

AGENDA
CPR 2009 Annual Meeting
The Barclay Intercontinental
New York, New York
January 15-16, 2009

**Innovations in Dispute Resolution:
Lessons Learned and Predictions for the Future**

Title Sponsor:

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Thursday, January 15th

8:00 – 9:00 Registration and Networking Breakfast – Sponsored by



FRESHFIELDS BRUCKHAUS DERINGER

9:00 – 9:05 Opening Remarks

Kathy Bryan
President and CEO
CPR Institute
New York, New York

Lorraine M. Brennan
Senior Vice President, Programs and International
CPR Institute
New York, New York

9:05 – 9:15 Welcome and Introduction by Meeting Co-Chairs

Benno Kimmelman
Allen & Overy LLP
New York, New York

Beth Trent
Legal Director
Schering-Plough Corporation
Kenilworth, New Jersey

9:15 – 10:00 Keynote Speaker:
Kenneth Roth
Executive Director, Human Rights Watch

A renowned speaker and author in the human rights field, Roth has conducted human rights investigations around the globe. He will discuss his experience upholding the rule of law in situations where there is no functioning judicial system and where law enforcement is said to impede conflict resolution, as well as the lessons that might be drawn from this experience for the business community.

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**10:00 – 11:00 Perspectives from the Past and Visions of the Future: The
ADR Journey**

The field of dispute resolution, both domestic and international, has undergone dramatic change in the past three decades. These key leaders in the field of international dispute resolution have witnessed these changes first-hand. They will offer their unique insights about their own ADR journey, past and present, and their vision for the future.

Moderator

Hon. Charles B. Renfrew
Law Offices of Charles B. Renfrew
San Francisco, California

Speakers

W. Laurence Craig
Former Member, ICC Court of Arbitration
Senior Counsel, Orrick
Paris, France

Ben Heineman, Jr.

Former Senior Vice President & General Counsel
General Electric
Senior Counsel, WilmerHale
Washington, DC

James F. Henry

Founder, CPR Institute
Waccabuc, New York

11:00 – 11:15 Coffee Break – Sponsored by



11:15 – 12:15 A Business Perspective on Dispute Resolution

Commercial disputes are simply business problems seeking solutions. Each business person, depending on where they sit, has a unique perspective about the genesis of the dispute, the goals for resolution and the settlement posture. These experienced business leaders discuss their views about the pros and cons of dispute resolution techniques from their different vantage points.

Moderator

Janet S. Kloenhamer

President, Allianz of America Resolution Services
Fireman's Fund Insurance Company
Novato, California

Speakers

Timothy H. Hart

Vice President, Financial and Economic Consulting Services
Huron Consulting Group
Washington, DC

Clyde W. Lea

Deputy General Counsel- Litigation & Environmental
ConocoPhillips
Houston, Texas

Judith Miller

Senior Vice President & General Counsel
Bechtel Group, Inc.
San Francisco, California

Edward T. Reilly
President and CEO
American Management Association
New York, New York

12:15 – 12:45 Luncheon Speaker: Robert Mnookin
Harvard University - Program on Negotiation
Sponsored by



A leading expert in the field of conflict resolution and experienced mediator, Professor Mnookin has applied his interdisciplinary approach to negotiation and conflict resolution to a remarkable range of problems, both public and private. As one of the foremost thinkers on negotiation theory, he will provide his perspectives on future innovation in the field.

12:45 – 1:45 Networking Lunch -- Sponsored by



1:45 – 2:45 ADR Landscape Today: Perspectives from the Company Trenches

This panel of experienced in-house practitioners will provide a “real-time” portrait of how their companies are currently managing their litigation portfolios and effectively using dispute resolution techniques. They will address topics such as the current challenges in a complex commercial ADR, the most effective techniques in bringing about resolution of a dispute, and how their companies are meeting the challenge of increasingly complex disputes from different parts of the world.

Moderator

Catherine M. Amirfar
Debevoise & Plimpton LLP
New York, New York

Speakers

Michelle Browdy
Vice President and Assistant General Counsel
IBM
White Plains, New York

Philip S. Johnson
Chief Patent Counsel
Johnson & Johnson
New Brunswick, New Jersey

Beth Trent
Legal Director
Schering-Plough Corporation
Kenilworth, New Jersey

2:45 – 3:45

Navigating the Waters of Recent Federal Arbitration Legislation

The United States has always been in the forefront of promoting the use of alternative dispute resolution, and is widely considered to be a “pro-arbitration” venue. Despite this willingness to enforce arbitration agreements, there has been legislation and case law that appears to be heading in the opposite direction. These speakers will address recent federal arbitration legislation and case law, including the pros and cons of the Fairness in Arbitration Act and significant court decisions in the field of arbitration that may impact both domestic and international practice.

Moderator

Ann Ryan Robertson
North American Chair, Chartered Institute of Arbitrators
Ajamie LLP
Houston, Texas

Speakers

F. Paul Bland
Trial Lawyers for Public Justice
Washington, DC

Alexandre de Gramont
Crowell & Moring LLP
Washington, DC

Peter B. Rutledge
Associate Professor of Law
University of Georgia School of Law
Athens, Georgia

Edna Sussman
SussmanADR
New York, New York

3:45 – 4:15 Coffee Break -- Sponsored by



4:15 – 5:15 Law Firm Barriers to Successful ADR Practice

It is commonly understood that dispute resolution may not be in the best interest of law firm economics, and there are internal challenges, particularly conflict of interest issues, creating barriers to promotion of ADR within law firms. This panel takes on these issues head on.

