

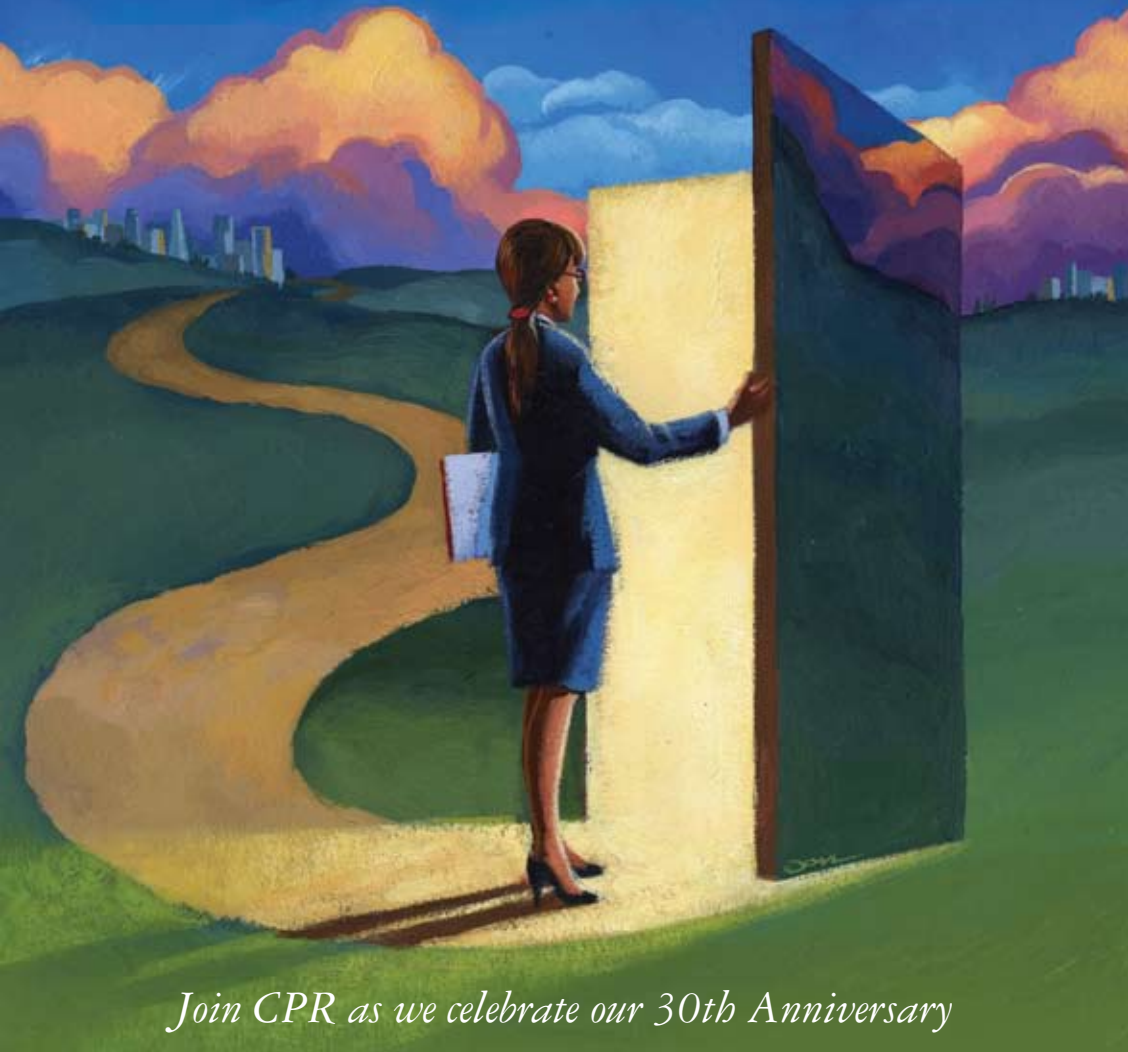
2009 CPR  
ANNUAL MEETING

JANUARY 15-16, 2009  
NEW YORK CITY



1979 30 YEARS 2009

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



sponsored by  
**ALLEN & OVERY**

**Join** the CPR Institute and our esteemed colleagues in celebrating the last three decades of progress in the field of Alternative Dispute Resolution. On the occasion of CPR's 30th Anniversary, we will reflect on the evolution of commercial conflict resolution and explore our visions for the future.

CPR is renowned for providing executive-level networking, the highest quality dialogue, and the most practical take-away learning in the field. This year is no exception!

