

NEW YORK STATE BAR ASSOCIATION

Dispute Resolution Section & Corporate Counsel Section Annual Meeting

Thursday, January 29, 2015

New York Hilton Midtown

1335 Avenue of the Americas, New York City
(Between West 53rd and West 54th Streets)

Dispute Resolution Section Executive Committee Meeting

8:00 a.m. - 9:00 a.m.

Morgan, 2nd Floor

MCLE Morning Program

9:00 a.m. - 12:40 p.m.

Rendezvous Trianon, 3rd Floor

MCLE Afternoon Program

2:30 p.m. - 5:15 p.m.

Rendezvous Trianon, 3rd Floor

Networking Luncheon

12:40 p.m.

Dorsey & Whitney LLP,
51 West 52nd Street

Cocktail Reception

6:00 p.m.

Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas

IMPORTANT INFORMATION

Under New York's MCLE rule, this program has been approved for a total of **7.0 credit hours**, consisting of 1.0 credit in Ethics and Professionalism, 5.0 credits in Skills and 1.0 credit in Areas of Professional Practice. This course **WILL** qualify for credit for newly admitted attorneys because it is also a basic practical skills program.

Discounts and Scholarships: New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. ***This discount applies to the educational portion of the program only.*** Under this policy, any member of our Association or non-member who has a genuine basis for their hardship, if approved, can receive a discount or scholarship, depending on the circumstances. Request for discounts or scholarships must be received by January 10th, 2015. For more details, please contact Adriana Favreau in writing at New York State Bar Association, One Elk Street, Albany, New York 12207 or afavreau@nysba.org.

Dispute Resolution Section Chair

Sherman W. Kahn, Esq.

Mauriel Kapouytian Woods LLP
New York City

Corporate Counsel Section Chair

Thomas A. Reed, Esq.

New York City

Program Co-Chair

Hui Liu, Esq.

Mauriel Kapouytian Woods LLP
New York City

Program Co-Chair

Elizabeth J. Champnoi, Esq.

Stout Risius Ross, Inc.
New York City

Program Co-Chair

Steven R. Schoenfeld, Esq.

DelBello Donnellan Weingarten
Wise & Wiederkehr, LLP
White Plains

How to Succeed in ADR (by Really Trying) - A Blueprint for the Effective Use of Arbitration and Mediation

8:00 - 9:00 a.m.

Dispute Resolution Section Executive Committee Meeting

9:00 - 9:05 a.m.

Welcoming Remarks: Sherman W. Kahn, Esq., Dispute Resolution Section Chair

9:05 - 10:45 a.m.

ADR Choices Have Consequences - A debate on pros and cons of arbitration

To arbitrate or litigate? This is a question facing many in-house lawyers when entering into contracts or when conflicts arise. The panelists will engage in a lively debate on the pros and cons of arbitration to help you decide in given circumstances which alternative will be best for your client.

(2.0 credit hours in Skills)

Moderator:

Hon. Judith S. Kaye, Skadden, Arps, Slate, Meagher & Flom LLP, New York City

Panelists:

Theodore K. Cheng, Esq., Fox Horan & Camerini LLP, New York City

Harold A. Kurland, Esq., Ward Greenberg Heller & Reidy LLP, Rochester

Robert R. Elliott, III, Esq., BNP Paribas, New York City

Brook F. Gardiner, Esq., NFL Management Council, New York City

Jonathan R. Goldblatt, Esq., The Bank Of New York Mellon, New York City

Gail M. Norris, Esq., University Of Rochester, Pittsford

10:45 - 11:00 a.m.

Networking Break

11:00 - 11:50 a.m.

