

June 2024

## Message from the Chair

David E. Sharp FCI Arb



Dear all,

With the heat in Houston, it is hard to believe that summer does not officially begin until later this month. Heading into June, NAB is continuing to work on future programs and invites your thoughts on programs and anything else that you might suggest to improve NAB's delivery of value to its members. Send your suggestions to [me](#), [Cecilia Flores Rueda FCI Arb](#), [Reena Soni FCI Arb](#), your area's Chapter Chair, or any of the Board members. Contact information for Chapter Chairs and Board Members is available on [NAB's website](#) on the Chapters or Board of Directors pages that are found under the "About" tab on the website.

In May, NAB held a successful virtual ARF. Hopefully, all who took the exam will pass and become Fellows. Consideration is underway about when and where to hold the next in-person and virtual ARFs, including one in Hawaii next year. Stay tuned for announcements. And, if you have a good contact who might be of assistance with an ARF in Hawaii, please contact me or NAB's Vice Chair/Training, [John Pinney FCI Arb](#). Future webinars are also being planned. If you have an idea for a webinar or other program, please contact me or Reena Soni FCI Arb, NAB's Vice Chair/Programs.

The Texas Chapter, in association with JAMS, is going to have an evening conversation with NAB's next Chair, Cecilia Flores Rueda FCI Arb, on June 4 at JAMS in Houston. I will introduce the event and the discussion will be moderated by Michael Massengale FCI Arb. A big thank you JAMS for sponsoring and to the JAMS team of Sherman Humphrey, Margaret Pope, Beth Langs, and Brittny Sorrells for doing much of the heavy lifting! JAMS has been very supportive of NAB and, in addition to hosting prior ARFs, is presently collaborating with NAB on a program for the Miami Arbitration Week (MAW) later this year. That event is being planned by Sherman Humphrey and Ava Borrasso C.Arb., FCI Arb. Also, a big thank you to NAB's Texas Chapter Co-Chairs, Denise Peterson FCI Arb and Lisa Powell FCI Arb, for their organizational efforts. If you have any suggestions for a Chapter event, please let your Chapter Chair know.

Finally, NAB hopes to hear before month's end about whether it will host the CI Arb Congress next year. A decision on the location is expected to be made by CI Arb's International Board of Trustees during its June meeting. NAB submitted a very strong bid and is hopeful that it will be selected.

Wishing each of you a very enjoyable summer and all the best,

David E. Sharp FCI Arb  
NAB Chair



## Have you paid for 2024 CIArb dues?

A lot of our members had difficulty navigating the new payment system for 2024. Please contact [memberpayments@ciarb.org](mailto:memberpayments@ciarb.org) if you need assistance.

## NAB Upcoming Events & Featured Programs

## CIArb News

### Register for June 12th Webinar

#### Cross-Over Issues and Trends in International Arbitration June 12, 2024 at 1:00pm Eastern

Featuring **Nelson Edward Timken FCIArb**  
(Timken Dispute Resolution, New York / Florida)

This webinar will delve into key crossover issues encountered in arbitration proceedings, exploring common themes and trends, such as the increasing complexity of arbitration involving multiple parties, intricate factual scenarios, and legal questions spanning various jurisdictions necessitating choice of law analysis.

With the rise of international trade and investment, there has been a notable surge in cross-border disputes, presenting challenges stemming from diverse legal systems, cultures, and languages. Construction disputes often revolve around delays, cost overruns, and technical defects, while energy disagreements typically center on pricing, long-term contracts, and environmental regulations. In technology arbitrations, the focus is primarily on intellectual property, licensing, and data privacy issues. Given this landscape, it becomes crucial for arbitration panels to develop effective strategies for managing complex proceedings. These strategies may include early case assessment, proactive case management, leveraging experts, fostering communication and transparency, and implementing cost-control measures.

The webinar will address key issues relating to the scope of arbitration agreements, challenges to arbitral awards, confidentiality, emergency relief, and the enforceability of foreign arbitral awards.

### Register for July 10th Webinar

#### Exploring the Boundaries of the Validation Principle July 10, 2024 at 12:00pm Eastern

Featuring **Dr. Matthew Secomb** and **Clemency Wang**  
(White & Case, Singapore)

Join us for our upcoming NAB webinar featuring esteemed speakers Dr. Matthew Secomb, a partner in White & Case's



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

#### LET'S DISCUSS SERIES

[Let's Discuss Global Trends in AI Regulation](#)

July 4, 7am Eastern

#### TRAINING SERIES

[Learning Lab: Arbitrator Skills Development series](#)

six Wednesday workshops  
from May 15 to June 19

#### AI & ADR: THEORY & PRACTICE SERIES

[Regulation of AI: Global trends](#)

June 13, 7am Eastern

#### ROEBUCK LECTURE 2024

[Access to Arbitral Justice for Local Communities, delivered by Professor \(Dr\) Emilia Onyema PhD, FCIArb](#)

June 26, 1:30-3pm Eastern  
(online live stream)

#### AUDIOBOOK

[Resolving Disputes](#)

International Arbitration Group in Singapore, and Ms. Clemency Wang, a dedicated member of the same group.

