



ARBITRATORS' AND MEDIATORS'
AMINZ
INSTITUTE OF NEW ZEALAND INC



International
Academy of Mediators

Established 1996

2016 Conference

Queenstown, 3–5 March 2016



Dispute Resolution on the Edge

WELCOME



It's my great pleasure to welcome everyone attending the New Zealand orientation hosted by the Attorney General, in Wellington, and the 2016 AMINZ - IAM Conference in Queenstown.

I would also like to extend a warm welcome to those IAM members visiting from overseas.

New Zealand is one of the most beautiful places in the world and I hope you have the opportunity to explore some of our wonderful country while you are here.

The dispute resolution approaches practised by AMINZ members, whether that's arbitration, mediation, or conciliation, are important and complement the courts and tribunals system in New Zealand.

The work of arbitrators, mediators, and adjudicators is becoming increasingly important to New Zealand's justice system. I would like to pass on my gratitude for your dedication to the dispute resolution process.

Best wishes for a successful conference.

Rt Hon John Key
Prime Minister of New Zealand



Dear Delegates & Partners,

It is with much pleasure, on behalf of the district, that I extend a warm welcome to all delegates and partners attending the 2016 AMINZ - IAM conference. We appreciate the opportunity to host this conference in Queenstown, long regarded as the jewel in the New Zealand tourism crown.

Queenstown on the shores of the crystal clear Lake Wakatipu and surrounded by spectacular mountain ranges, is the perfect location for your conference. Our alpine resort town has a vibrant cosmopolitan feel and offers world class activities from adrenaline fuelled adventure to something more tranquil and relaxed plus award winning food and wine experiences.

I hope that you have time to relax, discover and enjoy all this beautiful area has to offer, and also that you will come back and visit us again soon.

Vanessa van Uden
Mayor of Queenstown



Tena koutou, tena koutou, tena koutou katoa!

Welcome to Dispute Resolution on the Edge – the 2016 instalment of our annual conference.

This year is particularly special as we have a joint conference with the International Academy of Mediators. We are indeed privileged to have you join us. You are welcome, not just in Queenstown, but also at the orientation event hosted by our Attorney-General, Hon. Christopher Finlayson, QC, at Parliament.

I would also like to extend a warm welcome to presenters and delegates - the experiences and knowledge you share makes our conference what it is. To our own members, kia ora.

The speaker selection committee has drawn the streams together for plenary sessions which are of general interest or importance. The conference programme is, as always, full for all disciplines. I would urge delegates to take the opportunity to attend some of the other streams which might not ordinarily fall within your areas of practice. Dispute resolution is a broad church after all.

On behalf of the AMINZ Council, thank you again to everyone, especially our international guests, for joining us. We are richer for your contributions.

Hei kona mail!
Goodbye for now, we will see you all soon.

John G Walton
AMINZ President



Welcome on behalf of the members and the Board of Governors of the International Academy of Mediators
Tena koutou, tena koutou, tena koutou katoa!

We are honored to partner with AMINZ to produce the first AMINZ-IAM joint conference. The theme of the conference "Dispute Resolution on the Edge" embodies New Zealand's geography, its extreme sports and the mediator's creativity and use of a range of original thought provoking methods to help disputing parties reach resolution.

We are certain the conference program will generate thought provoking conversations on a wide variety of cutting edge topics.

As we make new friends, socialise and share our ADR ideas, techniques and practices at this historic joint conference, we are aligned with our organizational goals of building international relationships and bringing more peace into the world.

Thank you for attending.

Marvin E. Johnson
IAM President

PLENARY PRESENTERS



Gerard van Bohemen

Gerard van Bohemen is New Zealand's Permanent Representative to the United Nations and recently chaired the Security Council. He has led New Zealand's delegations to many major international negotiations, including the International Whaling Commission.

Mr. van Bohemen worked in private legal practice and was a partner at Buddle Findlay in Auckland and then at Chen Palmer and Partners, based in Wellington. He appeared in the Environment Court, High Court, and Court of Appeal. He has also appeared twice in the Privy Council in London. Mr van Bohemen re-joined the New Zealand Ministry of Foreign Affairs and Trade in 2005, rising to the position of Deputy Secretary responsible for Multilateral and Legal Affairs. He has served twice at the New Zealand Mission to the United Nations in New York, the second time as Deputy Permanent Representative during New Zealand's last term on the Security Council. Mr van Bohemen oversaw New Zealand's successful bid for a seat on the UN Security Council in 2014. He has also been New Zealand's Special Representative for Afghanistan and Pakistan.



Gary Born

Gary Born, holder of the New Zealand Centre for International Economic Law's (NZCIEL) Inaugural Senior Visiting Research Fellowship, is the chair of the International Arbitration Practice Group of Wilmer Hale. He is widely regarded as the preeminent authority on international commercial arbitration and international litigation. Mr. Born is uniformly ranked by Euromoney, Chambers, Legal 500 and Global Counsel as one of the leading practitioners in the field. He is one of only two lawyers in the world, and the only lawyer in London, to receive global "starred" status in Chambers rankings for international arbitration.



