

April 2024

## Message from the Chair

David E. Sharp FCI Arb



Dear Members,

I hope all are doing well. It is not too late to register for the Members' Retreat in San Diego. We would love to see you there. Details are available [here](#). This is a great opportunity to become better acquainted with many of your fellow NAB members and should be an enjoyable experience. My wife and I, and many others who are already registered, hope to see you in San Diego.

We also really, really need your help to have strong attendance at the upcoming Accelerated Route to Fellowship programs. The registration and details for the April, in-person course in San Diego are available [here](#), and those for the virtual course over Zoom in May are linked [here](#). Please help publicize this course and make a few phone calls to folks who might be interested, or who have lawyers in their firms who might be interested. Your assistance is greatly needed and appreciated.

In other news, NAB is expressing an interest in hosting the CI Arb Congress which was postponed this year and may take place in the first half of 2025. A working group has been assembled and is preparing a submission to that end. Right now, it is not at all clear whether the Congress will be in London or elsewhere. CI Arb's International Board of Trustees will likely make the decision about when and where at its June meeting. In the meantime, we are expressing NAB's strong desire to host and supplying information requested by CI Arb's Headquarters in the hope that NAB will be selected in the event that the Congress "travels" for next year.

Best,

David E. Sharp FCI Arb  
NAB Chair



### Have you paid for 2024 CI Arb dues?

A lot of our members had difficulty navigating the new payment system. Please contact [memberpayments@ciarb.org](mailto:memberpayments@ciarb.org) if you need assistance.

Please note that membership renewals are no longer being processed via MyCI Arb. The email for CI Arb renewal this year is from a strange email address. You might check your junk folder and other e-mail for something from this address: From: Ciarb Service.Account2@r1.dotdigital-email.com

## Retreat Registration

### 2nd ANNUAL NAB MEMBERS' RETREAT April 19-21, 2024 • San Diego, California

Join other CIArb members in beautiful San Diego for networking and educational programming at the Humphreys Half Moon Inn on Shelter Island, only a short drive from the airport. **All CIArb members are welcome regardless of Branch.** Check out a video of the venue [here](#).

#### Event Registration:

- Registration includes a place for one at the welcome reception on Friday, Saturday morning breakfast and educational session, and farewell breakfast on Sunday.

#### Pricing:

- Registration remains open at a rate of \$645.
  - Spouses or significant others may register for an additional \$200, which covers all of the same events above.
- Our Saturday dinner at the Intercontinental San Diego is \$200 per person.

Click [here](#) for the event agenda and additional information. **While hotel accommodations are on your own**, NAB has reserved a block of rooms at [Humphreys Half Moon Inn](#) so that registrants may find a room at the venue.



CIArb has several upcoming training opportunities and resources that may be of interest, including:

- **TRAINING SERIES**  
[Learning Lab: Arbitrator Skills Development series](#)  
*six Wednesday workshops from May 15 to June 19*
- **WEBINAR**  
[Construction Disputes: Core avoidance and resolution concepts](#)  
*Apr. 25, 7am Central time*
- **AUDIOBOOK**  
[Resolving Disputes Today](#)

## Accelerated Route to Fellowship Registration (San Diego)

### ACCELERATED ROUTE TO FELLOWSHIP (INTERNATIONAL ARBITRATION) April 18-19, 2024 • San Diego, California

NAB is organizing an Accelerated Route to Fellowship ("ARF") program in San Diego before the Annual Members' Retreat.

The ARF is designed for senior practitioners in the field of dispute resolution, ordinarily with 10 years of experience in complex litigation and/or international dispute resolution. It is a qualification program; *not* a fundamentals training program. Successful completion of the program permits participants to apply to become Fellows of the Chartered Institute of Arbitrators, which allows the use of the designation FCIArb.