[Today](#)

During this session, our panelists will offer invaluable insights into the complexities and subtleties of applying the validation principle in arbitration. Don't miss this opportunity to gain a deeper understanding of this important aspect of the arbitration process.

## Register for ABA DR Section Arbitration Training Institute

**ABA Dispute Resolution Section  
2024 Arbitration Training Institute**  
Miles Mediation & Arbitration  
Atlanta, Georgia ▪ June 6 - 7, 2024

*NAB members receive a \$120 discount by registering with the code **PartOrg24***

## Membership News

We are pleased to welcome **Mauricio Gomm Santos FCIArb** (Miami) and **Harrie Samaras FCIArb** (Philadelphia) to the NAB Board of Directors.

Our Washington, D.C. Chapter is under new leadership, with **Gaela Gehring Flores FCIArb** and **Mallory Silberman FCIArb** recently agreeing to take the helm as Co-Chairs. Thank you to **Susan Franck MCIArb** who is concluding her service as Chapter Co-Chair.

Thank you to **Nelson Edward Timken FCIArb** for sharing his articles with our membership and posting these resources on our LinkedIn page, including most recently:

- [Procedural Orders in International Arbitration](#)
- [Mediating a Family Dispute](#)
- [International Arbitrator Disclosures](#)
- [Crossover Issues and Trends in International Arbitration](#)
- [Achmea, Komstroy, and Micula](#)
- [Veil-Piercing in International Arbitration](#)
- [Kompetence-Kompetence in International Arbitration](#)
- [The Seat of the Arbitration](#)
- [Major Recent Cases in International Arbitration](#)
- [Top 10 Trends Shaping International Arbitration in 2024](#)
- [Are Ad Hoc Arbitrations A Better Choice for Parties?](#)
- [Navigating Cultural Differences](#)
- [Key Issues Surrounding Third-Party Funding \(TPF\)](#)

## Student Membership Drive



### PROFESSORS!

Do your students know that CIArb membership is FREE to anyone currently studying at a university or other institute of higher education? Student members can:

- Attend and network with experienced practitioners at our many global events
- Keep up-to-date with industry news through our Resolver magazine and our monthly eSolver newsletter
- Access CIArb's peer-reviewed, academic journal Arbitration: The Journal of International Arbitration, Mediation and Dispute Management

Please help us spread the word!

More information here:

<https://www.ciarb.org/student->

- [What Is the Scope of an Arbitration Agreement?](#)

## Featured Members

This month's Featured Members are:

- **Paula Arias**
- **Roberto Hernández-Garcia**
- **Uché Ewelukwa Ofodile**
- **Juliette Ovalle Piedra**
- **Holly Stein Sollod**

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



### **Paula Arias (Miami, Florida)**

**Paula C. Arias FCIArb** is a dispute resolution expert focused on Latin America and the US. With 20+ years of legal practice, Paula is a seasoned attorney proficient in Latin American continental and US common law systems. She is licensed to practice law in both Colombia and the United States. Paula specializes in international commercial law, corporate law, and alternative dispute resolution, focusing on mediation and arbitration. She is the President of the Colombian American Bar Association (Colbar) and served as the Secretary of the Board of Directors of the Colombian American Chamber of Commerce (2021-2022).

Paula earned her Juris Doctor from the University of Miami School of Law in 2009 and her Abogado degree from Pontificia Bolivariana University in Medellín in 2003. She has also taught law for over 12 years, emphasizing conflict resolution in Latin America. Fluent in Spanish and English, Paula bridges legal cultures to foster peaceful conflict resolution.



### **Roberto Hernández-Garcia (Mexico City, Mexico)**

**Roberto Hernández-Garcia FCIArb** is an international construction lawyer with a strong focus on dispute prevention and resolution. For almost 15 years, he has served as a Dispute Board (DAB and DAAB) member in significant projects and mega-projects in 7 countries in Latin America. He is a FIDIC certified adjudicator and a certified FIDIC trainer. Roberto frequently serves as an international arbitrator in engineering and

construction disputes. He is included in the ICDR-AAA roster and has participated in arbitral procedures under ICC, LCIA, ICSID, and ICDR rules. Additionally, he is a member of the executive committee of ICC Mexico and currently serves as the First Vice President of the National Chamber of the Consulting Industry (CNEC) in Mexico. Roberto is a fellow of the American College of Construction Lawyers (ACCL) and a fellow of the International Academy of Construction Lawyers (IACL). He has authored three books on construction law matters and has served as a consulting editor and co-author of five books on construction law, government procurement, and anti-corruption. In 2023, he was officially awarded by FIDIC as the Dispute Board of the Year in the category of Commended Adjudicator. In the same year, he was honored by the Universidad Panamericana in Mexico City for 25 years of lecturing with the Alfonso X, the Wise, medal.