Phillip Howell-Richardson

Phillip Howell-Richardson is one of the UK's top international mediators and is a member of Independent Mediators. A mediator with over 25 years' experience of mediating all types of commercial disagreements, Phillip specialises in international disputes, financial and insurance disputes and group actions. He has mediated disputes involving governments, global corporations, private companies, trustees of offshore trusts as well as individuals. Cases have included claims at all levels up to several billion dollars, the restoration of complicated commercial arrangements, or claims by very large groups of claimants. He has mediated disputes in several countries and he was one of the first European mediators to be invited to join the International Academy of Mediators as a Fellow and is a member of their board. He is a member of the ICC and their mediation panel and has supported the ICC International Commercial Mediation competition in every year of its existence. He is a mediation Fellow of the Chartered Institute of Arbitrators, a member of many international organisations and lectures and teaches in several countries.



Michel Kallipetis QC

Michel was the former Head of Littleton Chambers, and has 40 years' experience as a practising barrister in the field of general commercial, professional negligence and employment work. He is now a full time mediator and recognised in The Legal Directories as an expert in his field in Mediation both in the UK and internationally. He is a Distinguished Fellow and a director of the International Academy of Mediators. He was the first Chairman of the England and Wales Bar Council ADR Committee, a member of the working party which drafted the EU Code of Practice for Mediators, and gave expert opinion to JURI, the legal service committee of the European Parliament, prior to its adopting the European ADR Directive. In 2012 he was invited to join the Singapore Mediation Centre's International Panel of Mediators. Michel is a founder member of Independent Mediators Ltd.



Tony Willis

Tony Willis is an eminent commercial mediator, based in London practising in the UK as well as many other jurisdictions. He has been practising as a mediator for more than 20 years – and for the last 17 years full-time, after a long and successful career as a litigation partner in Clifford Chance where he was a full-time managing partner (1987–1989) and led the litigation practice (1990–1997). Since his call to the Bar in 2004 he has practised from Brick Court Chambers.

For several years Tony Willis has been recognised by all the independent legal directories as being at the top of his field. He has won the 2012, 2013, 2014 and 2015 Who's Who Legal awards for Global Commercial Mediator of the Year. He has mediated in the UK and elsewhere in Europe and in jurisdictions such as New York, Hong Kong, the Bahamas, Ireland, Romania, the United Arab Emirates, Jersey and Guernsey.

PRESENTERS



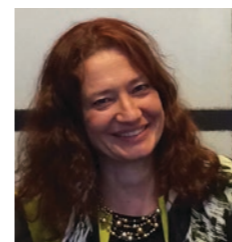
Alex Baykitch

Alex is a partner in the Sydney office of King and Wood Mallesons. He has over 20 years' experience in the area of cross border litigation and international arbitration primarily involving disputes in the resources and oil and gas sectors in relation to construction, engineering and infrastructure projects. He is President of the Australian Centre for International Commercial Arbitration, and appears as counsel and sits as sole and party appointed arbitrator as well as chairman of arbitral tribunals in institutional and ad hoc arbitrations under the ICC, SIAC, KLRCA, ACICA, LCIA and UNCITRAL Rules. He also advises clients on investment treaty arbitration under the ICSID and UNCITRAL Rules.



Elizabeth Birch

Elizabeth Birch FCI Arb; Chartered Arbitrator; Q.D.R (Qualified Mediator); Diploma in International Commercial Arbitration - Chartered Institute of Arbitrators 1998; Senior Mediator (Advanced Mediator training (MATA) 2005); IMI Certified for Cross Border Disputes; Distinguished Fellow of the International Academy of Mediators; Member of the prestigious Lamport Hall Group. She is in full time practice as international arbitrator and mediator. She handles a wide variety of international cases (practised at the English Commercial Bar 1980 to 2003), specialises in maritime law, international trade and transportation, insurance & reinsurance, oil & gas, energy, international finance and banking, joint ventures, distributorship and franchise, Information technology and telecommunications and all types of commercial and international disputes. Cases frequently involve complex issues, cross border disputes, disputes with an international flavour and high value disputes (up to US\$75 million). Many involve technical issues requiring detailed expert evidence of a trade, engineering or scientific nature.



Dr Petra Butler

Dr Petra Butler is Associate Professor at Victoria University of Wellington School of Law and Co-Director of the Centre for Small States at Queen Mary, University of London. She is New Zealand's CLOUT correspondent for the CISG and the United Nations Convention on the Use of Electronic Communications in International Contracts. Petra specialises in human rights, public and private comparative law, and private international law with an emphasis on international commercial contracts. She teaches and consults on the law of unjust enrichment and has published extensively, including, together with Andrew Butler, The New Zealand Bill of Rights Act 1990: a commentary and, together with the late Professor Peter Schlechtriem, UN Law on International Sales. She is a member of a number of advisory boards of human rights NGOs. Petra was most recently scholar-in-residence at Wilmer Cutler Pickering Hale & Dorr LLP.