Nothing But the Truth? - Ethical duties of candor in ADR

This session will present an in-depth discussion of advocates' and neutrals' duty of candor in various ADR processes and when and how they apply in real life situations. The panelists include a neutral, an in-house attorney and an advocate who will discuss ethical dilemmas that have arisen in actual ADR proceedings and offer their guidance – from various perspectives – on how to approach and resolve them. (1.0 credit hour in Ethics)

Moderator:

Jill. I. Gross, Esq., Pace Law School, White Plains

Panelist:

Jack P. Levin, Esq., LevinADR, New York City

Ellen Slipp, Esq., CitiPrivate Bank North America, New York City

Erik S. Groothuis, Esq., Schlam Stone & Dolan LLP, New York City



11:50 a.m. - 12:40 p.m.	The Verdict - How do arbitrators actually deliberate - An insider's view of the decision - making process (1.0 credit hour in Areas of Professional Practice)
Moderator:	Elizabeth J. Champnoi, Esq., Stout Risius Ross, Inc., New York City
Panelists:	Hon. Barry A. Cozier, LeClair Ryan, New York City Erica B. Garay, Esq., Meyer, Suozzi, English & Klein P.C., Garden City Charles J. Moxley, Jr., Esq., MoxleyADR LLC, New York City Stephen P. Younger, Esq., Patterson Belknap Webb & Tyler LLP, New York City
12:40 - 2:30 p.m.	The Neutral Gourmet: Networking Lunch Dorsey & Whitney LLP, 9th Floor, 51 West 52nd Street (between 5th & 6th Ave)
2:30 - 4:10 p.m.	And Justice for All? – A mock mediation This mock mediation session will highlight the key advantages of using mediation to resolve disputes through a mock mediation led by an experienced mediator, and including two in-house attorneys who are actual mediation users, and two outside advocates. The mock will dramatize the process of mediation to expose the different perspectives and motivations of the various participants and demonstrate how an experienced mediator can utilize these underlying dynamics to achieve conflict resolution. (2.0 credit hours in Skills)
Moderator:	Steven R. Schoenfeld, Esq., DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, White Plains
Panelists:	Deborah Masucci, Esq., Masucci Dispute Management & Resolution Services, Brooklyn Pamela B. Corrie, Esq., General Electric Capital Corporation, Norwalk, CT Michael E. Kreitman, Esq., Macy's, Inc., New York City Leslie Berkoff, Esq., Morritt Hock & Hamroff LLP, Garden City Steven M. Kayman, Esq., Proskauer Rose LLP, New York City
4:10 - 4:25 p.m.	Networking Break
4:25 - 5:15 p.m.	Show Me the Money! – How damages are determined in arbitration Arbitration may provide a preferable alternative to costly and public litigation, but is it also the best forum for recovering and maximizing damages? The panel, including an economic damages expert, an arbitrator as well as advocates will offer a comprehensive and illuminating discussion of issues concerning damages determination in arbitration. These include the frequently applied “reasonable certainty” standard, the impact of different legal systems (civil vs. common law systems) on damages determination, and the role of economic and other damages experts in arbitration. (1.0 credit hour in Professional Practice)
Moderator:	Hui Liu, Esq., Mauriel Kapouytian Woods LLP, New York City
Panelists:	Lea M. Haber Kuck, Esq., Skadden, Arps, Slate, Meagher & Flom LLP, New York City Richard L. Mattiaccio, Esq., Squire Patton Boggs Neil Steinkamp, Stout Risius Ross, Inc., New York City Amianna Stovall, Esq., Constantine Cannon, LLP
6:00 p.m.	Networking Cocktail Reception in association with the New York International Arbitration Center at Paul, Weiss, Rifkind, Wharton & Garrison LLP 1285 Avenue of the Americas



Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Adriana Favreau at 518-487-5630.



For overnight room accommodations, please call the New York Hilton Midtown at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association. Room rates are \$259.00 for single/double occupancy. Reservations must be made by December 22, 2014. You also can reserve your overnight room on the web at www.nysba.org/15accomm.



For questions about this specific program, please contact Adriana Favreau at 518-487-5630. **For registration questions only, please call 518-487-5621. Fax registration form to 518-463-5993.**

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