIRST ANNUAL NAB MEMBERS RETREAT APRIL 14–16, 2023 IN SANTA FE, NEW MEXICO



Join other CIArb members in beautiful Santa Fe, New Mexico for networking along with educational programming!

The event will be held at the Inn at Loretto in downtown Santa Fe, just off the historic Plaza which dates from more than 400 years ago.

Click here for event registration: <https://www.ciarbnab.com/santa-fe-registration>.

Registration is \$650 and includes a place for one at the Friday evening dinner along with admission to the Saturday morning session and Sunday morning farewell breakfast. **Hotel costs are extra and to be borne by attendees** See hotel charges below and register for the Inn at Loretto here: [Inn at Loretto](#)

Please note the reservation cut-off date to reserve a room from the room block set aside at the Inn at Loretto was **March 15** and any remaining rooms have been released into the hotel's general inventory.

***The CIArb NAB base rate is \$269/night plus a resort and amenity fee of approximately \$30/night and taxes. Ask if you can get this rate as it may or may not still be available.

***Spouses or significant others may register for an additional \$250 which covers all of the same events, including Dinner on Friday night.

***Registration is open to any CIArb member, regardless of Branch, and their spouse or significant other. **Registration for the Members Retreat does not include the Speakers Dinner at La Fonda which requires separate registration and an additional fee.**

AGENDA

Friday, April 14 – 6:00 p.m. – Dinner at the Inn at Loretto, featuring a Key Note by John Garman FCIArb, a former Chair of NAB.

Saturday, April 15 – 9:00 a.m. – 4:00 p.m. – An informative plenary session featuring presentations from:

- 8:30 a.m.: Opening / MC – Tom Cunningham FCIArb
- 8:30 a.m.: Opening remarks – David E. Sharp FCIArb
- 8:45 a.m.: Murray Smith, Q.C., C.Arb, FCIArb – "Different Approaches to Bias in Arbitration Around the World, or Arbitrator Liability for Non-Disclosure of Conflicts Around the World"
- 9:15 a.m.: Ann Ryan Robertson C.Arb, FCIArb / Cecilia Flores Rueda FCIArb – "U.S./Mexico Arbitration, an Overview"
- 9:45 a.m.: John Buritt McArthur FCIArb "What's So Hard Writing a Reasoned Award: Precautionary Lessons from the U.S. Experience"
- 10:15 a.m.: Break
- 10:30 a.m.: Daniel Fabio Jacob Nogueira FCIArb / Tom Cunningham FCIArb interview – "Arbitration in Brazil"
- 11:00 a.m.: Amb. (r.) David Huebner C.Arb, FCIArb, "Future Challenges in Arbitration Practice and Threats to Business as Usual"
- 11:30 a.m.: "Panel – How to Conduct a Successful Arbitration in Mexico" with Reynaldo Urriaga MCIArb, Jose Antonio Rodriguez-Marquez C.Arb, FCIArb, Sofia Gomez Ruano FCIArb, Rene di Luix FCIArb

Saturday evening, April 15:

Option A – Speakers Dinner at La Fonda Restaurant; 6:00 p.m.

Option B is still a great option: Enjoy a night out on your own or with others in Santa Fe

at one of the many gourmet restaurants within a short distance (Make dinner reservations well in advance to avoid any possible complications). Saturday afternoon is free time to enjoy sightseeing and pleasures that Santa Fe has to offer. Check the Santa Fe Visitor's Center website at <https://www.santafe.org> or call the concierge at the Inn at Loretto (505.988.5531).

Additional information will be provided to registrants as appropriate when available. It is believed that CLE has been obtained for NY, TX, CA, IL, MN, PA, and MO. CLE for some additional states is still possible.