Moderator

Michael Coyne

Senior VP & Associate General Counsel
JPMorgan Chase
New York, New York

Speakers

Julie Bédard

Counsel
Skadden, Arps, Slate, Meagher & Flom LLP
New York, New York

Dana MacGrath

Senior Counsel
Allen & Overy LLP
New York, New York

Lucy Reed

Freshfields Bruckhaus Deringer
New York, New York

Shai Wade

Reed Smith
London, England

5:15 – 6:15 Confessions of Leading Mediators- Successful Techniques and Strategies

How many of us have wanted to know what the Mediator is thinking as the parties present their respective cases? In this interactive panel, leading mediators will answer your pre-submitted questions on topics such as what techniques and strategies they believe to be most effective and what mistakes counsel make in presenting their clients' case. Do Mediators like dealing with parties counsel, or do they find them a hindrance in the process? Is there ever a case that just can't be resolved, despite the mediator's best efforts? This panel is your chance to hear the "inside scoop".

Moderator

Scott Donahey
Independent Arbitrator & Mediator
Palo Alto, California

Speakers

Gerald Aksen
Independent Arbitrator & Mediator
New York, New York

Zela Claiborne
JAMS, Inc.
San Francisco, California

Phillip Howell-Richardson
Consultant
SJ Berwin LLP
London, England

6:30 – 7:30 Networking Cocktail Reception -- Sponsored by

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7:30 – 9:30 CPR Awards Dinner -- Sponsored by



Presentation of CPR Annual Awards for Excellence

Sponsored by **PROSKAUER ROSE LLP**

Presentation of Student Article Award

Sponsored by
Peter & Linda Hoffman
H. & E. Benjamin Trust/NY Community Trust

Presentation of CPR Law Firm Award for Excellence in ADR

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FRIDAY, JANUARY 16TH

7:30 – 8:30 Networking Breakfast – Sponsored by



FRESHFIELDS BRUCKHAUS DERINGER

8:30 – 9:30 The Ethical Mediator

How does a mediator deal with a party who is acting in bad faith? When should a party walk away from the mediation table? This interactive session will present the five most frequent ethical dilemmas confronting mediators from different parts of the world, and will ask the audience to “vote” as to how the dilemma would be resolved.

Moderator

Lela Love

Chair, Dispute Resolution Section, ABA
Director, Kukin Program for Conflict Resolution
Benjamin N. Cardozo School of Law
New York, New York

Speakers

Eric D. Green

Professor, Boston University School of Law
Principal, Resolutions, LLC
Boston, Massachusetts

Antony Willis

Brick Court Chambers
London, England

Norris Yang

Boughton Peterson Yang Anderson
Hong Kong, China

9:30 – 10:30 Recent Developments in Arbitration Time and Cost Management

The most frequent complaint about arbitration is that it has become expensive and lengthy, or “litigation by another name”. This panel will explore the various techniques that can be employed to save time and money in an arbitration, from the drafting stage of the dispute resolution clause to the rendering of the award.

Moderator

William Baker

Counsel
Alston & Bird
New York, New York

Speakers

Benno Kimmelman
Allen & Overy LLP
New York, New York

Ank Santens
White & Case LLP
New York, New York

Anne Marie Whitesell
Of Counsel
Dechert LLP
Washington, DC

Bill Zucker
McCarter & English, LLP
Boston, Massachusetts

10:30 – 11:00 **Coffee Break – Sponsored by**



11:00 – 12:15 **Scenario Planning Exercise**

Experts from Royal Dutch Shell, known around the world for its expertise in planning for the future with tools and techniques that provide guidance on identifying trends and predicting the unpredictable, will walk us through a Scenario Planning exercise to inspire the participants to think about what the future will bring and how the dispute resolution field can be prepared for those changes.

Speakers

Carla Herron
Group Counsel- Litigation
Royal Dutch Shell Group of Companies
Houston, Texas

Curtis R. Frasier
Executive Vice President, Americas
Royal Dutch Shell Group of Companies

12:15 – 1:15 **Predictions for the Future – What will the ADR Landscape Look Like in 10 Years?**

This panel of distinguished experts will provide us with their predictions for what the future of ADR may hold. They will discuss increasing use of hybrid processes, the role

of the litigation lawyer going forward, and how businesses will operate and utilize ADR methods. They will take your questions on how businesses and law firms should be preparing for the changing landscape of ADR, and the role technology will play going forward.

Moderator

Kathy Bryan
President and CEO
CPR Institute
New York, New York

Speakers

Colin Rule
Director of Online Dispute Resolution
eBay/PayPal
San Jose, California

Robert Ruyak
Chairman
Howrey LLP
Washington, DC

Prof. Thomas Stipanowich
Academic Director, Straus Institute for Dispute Resolution
Pepperdine University School of Law
Malibu, California

1:15 Closing Remarks

Kathy Bryan
President and CEO
CPR Institute
New York, New York

CPR INSTITUTE GRATEFULLY ACKNOWLEDGES THE FOLLOWING SUPPORTERS WHOSE SPONSORSHIPS HAVE HELPED TO MAKE THE 2009 ANNUAL MEETING A SUCCESS:



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