The program consists of five interactive breakout



### 2024 ABA Dispute Resolution Spring Conference April 10-13, 2024 • San Diego, California

CIArb NAB is pleased to partner with the ABA Dispute Resolution Section on its [26th Annual Spring Conference](#) at the Westin Gaslamp in San Diego, CA, from April 10th through 13th.

The conference will offer attendees over 70+ educational programs, separate court administrator and legal educator tracks, daily

workshops and three plenary sessions which will explore the challenges of organizing and managing a complex international arbitration and the drafting of an enforceable reasoned international arbitral award. The course brochure is available [here](#), and the registration link is above.

Registrants for the ARF may register for the Members' Retreat at a discounted rate of **\$200** by purchasing both registrations together at the ARF Registration link above.

**Agenda:**

- *Thursday, April 18 - 8:30am to 5:30pm*
- *Friday, April 19 - 8:30am to 5:30pm*

**Accelerated Route to Fellowship Registration (Virtual)**

**ACCELERATED ROUTE TO FELLOWSHIP (CONDUCTED VIRTUALLY) May 2-3 & 9-10, 2024**

NAB is also organizing an Accelerated Route to Fellowship program to be conducted virtually across four half-days in May.

**Agenda:**

- Tuesday, May 2 - 10am to 3:30pm
- Wednesday, May 3 - 10am to 3:30pm
- Thursday, May 9 - 10am to 3:30pm
- Friday, May 10 - 10am to 3:30pm

networking events including an evening Harbor Cruise of Law, yoga, walking tours of San Diego, and more. Anticipated attendance will include 500 mediators, arbitrators, legal educators, ombuds, and practitioners. Check out the [program slate](#), featuring over 125 experts in the industry.

**\*New this year\*:**

- The "Practice Building Workshop" to assist practitioners with crafting a strategic business plan, mastering financial aspects of practice, building a strong brand and client base
- The "Peer Connection Program" linking attendees in advance prior to their arrival to ensure an expanded network on-site

When registering, please select "The Chartered Institute of Arbitrators (CIArb)/North American Branch (NAB)" from the drop-down menu of Partnering Organizations, and use the discount code **SDSPEC24**, to save \$120 on the registration fee.

**Membership News**

**Cecilia Flores Rueda FCIArb** and **René Deliu Campos FCIArb** as new Chair and Co-Chair respectively, of the Mexican Chapter, recognized **Reynaldo Urtiaga FCIArb** for his two-year tenure as past Chair of the Mexican Chapter and presented him with a recognition award.

Thank you to our Los Angeles Chapter Chair **Peter Neumann FCIArb** and additional panelists Christine Kang, Luke Sobota, Patrick Zheng, Sally Harpole, and Sukhsimranjit Singh for their insightful discussion on "**Arbitrating in Time of Trade War: Successfully Navigating the**

**Arbitration Highlight**

Lionel M. Schooler FCIArb\* ● Jackson Walker LLP

**REVERSE**

**Badgerow Strikes Again! Absence of Subject Matter Jurisdiction for Award Confirmation**

In *Smartsky Networks, LLC v. DAG Wireless, Ltd. et al.*, \_\_\_ F.4th \_\_\_, 2024 WL 560717 (4th Cir. 2024), the Fourth Circuit recently addressed the impact of the U.S. Supreme Court decision in *Badgerow v. Walters*, 596 U.S. 1 (2022), which concerned the scope (and limits) of a federal court's subject matter jurisdiction to

***Minefields of National Security, Cross-Border Data Restrictions, Sanctions and US- China 'Decoupling' to Achieve Fair and Efficient Cost Resolution***", as part of California Arbitration Week. A video of the session is available [here](#).

Kudos to **Maureen Byers, C.Arb**, for kicking off our quarterly podcast mini-series **Arbitration Horizons: Tales from CIArb North America**, by Chris Campbell, Esq., the host of the well-known podcast "[Tales of The Tribunal](#)", in collaboration with NAB. Podcast recordings are available [here](#).