Launch of CIArb NAB Membership Program

The North America Branch of CIArb is pleased to announce the launch of its **Membership Match** program. The program aims to add value to Associates and Members through mentoring with Fellows. Once a match is secured, the goal is to meet virtually for 30 minutes, 10 times per year to address issues unique to the mentees. The match is intended to last one year from inception but may be subject to renewal. Please contact CIArb NAB, Vice Chair of Membership, **Ava Borrasso C.Arb, FCIArb** at ajb@ajborrassolaw.com if you are interested in participating as a mentor or mentee.



Lionel Schooler FCIArb and an Employment, Litigation and Arbitration partner at Jackson Walker in Houston, was recently installed as a member of the Board of Directors of the American Bar Association's Dispute Resolution Section. In that role, he will be attending the upcoming Board Meeting and Annual Section Conference in Las Vegas on May 10–13. Mr. Schooler is a frequent author and speaker on arbitration topics. His most recent publication is "Arbitration at the Supreme Court: A Record-Setting Term," an article that was published in the ABA's Dispute Resolution Magazine in its Fall Quarterly issue.

Many may be interested in viewing the video of the viz moot contest between students in Brazil and ChatGPT. The arguments and responses to arbitrators questions from ChatGPT were voiced by actors. This event was sponsored by the Brazil Branch and can be viewed at this link: <https://www.youtube.com/live/vnl4bHOkgFM?feature=share>. It may be the first legal contest between humans and non-biological advocates.

Katherine Smith Dedrick FCIArb, Amb. (r.) David Huebner C.Arb., FCIArb, Peter Neumann FCIArb, Peter Rosen FCIArb, and David E. Sharp FCIArb presented NAB's contribution to California International Arbitration Week. Many other NAB members appeared as moderators or panelists during the events of that week, including: **Hiro Aragaki C.Arb FCIArb, Charles Dick FCIArb, Dana Welch FCIArb, Gary Benton C.Arb, FCIArb, Laura Abrahamson FCIArb, Alejandro Osuna FCIArb, Ann Ryan Robertson C.Arb, FCIArb, Cecilia Flores Rueda FCIArb, Cedric Chao FCIArb, Conna Weiner FCIArb, Elsa Ortega FCIArb, Grant Kim FCIArb, Lawrence Schaner FCIArb, Ruth Glick FCIArb, and Sarah Reynolds FCIArb**. Additionally, other CIArb members participated including **Adedoyin Rhodes-Vivour C.Arb, FCIArb, Marcio Vasconcellos ACIArb, and Adriana Uson of SIAC**.

Rose Rameau, Esq., FCIArb, Nancy Thevenin, Esq., FCIArb, and Ava Borrasso, Esq., C.Arb, FCIArb were the panelists for Ask the Arbitrator: "Women in ADR: Reflections on Unique Experiences, Perspectives, and Challenges" which is now available on the NAB website. The event was moderated by **Shakhzoda Tuchiaeva, Esq.**, who is pursuing an S.J.D. at the University of Pittsburgh School of Law.

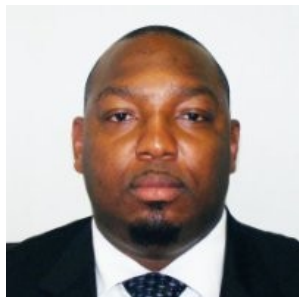
NAB Members: Don't miss an opportunity to promote yourself by publishing in Lexology! Lexology has a broad reach. If you wrote something that you are legally allowed to have published without copyright or other legal restrictions, send it to our Lexology contact, **Ava Borrasso C.Arb, FCIArb** at Ajb@ajborrassolaw.com.