We will begin with a keynote address from Ken Roth, the Executive Director of Human Rights Watch, who will share his experiences investigating and resolving human rights abuses around the world and reflect on the lessons we can learn in resolving complex, international disputes. Then, our interactive panels will include real world perspectives and best practices from leading General Counsel, practicing attorneys, international arbitration/mediation experts, and top academics. Finally, we will recognize excellence in the field with our Annual Awards Dinner.

This 30th Anniversary Meeting promises to be one of the most substantive in CPR's history. We hope you will take this opportunity to strengthen your affiliation with the CPR Institute by joining us in January.

Attendance will be limited, so register early.



*Kathleen Bryan*

Kathleen A. Bryan  
President & CEO

## An Event Not To Be Missed!

CPR's Annual Meetings have claimed a unique niche for bringing together the world's most innovative thinkers, futurists, and ADR experts to analyze and provide techniques, processes, and systems to improve conflict management efforts around the globe. As a participant, you will:

- Acquire innovative ADR strategies and benchmark best practices to positively impact your bottom line.
- Access executive-level discourse on mediation, arbitration, and other ADR tools.
- Gain valuable insight regarding current trends and practices in commercial dispute resolution.
- Utilize numerous networking opportunities to develop new business contacts and share ideas.
- Make real connections with leading ADR practitioners and thought leaders from around the world.
- Position your organization at the forefront of resolving business and public disputes through ADR.

## 2009 ANNUAL MEETING ADVISORY COMMITTEE

### CO-CHAIRS:

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**Beth Trent**  
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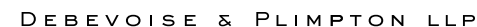
**Irene C. Warshauer**  
Law Office of Irene C. Warshauer

**R. Bruce Whitney**  
Air Products and Chemicals, Inc.

**Stephen P. Younger**  
Patterson Belknap Webb & Tyler LLP

**Pearl Zuchlewski**  
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## 2009 ANNUAL MEETING SPONSORS



# MEETING AGENDA



DAY 1  
THURSDAY  
JANUARY 15

## Registration and Networking Breakfast

🕒 8:00 – 9:00am

## Welcome and Introduction by Annual Meeting Co-Chairs

🕒 9:00 – 9:15am

## KEYNOTE SPEAKER



**Kenneth Roth**  
Executive Director  
Human Rights Watch

🕒 9:15 – 10:00am

A 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.

## Perspectives from the Past and Visions of the Future: The ADR Journey

🕒 10:00 – 11:00am

The field of dispute resolution has undergone dramatic change in the past three decades. Key leaders in the field of international dispute resolution, who have witnessed these changes first-hand, will offer their unique insights about the ADR journey and will share their vision for the future.

**Hon. Charles B. Renfrew (Moderator)**  
Law Offices of Charles B. Renfrew

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

**Ben Heineman, Jr**  
Former Senior Vice President-General Counsel  
General Electric  
Senior Counsel  
WilmerHale

**James F. Henry**  
Founder  
CPR Institute

**William Neukom (invited)**  
Past President, ABA  
Partner  
K & L Gates LLP

## Coffee Break

🕒 11:00 – 11:15am

## A Business Perspective on Dispute Resolution

🕒 11:15 – 12:15pm

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

**Janet S. Kloenhamer (Moderator)**  
President, Allianz of America Resolution Services  
Fireman's Fund Insurance Company

**Edward T. Reilly**  
President and CEO  
American Management Association

**Anastasia Kelly**  
Executive Vice President & General Counsel  
American International Group, Inc.

**Clyde W. Lea**  
Deputy General Counsel-Litigation & Environmental  
ConocoPhillips

## LUNCHEON SPEAKER

**Robert Mnookin**  
Program on Negotiation  
Harvard University

🕒 12:15 – 1:45pm

One of the foremost thinkers on negotiation theory will provide his perspectives on future innovation in the field.

## ADR Landscape Today: Perspectives from the Company Trenches

🕒 1:45 – 2:45pm

In-house practitioners provide a “real-time” portrait of how their companies are currently managing their litigation portfolios and using dispute resolution techniques. They will address current challenges in commercial ADR, 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.

**Catherine M. Amirfar (Moderator)**  
Debevoise & Plimpton LLP

**Michelle Browdy**  
Vice President and Assistant General Counsel  
IBM

**Philip S. Johnson**  
Chief Patent Counsel  
Johnson & Johnson

**Beth Trent**  
Legal Director  
Schering-Plough Corporation

## Navigating the Waters of Recent Federal Arbitration Legislation

🕒 2:45 – 3:45pm

The U.S. has always been at the forefront of promoting the use of ADR, and is widely considered to be a “pro-arbitration” venue. Despite this openness, recent legislation and case law 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 that may impact domestic and international practice.

