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:

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

   Elliot 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:

Jeff KICHAVEN
“The Way Mediation Ought To Be”

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 Najar
General Counsel, France
General Electric
Paris, France

1:15 – 2:30 pm Networking Lunch – Sponsored by:

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 Adv.
São Paulo, Brazil
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.

Supported through a donation from:

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

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