

## AGENDA

**CPR's 2012 Annual Meeting**  
**It's A Shrinking World: Acceleration and Evolution in**  
**Dispute Resolution**  
The Barclay InterContinental  
New York, New York  
January 12-13, 2012

Sponsored By:  
**SNR DENTON** 

**Thursday, January 12, 2012**

**8:00 – 9:00 am**                      **Registration and Networking Breakfast- Sponsored by:**



**9:00 – 9:05 am**                      **CPR Opening Remarks**

**Beth Trent**

Senior Vice President and Director of Programs  
CPR Institute  
New York, NY

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

**Elliott Portnoy**

Global Chief Executive  
SNR Denton  
Washington, D.C.

**Alex Schoch**

General Counsel  
Peabody Energy Corporation  
St. Louis, MO

**Introduction of Keynote Speaker: Steve Klugman of Debevoise & Plimpton LLP**

**9:15 – 10:15 am**                      **Keynote Speaker**

**Scott Turow**

Partner  
SNR Denton  
Chicago, IL

Scott Turow is an award winning author of nine best-selling novels and two works of non-fiction. As a partner at SNR Denton, he continues to practice law, including *pro bono* matters such as the 1995 case in which he won the release of Alejandro Hernandez, who had spent 11 years on death row for a murder he did not commit. In 2004, he won the Robert F Kennedy Book award for Ultimate Punishment: A Lawyer's Reflections on Dealing with the Death Penalty.

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DEBEVOISE & PLIMPTON LLP

**10:15 – 10:45 am**      **Coffee Break – Sponsored by:**



**10:45 am – 12:15 pm**      **Current Perspectives on the Law and ADR**

Increasingly, all disciplines are seeking to make decisions based on empirical evidence and ADR is no different. This panel focuses on recent research and survey results regarding corporate legal practice and ADR, including the recently completed Cornell/CPR/Pepperdine survey of the Fortune 1000, the Rand Report on Business-to-Business Arbitration in the United States, the Deloitte Global Corporate Counsel Report 2011, and the 2010 International Arbitration Survey conducted at Queen Mary, University of London, in conjunction with White & Case LLP.

**Moderator**

**David Bruce Lipsky**

Anne Evans Estabrook Professor of Dispute Resolution  
Director, Scheinman Institute on Conflict Resolution  
ILR School, Cornell University  
Ithaca, NY

**Speakers**

**Paul Friedland**

Partner  
White & Case LLP  
New York, NY

**Fred Kipperman**

RAND Institute for Civil Justice  
Santa Monica, CA

**Gregory Swinehart**

National Managing Partner of Forensic & Dispute Services  
Deloitte LLP  
New York, NY

**12:15 – 1:15 pm**      **Business Roundtable**

Even before the recent economic turmoil, in-house legal departments have been under continuing pressure to seek innovative and cost effective methods to resolve their disputes. On this dynamic panel, you will hear from leading General Counsel regarding the implications of the ADR surveys discussed during the prior panel. In addition, the panel will address innovative and practical steps they have taken – or are thinking about taking – to reduce both the increasing cost and time consumed in dispute resolution and minimize business disruptions.

**Moderator****Richard Ziegler**

Managing Partner, New York Office  
Jenner & Block LLP  
*Former General Counsel, 3M*  
New York, NY

**Speakers****Carlos Hernandez**

Senior Vice President, Chief Legal Officer and Secretary  
Fluor Corporation  
Irving, TX

**Janet Langford Kelly**

Senior Vice President, Legal  
General Counsel and Corporate Secretary  
ConocoPhillips  
Houston, TX

**Bradley E. Lerman**

Associate General Counsel & Head of Litigation  
Pfizer Inc.  
New York, NY

**Jean-Claude Najjar**

General Counsel, France  
General Electric  
Paris, France

**1:15 – 2:30 pm****Networking Lunch – Sponsored by:****DICKSTEINSHAPIRO<sub>LLP</sub>****2:30 – 2:45 pm****CPR Awards Presentation**

Join CPR in recognizing leadership and innovation in the field of conflict prevention, management and resolution as we announce the winners of CPR Awards for Excellence in ADR.

**2:45 – 4:15 pm****We Have Met the Enemy and It is Us**

Often with the best of intentions, ADR clients, practitioners and neutrals take steps in the ADR process that undermine negotiations and reduce the likelihood of a successful outcome. This panel will address problems faced by in-house counsel, ADR practitioners and neutrals throughout the entire ADR process. The discussion begins with laying the foundation within companies for effective ADR practice. In addition, the panel will address problems in ADR practice from the perspectives of all stakeholders, and how parties and practitioners may make resolution harder and/or more costly to achieve. The panel will cite specific examples and draw from their significant experience to identify successful approaches to dispute resolution.

