

CONNECTIONS

AN EXCLUSIVE E-NEWSLETTER FOR CPR MEMBERS

May 20, 2009

Connecting you to the tools, best practices and resources to help you address the prevention, management and resolution of commercial conflict. Visit [our website](#) to learn how you can take full advantage of all CPR has to offer.


EARLY CASE ASSESSMENT E-SOURCE



CPR's ECA Guidelines set forth a process designed to help businesses decide early on how to manage disputes, including identifying key business concerns, assessing risks and costs, and making an informed choice or recommendation on how to handle the dispute. Find the guidelines on CPR's website [here](#).

ECA TOOLS for DOWNLOAD

- [Executive Summary \("Short Form"\)](#)
- [ECA Flow Chart](#)
- [ECA Detailed Analysis \("Long Form"\)](#)
- [Download Full ECA Document](#)

 Through periodic seminars and networking events, YADR participants get an inside look at the role of ADR systems and practices in corporations and multi-national organizations. The group is open to practicing lawyers 45 years old and younger

Inaugural Networking Event: **Insights from In-House Counsel About Today's Priorities and What It Means for Young Attorneys Going Forward**

- Michelle H. Browdy, Vice President & Asst. General Counsel, IBM Corporation
- Melanie Lewis, Director, Solutions, Coca-Cola Enterprises Inc.
- Duncan MacKay, Deputy General Counsel, Northeast Utilities
- Beth Trent, Legal Director, Schering-Plough Corporation (Invited)

Date/Time: June 2 from 6:00 – 7:30 pm. Cocktail Reception to follow.

Location: Allen & Overy LLP, 1221 Avenue of the Americas, New York, NY

RSVP: Julie DeSarbo at +1.646.753.8231 or jdesarbo@cpradr.org

2-DAY BASIC MEDIATOR TRAINING

For individuals who want to become mediators, this is a must-have course! It also satisfies SDNY training requirements for lawyer mediators.

Location: CPR Institute, 575 Lexington Avenue, 21st



CPR Honored by ACRGNY - June 25

CPR will receive the 2009 ADR Achievement Award from the Association for Conflict Resolution-Greater New York (ACRGNY) on June 25 in New York City. Help support this great organization and join us there!

■ [Learn More](#)

ADR MUST READ: *Alternatives May Issue*

Feature: Deborah Katz, U.S. Transportation Security Administration, describes how the agency remade its conflict resolution processes into a full-fledged decision-making & management system. (Part 1 of 2)

International ADR: Mauro Rubino-Sammartano discusses European alternatives to arbitration that have proven effective in resolving commercial disputes.

U.S. Supreme Court Analysis: 14 Penn Plaza LLC v. Pyett may signal a change in labor arbitrators' skills. Christopher Walsh analyzes the case and what to expect as a result of Justice Thomas' majority opinion.

Mediation: U.S. District Court judge closes books on remaining Sept. 11 victim families' cases, and

Floor, New York, NY

Date/Time: June 8-9, 2009 from 9:00am-5:30pm

Trainer: Margaret Shaw

Cost: \$1,295

NY CLE Credits: 17 Skills & 1 Ethics/This course is nontransitional and not acceptable for newly admitted attorneys.

- [Register Now](#)
- [View Agenda](#)

CPR RESPONDS TO HEALTHCARE CHALLENGES

The health care industry is poised for reform. As litigation exposure continues to rise, CPR's members are increasingly require highly-qualified mediators and arbitrators specializing in life sciences and health care-related disputes.



CPR now has a **Health Care & Life Sciences Panel** of neutrals expert in these matters, including disputes involving health care entities, hospitals and hospital systems, physicians and other health care providers, collaborative arrangements, managed care and HMO's, pharmaceutical and medical device manufacturers. The panel also includes neutrals with experience in intellectual property* related to health care and the life sciences, clinical trials, R&D and bioethics. *IP disputants may also consult our Technology Panel.

CPR Members may access all Specialty Panels [here](#).

Non-members should call Helena Tavares Erickson at +1.646.753.8237.

COMMITTEE NEWS

- The **Arbitration Subcommittee on Expedited Rules** is meeting via telephone on June 4 at 11 am EST to review the latest draft of "Global Expedited Rules". Contact Helena Tavares Erickson at herickson@cpradr.org.
- CPR's **Early Case Resolution Committee** has begun forming a new panel of expert settlement counsel. A joint meeting with the **Product Liability Committee** is tentatively slated for late May/early June to commence work on CPR's Early Case Resolution Guidelines. Contact Tom Aldrich at taldrich@cpradr.org.
- A subcommittee of the **Insurance Committee** is considering ways to increase corporate membership in the committee and also looking at the possibility of offering in-house inter-company dispute mediation training. Contact Tom Aldrich at taldrich@cpradr.org.

ABA-DR SECTION SETS OUT LIMITS ON MEDIATOR DISCLOSURE

e-Summary by Russ Bleemer, editor of *Alternatives*



An employer tells you, in a private caucus meeting, that not only has it filed the suit you are mediating against its ex-employee, but it also has turned the matter over to law enforcement. How can that fact be conveyed to the defendant ex-employee in pursuit of a settlement?

On May 13th, the ABA Section of Dispute Resolution's Committee on Mediator Ethical Guidance tackled the question. In SODR-2009-2 (available [here](#)), the committee recommends that the mediator "ask some questions that do not make direct or indirect references to the confidential

hails the Skadden Arps mediator who successfully settled the cases.

- [Access This Month's Issue](#)

Save the Date!

2009 Corporate Leadership

Award Dinner will take place on November 3. Co-honorees will be Tom Sager of DuPont and Amy Schulman of Pfizer.

2010 CPR Annual Meeting will be held at the Barclay Intercontinental in New York on January 14-15.

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The International Institute for Conflict Prevention and Resolution

575 Lexington Ave., 21st floor

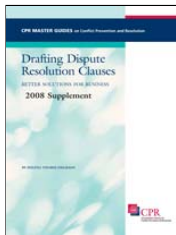
New York, New York 10022

Phone: +1.212.949.6490

enews@cpradr.org

caucus communications, but that still allow the employee to consider the possible consequences of failing to settle in the mediation.” [Read full summary here.](#)

ADR TOOLS & RESOURCES ON SALE NOW!



Drafting Dispute Resolution Clauses 2008

Supplement: This Supplement provides a listing of the most recent important developments and helpful references relevant to the drafting of dispute resolution clauses. Price: \$29 Members/\$39 Nonmembers

■ [Learn More](#)



Managing Franchise Relationships Through

Mediation: This volume assists in creating a fair and expeditious way of resolving disputes in the franchise community. In addition to providing franchise mediation procedures, the publication comprises case-study narratives

from eight leading franchisees and franchisors. Price: \$30 Members/\$50 Nonmembers

■ [Learn More](#)



CPR Protocol on Disclosure of Documents and Presentation of Witnesses in Commercial Arbitration:

This brochure outlines ways in which reasonable limitations may be placed on disclosure and efficiencies gained in the presentation of witness testimony in arbitration hearings.

Order a FREE copy today!

■ [Learn More](#)

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