Congratulations to **Jim Reiman FCIArb**, whose book, ***Negotiation Simplified, a Framework and Process for Understanding and Improving Negotiation Results***, has won The Independent Press Award in the categories Business: General, and Audiobooks: Nonfiction. It is also the winner of the Nonfiction Authors Association's Gold award and the New York City Big Book Award.

confirm an arbitration award under FAA §§9 and 10. On appeal, the Fourth Circuit rejected the District Court's confirmation of the award, concluding that in this case, the District Court lacked subject matter jurisdiction to do so.

As was anticipated at the time *Badgerow* was issued, unless litigants can identify a separate basis for federal subject matter jurisdiction when seeking arbitration award confirmation or vacatur, parties will have to seek such relief in a state court of competent jurisdiction. A recent example of the presence of subject matter jurisdiction to confirm an arbitration award in a federal court in accordance with the command of *Badgerow* can be found in *Rabinowitz v. Kelman*, 75 F.4th 73 (2d Cir. 2023). In that case, the Second Circuit determined that the party seeking confirmation had clearly pled and demonstrated the existence of diversity jurisdiction, thus endowing the District Court in that case with subject matter jurisdiction to confirm the award in question.

\*Mr. Schooler is the immediate Past Chair of the Texas Chapter of the North American Branch of the Chartered Institute of Arbitrators.

[Read More](#)

## Featured Members

This month's Featured Members are:

- **Allan Banks FCIArb**
- **Charles T. (Chris) Compton FCIArb**
- **Carlos Concepcion FCIArb**
- **Alexandre (Alex) de Gramont FCIArb**
- **Felicia Harris Hoss FCIArb**
- **Dr. Aigbe (Greg) Ohihoin FCIArb**
- **Ryan Reetz FCIArb**
- **Adam Wahlquist FCIArb**

Learn about them below and on the homepage of the [NAB Website](#).



### **Allan Banks (Los Angeles, CA)**

**Allan Banks FCIArb** is a Managing Director for J.S. Held's Construction Advisory Practice. He has over 25 years of experience supporting clients in various sectors, including construction, infrastructure, civil engineering, power, government, heavy engineering, and oil and gas. He leverages extensive expertise to assist global projects of all scopes and complexities, such as the Sphere, Las Vegas, the world's first kilometer-high building, the Palm Jumeirah Island in the Gulf of Arabia, and the construction of LNG

facilities and new chemical plants.

Allan was previously an independent adjudicator, a form of rapid dispute resolution whereby the adjudicator determines the value of a payment application, requiring the vetting of construction costs in the payment period. On several occasions, Allan has been appointed and cross-examined as an expert witness for construction matters related to cost, delay, disruption, and schedule in court and arbitration.

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### **Charles T. (Chris) Compton (Silicon Valley, CA)**



**Chris Compton FCIArb** is a co-founder, previous President and currently Vice-Chairman of the Silicon Valley Arbitration & Mediation Center. He has served on the AAA's Large Complex Case Panel since 1987, the Mediation Panel for the Northern District of California and was recently appointed to China's 6th Guangzhou Arbitration Commission. He has handled a wide range of complex corporate disputes, including trade secret, contract, fraud, securities, software development, licensing, employment and antitrust issues.

As a partner at Silicon Valley's Wilson Sonsini Goodrich & Rosati, P.C., he represented technology companies and their investors in the EU, courts and arbitral tribunals for over 30 years. Chris has been named in *Chambers USA: America's Leading Lawyers for Business*, *Northern California Super Lawyers* and *Best Lawyers in America*. Chris started as a full-time military judge in the Air Force JAG.

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### **Carlos Concepcion (Miami, FL ■ Madrid, Spain)**



**Carlos Concepcion FCIArb** is Board Certified in International Litigation and Arbitration and is a Fellow of the Chartered Institute of Arbitrators and the College of Commercial Arbitrators. He has more than 35 years of experience in international commercial and investor-state disputes, especially in the intersection between common and civil law jurisdictions.