**Moderator****Peter Harvey**

Partner  
Patterson Belknap Webb & Tyler LLP  
*Former Attorney General of New Jersey*  
New York, NY

## Speakers

### **James Breen**

President  
Breen Law Firm  
Pembroke Pines, FL

### **Michael Moore**

Partner  
SNR Denton  
Dallas, TX

### **Christopher Nolland**

President  
Offices of Christopher Nolland, Esq.  
Dallas, TX

### **Edna Sussman**

Independent Arbitrator and Mediator  
Distinguished ADR Practitioner in Residence  
Fordham Law School  
New York, NY

**4:15 – 4:45 pm**

**Coffee Break – Sponsored by:**



**4:45 – 6:00 pm**

## **Developments in International Dispute Resolution**

As cross-border transaction become increasingly common at all levels of business, effective dispute resolution techniques that incorporate different cultural approaches to resolving conflict, emerging legal issues, and changes in arbitration rules and mediation protocols are critical to business success. This panel will address emerging issues, including the varied approaches to implementation of the EU Mediation Directive by member nations, the UNCITRAL Working Group III Online Dispute Resolution initiative, risks to enforceability of awards and other late-breaking concerns.

## **Moderator**

### **Jose Astigarraga**

Partner  
Astigarraga Davis  
Miami, FL

## **Speakers**

### **Teresa Giovannini**

Partner  
Lalive  
Geneva, Switzerland

### **Eduardo Damião Gonçalves**

Partner  
Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advs.  
São Paulo, Brazil

**Colin Rule**  
Chief Executive Officer  
Modria.com  
San Jose, CA

**Christopher K. Tahbaz**  
Partner  
Debevoise & Plimpton LLP  
New York, NY

**6:00 – 8:00 pm      Networking Cocktail Reception – Sponsored by:**



**Friday, January 13, 2012**

**8:00 – 9:00 am      Registration and Networking Breakfast**

**9:00 – 9:10 am      Welcome & Introduction**

**Beth Trent**  
Senior Vice President and Director of Programs  
CPR Institute  
New York, NY

**Introduction of Keynote Speaker: Greg Swinehart of Deloitte LLP**

**9:10 – 10:00 am      Keynote Speaker**

**Harriet E. Miers**  
Partner, Litigation & Public Policy  
Locke Lord Bissell & Liddell LLP  
Dallas, TX

Harriet Miers served in the administration of President George W. Bush as Staff Secretary, Deputy Chief of Staff, and Counsel to the President. In a career of “firsts”, she was the first woman hired at Locke Purnell Boren Laney & Neely. In 1985, Ms. Miers was selected as the first woman to become President of the Dallas Bar Association and, in 1992, she became the first woman President of the State Bar. In 1996, she became the first woman to lead her firm. Her keynote address will reflect on unique opportunities and challenges inherent in issues involving government interests.

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**10:00 – 11:00 am      Roundtable on Mediation with the Government**

Federal and state entities are playing an increasingly important role in legal issues faced by corporations, including regulatory development, enforcement actions and litigation by third parties on issues of importance to government entities. Even when they are not parties to a dispute, governmental entities often must be included in any dispute resolution process if it is to be successful. Effective engagement of governmental entities requires corporate counsel to identify and address policy and practical issues that shape the government’s approach to an issue and can have substantive effects on the ability to

reach a negotiated outcome. This panel will explore and describe the many ways in which corporations and Federal and state governments interact and demonstrate the best approaches in negotiating with government officials. The panel will cite specific examples and draw from their significant experience representing corporation or federal agencies.

**Moderator**

**John Bickerman**

President

Bickerman Dispute Resolution, PLLC

Washington, DC

**Speakers**

**Sheila Birnbaum**

Partner

Skadden, Arps, Slate, Meagher & Flom LLP

New York, NY

**Joanna Jacobs**

Director, Office of Dispute Resolution

U.S. Department of Justice

Washington, DC

**Peter Morgan**

Partner

Dickstein Shapiro LLP

Washington, DC

**Peter Steenland**

Counsel

Sidley Austin LLP

Washington, DC

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

**Patterson Belknap Webb & Tyler LLP**

**11:30 am – 1:15 pm**      **Ethical Issues in Mediation and Arbitration**

Based on case studies presented in Ellen Waldman’s recently published book, Mediation Ethics, and arbitration case studies prepared for this panel, the audience will have an interactive opportunity to delve deeply into fundamental ethical issues faced in mediation and arbitration, including conflicts of interest, confidentiality, and multi-cultural issues. Using advanced technology, the audience will engage in real-time analysis of the issues.

**Facilitators**

**Charles Craver**

Freda H. Alverson Professor of Law

George Washington University, School of Law

Washington, DC

**Kathleen Scanlon**

President

Law Offices of Kathleen M. Scanlon, PLLC

New York, NY

**Ellen Waldman**  
Professor of Law  
Thomas Jefferson School of Law  
San Diego, CA

*Survey on Women and Dispute Resolution* supported through a donation from:



**1:15 – 1:30 pm**

**Closing Remarks**

**Kathleen A. Bryan**  
President and CEO  
CPR Institute  
New York, NY

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**CPR Institute gratefully acknowledges the following additional supporters whose sponsorships have helped to make the 2012 Annual Meeting a success:**



**ALLEN & OVERY**



**Jack P. Levin**  
Arbitrator & Mediator

**MICHAELSON ADR CHAMBERS, LLC**



**JENNER & BLOCK**

**Irene C. Warshauer, Esq.**  
Attorney At Law | Arbitrator | Mediator

**SUTHERLAND**