John McArthur FCIArb and Northern California Chapter Chair has written a new, scholarly book, *The Reasoned Arbitration Award in the United States: Its Promise, Problems, Preparation, and Preservation*. Receive a 10% discount on online orders by using the code **NABCIARB**. Learn about the book and order here: <https://arbitrationlaw.com/books/reasoned-arbitration-award-united-states-its-promise-problems-preparation-and-preservation>. John's book explains his view that that "silent" awards are not less prone to challenge and not necessarily cheaper to prepare than reasoned awards, criticizes six ways awards often fail to give meaningful reasons, and argues that U.S. courts have improperly tended to uphold such awards as "reasoned." The work has John's extensive analysis of each ground of vacatur and its success rate based on his study of vacatur opinions in Westlaw for 2010–2017 with a link to appendices with synopses of the vacatur opinions for exceeding powers, manifest disregard, violating public policy, and evident partiality. It also has appendices for awards he treats as well reasoned and for those he views as not so. John will be speaking on awards at the upcoming NAB Members Retreat in Santa Fe in April.

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

CIArb dues for 2023. A reminder, dues for 2023 should be paid if you have not already done so. You should have received an email with a dues invoice in December 2022. Check your spam folder if you have not received one. If you have not received an email from CIArb with your dues invoice, please contact memberservices@ciarb.org.

Featured Members. This month's Featured Members are: **Amechi Nnamdi Chukwurah, Sabrina Lee, Joseph M. Matthews, Marianne C. Ramey, Brandon Renken, Jerry Roth, and Mark A. Shank.** Learn about them below and on the homepage of NAB's website [NAB Website](#).



Amechi Nnamdi Chukwurah (Atlanta, GA)

Amechi Nnamdi Chukwurah is a lawyer and a solicitor. He obtained his LLM at the University of the Witwatersrand in Johannesburg and is currently an LLM candidate at Emory University in Atlanta, Georgia. Amechi established a global legal consulting company (Sean and Sean consulting) and is its principal partner. He also is the principal partner for Alpharetta Law offices located in Abuja Nigeria. Amechi acts as counsel to financial institutions, banks, multinational companies, and embassies. He provides regulatory advisory services for companies with cross border expansion objectives. He specializes in corporate law, contracts, and immigration law, and is skilled in negotiation, legal compliance, arbitration, and dispute resolution.



Sabrina Lee (Cary, NC)

Sabrina Lee FCIArb is Litigation Counsel at ABB Inc. She handles all types of disputes for ABB across the United States, including product liability and contract disputes. Sabrina is also an adjunct professor at Duke Law School and she previously taught international arbitration at the University of Pennsylvania Carey Law School. She also sits as an arbitrator in commercial disputes. Prior to joining ABB, Sabrina was counsel in the International Arbitration group at Wilmer Cutler Pickering Hale and Dorr LLP for almost a decade, where she represented clients in international arbitrations in many industries, including manufacturing, oil and gas, and technology. She is a co-author of the United States

chapter in the 2017–2021 editions of the *International Arbitration Review*, and a fellow of the Chartered Institute of Arbitrators. Sabrina is a graduate of Stanford University and Georgetown University Law Center.



Joseph M. Matthews (Miami, FL; Washington, D.C.)

Joseph Matthews C.Arb, FCIArb has been a full-time arbitrator and mediator since 2018. He is a Fellow and Chartered Arbitrator, CIArb; fellow of the College of Commercial Arbitrators; and member of the arbitration panels of ICDR, LCIA, AAA, HKIAC, SIAC, FINRA, and the Court of Arbitration for Art. He has served as arbitrator in more than 350 cases. He is a member of the National Academy of Distinguished Neutrals and served as mediator in nearly 100 complex disputes, both domestic and

international. Joe is past president of the International Academy of Trial Lawyers and past member of the board of directors and executive committee for the American Arbitration Association. He has taught alternative dispute resolution in the U.S., Scotland, Austria, Mongolia, and China.



Marianne C. Ramey, PE, CP Eng. (Fairfax Station, VA)

Marianne Ramey FCIArb is a highly regarded independent expert on programming, critical path method scheduling, project controls and project management. She has been the independent expert on some of the largest projects and complex disputes, including numerous roadways, bridges, power and process plants, metro transportation, and buildings. She applies her project experience to understand the complex interaction of engineering, procurement, approval, and construction execution.