**Ann Ryan Robertson (Moderator)**  
N. American Chair, Chartered Institute of Arbitrators  
Ajamie LLP

**Arif Ali**  
Co-Chair, International Dispute Resolution Group  
Crowell & Moring LLP

**F. Paul Bland**  
Trial Lawyers for Public Justice

**Peter B. Rutledge**  
Associate Professor of Law  
University of Georgia School of Law

**Edna Sussman**  
Hoguet Newman, Regal & Kenney, LLP

**Cliff Palefsky**  
McGuinn, Hillsman & Palefsky

## Coffee Break

🕒 3:45 – 4:15pm

## Law Firm Barriers to Successful ADR Practice

🕒 4:15 – 5:15pm

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 will address these issues head-on.

**Amy Schulman (Moderator)**  
Senior Vice President, General Counsel  
Pfizer

**Barry Garfinkel**  
Skadden, Arps, Slate, Meagher & Flom LLP

**Dana MacGrath**  
Allen & Overy LLP

**Lucy Reed**  
Freshfields Bruckhaus Deringer

**Shai Wade**  
Reed Smith

## Confessions of Leading Mediators – Successful Techniques and Strategies

🕒 5:15 – 6:15pm

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. Is there ever a case that just can't be resolved, despite the mediator's best efforts?

**Scott Donahey (Moderator)**  
Independent Arbitrator & Mediator

**Gerald Aksen**  
Independent Arbitrator & Mediator

**Zela Claiborne**  
JAMS, Inc.

**Phillip Howell-Richardson**  
SJ Berwin LLP

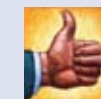
## Networking Reception

🕒 6:30 – 7:30pm

## CPR Awards Dinner

🕒 7:30 – 9:30pm

## THE CPR AWARDS PROGRAM



Join CPR in recognizing leadership and innovation in the field of conflict prevention, management and resolution.

Awards include:

- 26th Annual CPR Awards
- 2nd Annual CPR Law Firm Award for Excellence in ADR
- *New!* CPR Award for Outstanding Contribution to Diversity in ADR

Annual Awards Sponsor

**PROSKAUER ROSE LLP**

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ATTORNEYS AT LAW

Student Article Award Sponsor

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

# MEETING AGENDA



DAY 2  
FRIDAY  
JANUARY 16

## Networking Breakfast

⌚ 7:30 – 8:30am

## The Ethical Mediator

⌚ 8:30 – 9:30am

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.

### Lela Love (Moderator)

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

### L. Yves Fortier

Ogilvy Renault, Canada

### Eric D. Green

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

### David Sandborg

Professor of Law  
University of Hong Kong

### Antony Willis

Brick Court Chambers, U.K.

## Recent Developments in Arbitration Time and Cost Management

⌚ 9:30 – 10:30am

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.

### William Baker (Moderator)

Alston & Bird

### Benno Kimmelman

Allen & Overy LLP

### Jonathan Hamilton

White & Case LLP

### Anne Marie Whitesell

Dechert LLP

### Bill Zucker

McCarter & English, LLP

## Coffee Break

⌚ 10:30 – 11:00am

## Scenario Planning Exercise

⌚ 11:00 – 12:15pm

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.

### Carla Herron

Group Counsel - Litigation  
Royal Dutch Shell Group of Companies

### Curtis R. Frasier

Executive Vice President, Americas  
Royal Dutch Shell Group of Companies

## Predictions for The Future – What will the ADR Landscape Look Like in 10 Years?

⌚ 12:15 – 1:15pm

This panel will provide their predictions for the future of ADR. They will discuss increasing use of hybrid processes, the role of the litigation lawyer, and how businesses will utilize ADR methods. They will take your questions on how businesses and law firms should prepare for the changing landscape of ADR, and the role technology will play in the future.

### Kathy Bryan (Moderator)

President and CEO  
CPR Institute

### Colin Rule

Director of Online Dispute Resolution  
eBay/PayPal

### Robert Ruyak

Chairman, Howrey LLP

### Prof. Thomas Stipanowich

Academic Director, Straus Institute for Dispute Resolution  
Pepperdine University School of Law

## Closing Remarks

⌚ 1:15 – 1:30pm

### Kathy Bryan

President and CEO  
CPR Institute

A Special Thank You to Our  
2009 Annual Meeting Title Sponsor

**ALLEN & OVERY**

## ADVANCED TRAINING FOR MEDIATORS



WEDNESDAY &  
THURSDAY  
JANUARY 14-15

## Reinforcing Your Best Practices

This two-day program focuses on developing skills that enhance problem-solving, address positional bargaining over money, and overcome impasse in mediation. It is available to those who have completed CPR's two-day Mediator Techniques and Practices Course or a similar program.