Carlos serves as counsel and international arbitrator in a wide range of international litigation and arbitration matters. His practice focuses on disputes involving financial services, design and construction, and distribution and supply chain controversies involving parties from multiple jurisdictions.

As an arbitrator, Carlos focuses on institutional proceedings involving international commercial disputes, and investment-treaty matters administered by ICSID. Carlos has worked with all the leading arbitration organizations and has conducted proceedings in Spanish and English.

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### **Alexandre (Alex) de Gramont (Washington, D.C.)**



**Alexandre (Alex) de Gramont FCIArb** is a partner in the International Arbitration Group of Dechert LLP. He has over twenty-five years of experience in international commercial and investor-state arbitration, as well as related court litigation. As counsel, he has first-chaired arbitration cases across a wide range of industries, including oil & gas, mining, life sciences, hospitality, transportation, and Internet governance. Mr. de Gramont is a co-author of *The International Arbitration Rulebook: A Guide to Arbitral Regimes*

(2019). Previously an Adjunct Professor at Georgetown Law School, he is a Fellow of the

Chartered Institute of Arbitrators and is on the ICDR Panel of International Arbitrators. Mr. de Gramont's native language is English. He is fluent in French and can read Spanish. He received his law degree from NYU Law School in 1990.

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### **Felicia Harris Hoss (Houston, TX)**

**Felicia Harris Hoss FCI Arb** is an independent mediator and arbitrator on the AAA Commercial, Energy, and Consumer panels. She is a former trial partner in international and national law firms with offices in Houston, Texas, and is recognized by her peers for inclusion among *The Best Lawyers® in America* in commercial litigation (2021-2024). For over 26 years, Felicia has helped parties avoid and resolve complex commercial and contractual disputes in various industries including energy, healthcare, construction, financial services, insurance, managed cloud services, commercial leasing, manufacturing, and employment. Felicia is Co-Chair of the ABA Early Dispute Resolution Committee, Chair-Elect for the Houston Bar Association ADR Council, and the Association of Attorney-Mediators representative on the Board of the Texas Mediator Credentialing Association. For more information, visit [www.HarrisHossPLLC.com](http://www.HarrisHossPLLC.com).

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### **Dr. Aigbe (Greg) Ohihoin (Sussex, WI)**

**Dr. Aigbe (Greg) Ohihoin FCI Arb** is a trained Arbitrator and Mediator, primarily in the health and life sciences sector. He was the first Nigerian medical doctor to pass CIARB's accelerated route to fellowship exam. Earlier in his career, Dr. Ohihoin served as a member of the CIARB's Young Member Group (YMG) international steering committee, representing Nigeria and Africa.

Dr. Ohihoin is a CEDR, UK-accredited mediator admitted into the Lagos Panel of Neutrals since 2012. He is a member of the faculty for the Mediation Skills Training (MST) of the Lagos Multidoor Court (LMDC). Trained as an OB/GYN specialist and Translational Scientist, Dr. Ohihoin is currently a Ph.D. candidate in Cell Biology and Molecular Oncology at the Medical College of Wisconsin.

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### **Ryan Reetz (Miami, FL)**

**Ryan Reetz FCI Arb** is a board certified specialist in international litigation and arbitration and Office Managing Partner of Bryan Cave Leighton Paisner's Miami office. He draws upon his experience as both a U.S. trial lawyer and an international arbitration practitioner to provide creative and effective case management and advocacy across a wide range of disputes. A former chair of the Miami International Arbitration Society, the Florida Bar's International Law Section, and the Florida Bar's Board Certification Committee for International Litigation and Arbitration, Ryan has also taught international dispute resolution courses for the last twenty years in law schools in Miami, Florida; Atlanta, Georgia; and Pamplona, Spain. Recent publications include *Public Purpose in International Law: Rethinking Regulatory Sovereignty in the Global Era* (Cambridge Univ. Press) (with Pedro J. Martinez-Fraga) and two chapters in *International Investment Arbitration in a Nutshell* (West).