She is familiar with the major international contract forms and most international arbitration institute-administered proceedings. Ms Ramey is a registered Civil Engineer in the US and Australia, CIArb fellow, and contributing author to the *Delay and Disruption Protocol, 2nd Edition* and the 2021 ASCE Standard “Identifying, Quantifying, and Proving Loss of Productivity” (ASCE 7–21). She has a Master of Dispute Resolution, Master of Business Administration, and Bachelor of Science Civil Engineering.



Brandon Renken (Houston, TX)

Brandon Renken is a litigation and arbitration partner practicing out of Mayer Brown’s Houston office. Brandon prides himself on his strategic approach to efficient dispute resolution – an approach that he believes necessarily includes actually arbitrating and trying cases, rather than merely settling them. To that end, Brandon has pursued an intentionally broad-based, business-first dispute resolution practice that involves international and domestic arbitration and federal and state litigation in various

industries, from energy and construction to intellectual property and banking and nearly everything in between. A zealous advocate for both his clients and the legal profession, Brandon is also an adjunct professor at the University of Houston Law Center and hosts a micro-podcast, “Unlawful,” that is focused on celebrating the best parts of the practice of law.

Jerry Roth (San Francisco, CA; Paris, France)

Jerry Roth FCIArb is an independent arbitrator, mediator, and founder of Roth Global Law/Arb. He spent 27 years as a partner at the US law firm Munger, Tolles & Olson handling IP, oil and gas, environmental, finance and other international civil litigation and arbitration matters. Jerry is a former federal prosecutor in New York and also handled cross-border white-collar criminal cases. Jerry is former President of UIA (Union Internationale des Avocats) and, besides his Harvard Law degree, holds a French-language masters in French, European and International Business



Law from Paris II (Assas). Jerry heads up the European and Latin American desk at FedArb. He is a member of CalArb, the African Arbitration Association, and the Asia Law Initiative of the ABA, and he works in English, French and Spanish.



Mark A. Shank (Dallas, Houston, Austin, TX)

Mark A. Shank FCIArb is a lawyer, arbitrator, and mediator with nearly four decades of experience with high-stakes commercial and employment disputes. He has been recognized by Chambers USA, Best Lawyers in America, Texas Super Lawyers (top 100 in Texas). Mark is a Fellow of the College of Commercial Arbitrators, the Chartered Institute of Arbitrators, the American College of Labor and

Employment Lawyers. He is Board Certified in Civil Trial Law and Labor and Employment Law by the Texas Board of Legal Specialization. He is a member of the American Arbitration Association Commercial, Employment and Consumer panels, the American Health Lawyers Association and the International Institute for Conflict Prevention and Resolution. He is a former President of the Dallas Bar Association.

News About Members

This 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 **May 2023 newsletter be submitted by **April 17, 2023**.**

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 **FCIArb**. In addition to showcasing credentials you have earned, doing so helps all members by raising recognition of CIArb and, by association with you, helping to demonstrate that CIArb members are highly qualified individuals who have been credentialed by what in our opinion is the world's leading ADR credentialing organization.

* * *

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](#).

Facebook – Follow and like NAB's Facebook Page: [Chartered Institute of Arbitrators North America Branch - Home | Facebook](#). Interact with posts and comment on our monthly "What Do You Think?" feature about developments in ADR.

Twitter – Follow and interact with [NAB's Twitter account](#).

Instagram – Follow [NAB on Instagram](#) and help grow our presence on Instagram.

Finally, don't forget to join NAB's members only [LinkedIn Group](#). It is open to all CIArb

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. Also, check out NAB's public LinkedIn page: [Chartered Institute of Arbitrators - NAB | LinkedIn](#)



STEVEN J. COLOGNE
FCIArb

NAB Vice Chair /
Communications



JULIA SULLIVAN
FCIArb

Vice Chair / Social
Media Subcommittee

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