Discussion Topics Include:

- Diagnosing Barriers to Settlement
- Range of Mediator Styles
- Listening Matters
- Moving Through Impasse
- Ethical Dilemmas & Tough Spots
- Lessons Learned in the Field

For an agenda and to register for this training, please visit the event website at <http://meetings.cpradr.org>.

### New York CLE Credits:

12 Skills and 1.0 Ethics

This course is non-transitional.

## HOTEL ACCOMMODATIONS



A block of rooms has been reserved at our venue hotel, The Barclay Intercontinental, at the special CPR rate of \$319 (per room, per night, plus taxes).

To reserve a room, please contact the hotel directly at +1.800.235.4670 and request the special rate for the International Institute for Conflict Prevention and Resolution. You may also make your reservation online by visiting the Annual Meeting website at <http://meetings.cpradr.org>.

Please note that CPR's room block will only be held until December 24, 2008.

Hotel Address:  
111 East 48th Street  
Between Lexington & Park Avenues

### Trainers:

Amy Glass  
Michigan Mediation and Arbitration Services

### Michael Lewis

ADR Associates

This Training is being held concurrently with the first day of the CPR Annual Meeting. Therefore, on Thursday, training participants will share the breakfast, networking lunch and the evening cocktail reception and Awards Dinner with the Annual Meeting participants. Training attendees will also be invited to attend the Friday session of Annual Meeting at no additional cost.

## Continuing Legal Education

The CPR Institute has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York [July 14, 2007-July 13, 2010]. CPR is a nonprofit organization. Under financial hardship guidelines, at its discretion, CPR may waive the fee for attorneys who demonstrate that they are not currently employed (not retirees). CPR may also provide a special discounted price to attorneys, full-time judges and administrative law judges practicing in the nonprofit and public sectors full time.

## CANCELLATION POLICY

If you have registered but are unable to attend, you may substitute another employee from your company/firm at no additional charge. Please send written notification of this change to Alfia Agish at [aagish@cpradr.org](mailto:aagish@cpradr.org).

The cancellation fees are as follows:

- On or before December 12, 2008, a 75% refund will apply.
- On or before January 2, 2009, a 50% refund will apply.
- After January 2, 2009, no refunds will be permitted.

## QUESTIONS?

Contact Alfia Agish at [aagish@cpradr.org](mailto:aagish@cpradr.org) or +1.646.753.8260

## REGISTRATION FORM

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_  
Country: \_\_\_\_\_ Zip/Postal Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

### 3 Easy Ways to Register!

- 1) **WEB** (Recommended)  
<http://meetings.cpradr.org>
- 2) **FAX**  
+1.212.949.8859
- 3) **MAIL**  
Alfia Agish  
CPR Institute  
575 Lexington Ave., 21st Fl.  
New York, NY 10022

## REGISTRATION FEES

### 2009 CPR ANNUAL MEETING – JANUARY 15-16, 2009

CPR Member: \$1,265 (\$1,150 Early Bird Rate) \_\_\_\_\_  
Non-Member: \$1,770 (\$1,593 Early Bird Rate) \_\_\_\_\_  
Meeting Faculty, attending full Meeting: \$650 \_\_\_\_\_  
Meeting Faculty, attending only your own  
presentation: No charge \_\_\_\_\_  
Spouse/Guest (includes: Thursday/Friday Breakfasts and  
Thursday's Lunch, Reception and Awards Dinner): \$425 \_\_\_\_\_  
Guest's Name: \_\_\_\_\_

# SAVE 10%

Receive an Early Bird  
discount when you register  
by **November 24, 2008**.

**SPACE IS LIMITED!**

### ADVANCED MEDIATOR TRAINING – JANUARY 14-15, 2009

CPR Member: \$1,995 \_\_\_\_\_  
Non-Member: \$2,195 \_\_\_\_\_

### FOR BOTH MEETING AND TRAINING ATTENDEES

Will you attend the Thursday night Reception  
and Awards Dinner?  Yes  No

#### Dietary Needs

- I need a vegetarian meal  
 I need a kosher meal

**TOTAL FEE** \_\_\_\_\_

## PAYMENT OPTIONS

#### Please charge my:

Visa  MasterCard  American Express  
Card # \_\_\_\_\_ Exp. \_\_\_\_\_

**IMPORTANT:** Your registration  
will not be processed until  
payment is received by CPR.

**Payment by check** made payable to International Institute for  
Conflict Prevention & Resolution.