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## Adam D. Wahlquist (Salt Lake City, UT ■ Irvine, CA)

**Adam D. Wahlquist FCIArb** is a dispute resolution specialist at Kirton McConkie with a focus on domestic and international arbitration. He aspires to be an arbitrator, leveraging his specialized training and experience as counsel in various arbitration proceedings. Adam has represented clients in commercial, investment, and construction disputes before leading domestic and international institutions. He also lectures on international arbitration as an adjunct professor at the Brigham Young University J. Reuben Clark Law School. Adam

is a Fellow of the Chartered Institute of Arbitrators.

## Member Engagement

### Join the Senior Lawyers Group

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**Arbital Seniors**

CIArb NAB is launching a new “Senior Lawyers Group” for CIArb NAB Fellows who are looking to grow their arbitration practices. **Michael Diamant FCIArb**, who has been an arbitrator and mediator for over 40 years, has generously agreed to lead our group. Our intent is that new arbitrators will be able to learn from each other and from more experienced arbitrators through a series of structured discussions. Our first gathering is scheduled for **Thursday, May 2, at 4:00pm Eastern**, via Zoom. In addition to organizational issues, we will address the topic “*How to get that first appointment?*”.

If you are a CIArb NAB Fellow and would like to participate in the Senior Lawyers Group, please contact [Julia Sullivan FCIArb](#). If you are interested in the Senior Lawyers Group but you are not yet a Fellow, please consider attending our upcoming Advanced Route to Fellowship program in beautiful San Diego on April 18th and 19th, immediately preceding CIArb NAB’s annual meeting.

### NAB Los Angeles Chapter Executive Committee (Proposed)

We are in the process of forming a NAB Los Angeles Chapter Executive Committee to plan and execute events, increase member engagement, and recruit new members. Please email [Peter Neumann FCIArb](#) if you are interested in serving.

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### Reaching Across the Aisle: In-House Counsel Initiative

Please join us as CIArb NAB considers how to better reach out to our in-house colleagues and offer programming that meets their needs. On behalf of the Board, [Laura Abrahamson FCIArb](#) will be heading this initiative. Please contact her if you would like to participate.

### Get involved with a NAB Committee

Communications (and its social media subcommittee), Programs, and Training would definitely appreciate help. Contact information is on the website, or email [communications@ciarbnab.com](mailto:communications@ciarbnab.com) to be directed to the right person(s).

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### Student Members

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](#).

## Report Your Good News

NAB's monthly Newsletter reports news about Members. If you have something to report, please email us at [newsletter@ciarbnab.com](mailto:newsletter@ciarbnab.com). To ensure the newsletter goes out the first business day of each month, please submit information for the **May 2024** newsletter by **April 15**.

### Reminders

#### New Email Address

If your email address changes, please remember to advise [memberservices@ciarb.org](mailto:memberservices@ciarb.org) and [communications@ciarbnab.com](mailto:communications@ciarbnab.com).

#### Lexology

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 publish without copyright or other legal restrictions, send it to our Lexology contact, [Ava Borrasso C.Arb, FCI Arb](#).

#### Newsletter Sign-Up

You can now invite non-members who might be interested to sign up for the newsletter.

When participating in a program or event of another organization, please remember to include in event flyers 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.

#### Connect on Social Media:

**LinkedIn**  
(public page)

**LinkedIn**  
(NAB members only)

**Facebook**

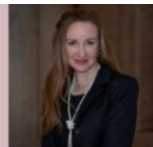
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**Instagram**



**Eugenie Rogers FCI Arb**  
Baker McKenzie

Vice Chair, Communications  
Chair, NAB YMG



**Julia Sullivan FCI Arb**  
Law Office of Julia E. Sullivan, LLC

Vice Chair, Membership  
Vice Chair, Social Media Subcommittee

Visit [www.ciarbnab.com](http://www.ciarbnab.com)

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