### **Uché Ewelukwa Ofodile (Fayetteville, Arkansas)**



**Professor Uché Ewelukwa Ofodile FCIArb** is a Senior Fellow of the Mossavar-Rahmani Center for Business and Government at Harvard's Kennedy School of Government and the E. J. Ball Professor of Law at the University of Arkansas School of Law. Her teaching and scholarship focus on international dispute settlement, intellectual property law, international trade and investment law, corporate/business law, as well as food and agriculture law. Professor Ofodile is a member of the American Law Institute and the Council on Foreign Relations.

Professor Ofodile is an active member of the African Arbitration Association (Blog Editor), the Nigerian Bar Association, the American Society of International Law, and the American Bar Association Section of International Law (ABA-SIL). She has held leadership positions in numerous professional organizations including the ABASIL (Co-Chair, Corporate Social Responsibility Committee; Co-Chair, Int'l Investment and Dev. Committee; Vice-Chair, International Intellectual Property Rights Committee), the American Society of International Law (Co-Chair, Africa Interest Group; Co-Chair, Intellectual Property Law Interest Group), and the African Society of International Law (Secretary-General). A graduate of Harvard Law School, the University College London, and the University of Nigeria, Professor Uche guest lectures on international trade, international investment and intellectual property at universities around the world.

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### **Juliette Ovalle (Mexico City, Mexico)**

**Julieta Ovalle FCIArb** is a partner at Bufete Ovalle Favela, S.C., in Mexico City. She has acted as arbitrator and counsel in institutional and ad hoc arbitrations, domestic and international. Julieta has been ranked by Chambers Latin America and Global Guide, Who's Who Legal Mexico, and Leaders League. She was included in the first issue of "The Most Influential Female Lawyers in Mexico" of Foro Jurídico magazine and in the ranking

"Power List: Most Active Female Arbitrators in 2023" published by Jus Connect. She received her law degree with honors from the Universidad Nacional Autónoma de México (UNAM), and her LL.M. from the Université de Paris 1 Panthéon-Sorbonne. She participated in the ICC Advanced Arbitration Academy for Latin America. Julieta teaches Arbitration at the Postgraduate Studies Division of the UNAM Faculty of Law. She loves classical music, opera, ballet, and tennis.

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### **Holly Stein Sollod (Denver, Colorado)**

**Holly Stein Sollod FCIArb** brings more than 40 years of experience to her global practice representing clients in high-stakes complex commercial litigation and arbitrations as a partner at Holland & Hart LLP. Holly focuses her practice as a full-time independent arbitrator handling large complex commercial business disputes, foreign and domestic. In addition to being a Fellow in CIArb, Holly is a Fellow in the College of Commercial Arbitrators, and a member of the National Academy

of Distinguished Neutrals. She serves as an arbitrator for the American Arbitration Association, the International Centre for Dispute Resolution, the CPR Dispute Resolution and the Financial Industry Regulatory Authority (FINRA). She has handled hundreds of arbitrations as chair, sole arbitrator and as member of a panel in a wide variety of industries and subject matters.

## Join the Senior Lawyers Group

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North America  
Branch



**Arbitral 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 second gathering is scheduled for **Monday, July 1, at 4:00pm Eastern**, via Zoom. In addition to organizational issues, we will address the topic “*Which institutions appoint first-time arbitrators?*”

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, watch this space for upcoming Advanced Route to Fellowship programs.

### 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.

### 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).

### 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 **July 2024** newsletter by **June 15**.

## Reminders

### New Email Address

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

### Lexology

Don't miss an opportunity to promote yourself by publishing in Lexology! Lexology has a broad reach. If you

### Newsletter Sign-Up

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

[communications@ciarbnab.com](mailto:communications@ciarbnab.com).

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](#).

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:**

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(public page)

**LinkedIn**  
(NAB members only)

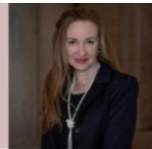
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**Eugenie Rogers FCI Arb**  
Baker McKenzie  
Vice Chair, Communications  
Chair, NAB YMG



**Julia Sullivan FCI Arb**  
Law Office of Julia E. Sullivan, LLC  
Vice Chair, Membership  
Vice Chair, Social Media Subcommittee

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