Jerome Chapman

Jerome Chapman, LLB, BSc, Acc.M.LEADR, has 11 years in dispute resolution as a Conciliator and Team Manager at the EGCC. Jerome has extensive experience in investigating and conciliating energy complaints and drafting decisions for the Electricity and Gas Complaints Commissioner

Jerome is a public member on the Advertising Standards Complaints Board. Jerome is also currently studying towards an MBA at Otago University.



David Clark

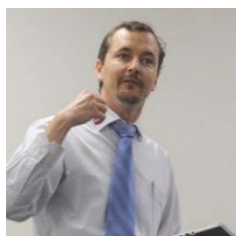
David Clark is a Partner at Wilson McKay Auckland and practises primarily in Civil and Commercial Litigation. David is an Associate Member of the Institute of Arbitrators and is a Panel Mediator for the Weathertight Homes Resolutions Service as well as the New Zealand Disputes Resolution Service. He is a Panel Mediator for the International Court of Arbitration – Sport and in 2015 was the Director of the Litigation Skills Programme for the New Zealand Law Society. David is also a current Trustee of the New Zealand Law Foundation.

He has been involved in a number of complex litigation cases in many legal forums and practises with a particular emphasis on property and commercial disputes, construction litigation, statutory and regulatory compliance and enforcement, employment law, franchises and intellectual property protection. His mediation focus is also in these fields.



The Hon. Justice Clyde Croft

Justice Croft was an arbitrator and mediator in property, construction and commercial disputes, domestically and internationally. He is a Life Fellow of IAMA and ACICA and a Judicial Fellow of AMINZ. He is also a Fellow of the CI Arb and was the IAMA National President (1997 - 2000) and later Vice-President. Justice Croft was foundation Vice-President and a Director of ACICA and represented APRAG at the UNCITRAL Working Group Sessions on the Model Law and Rules revision projects from 2005 until 2010. He is now a judge in charge of a general commercial list and the Arbitration List in the Commercial Court of the Supreme Court of Victoria, Australia.



Arnaud Deutsch

Arnaud is passionate about innovative dispute resolution. He is a mediator with an international background in Infrastructure Engineering. In addition to engineering and mediation, Arnaud also trains professionals in the use of collaborative online systems as conflict management tools. In 2014 Arnaud addressed the participants of the AMINZ conference with an invitation to increase their use of virtual working environments, creating interest in individual practitioners and dispute resolution providers, both in New Zealand and Australia. Recognising the irreplaceable value of human facilitators, Arnaud is developing tools and techniques that keep practitioners at the centre of the process. Arnaud strongly believes that Online Dispute Resolution systems will have a strong role in defining the future of Mediation.



Maria Dew

Maria Dew, LLB (Auckland) LLM (Victoria), Acc. Med. LEADR and AMINZ, is a barrister and commercial mediator at Bankside Chambers, Auckland. In 2014, Maria was awarded the New Zealand Law Awards "Mediator of the Year". Maria's practice as a barrister includes a range of civil litigation specialising in employment and professional misconduct matters. She is also a Deputy Chair of the Health Practitioners Disciplinary Tribunal and on the Panel of Experts with the Domain Name Commission.



Robert Fisher QC

Hon Robert Fisher QC, LLD, FAMINZ, is a former High Court Judge, the author of a series of publications on ADR, an advanced accredited mediator of Resolution Institute (Australia and NZ) and a full-time mediator and arbitrator. Further details are available at www.robertfisher.co.nz.

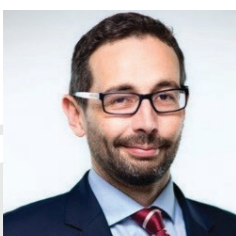


Simon Foote

Simon Foote is a barrister at Bankside Chambers practising commercial litigation and arbitration. He has experience as counsel in international commercial arbitrations and investment treaty arbitration and specialises in complex engineering disputes including power station construction disputes and litigation arising out of the Canterbury earthquakes.

Simon has particular interest in investment treaty law and is completing a thesis on corporate nationality and treaty shopping at Victoria University.

Simon has a Diploma in International Commercial Arbitration and is an arbitration fellow of the Chartered Institute of Arbitrators and AMINZ.



Kim Francis

Kim Francis is a litigation partner at Meredith Connell. He specialises in commercial and regulatory litigation and arbitration, with a particular emphasis on commercial disputes, insolvency and competition law. Before joining Meredith Connell in 2010, Kim practised for six years in international arbitration teams in London for several leading law firms. He has conducted ICC, LCIA and other arbitration proceedings in jurisdictions including the UK, France, Dubai and New Zealand.



Jan Frankel Schau

Jan Frankel Schau is a practicing neutral with ADR Services, Inc. in Los Angeles, California. Ms. Schau had over twenty years of experience as a litigator before transitioning into ADR.

Since 2003, Jan has successfully mediated over 1,000 litigated cases. She is widely considered one of L.A.'s preeminent mediators. A former President of the Southern California Mediation Association, Jan is also a Distinguished Fellow of IAM and an appointed member of the United States District Court's Attorney Settlement Officer panel.

Ms. Schau holds a degree in International Relations from Pomona College in Claremont, Ca. and a J.D. from Loyola Law School. She is Adjunct Faculty at the Straus Institute of Dispute Resolution in Malibu, California, where she is teaching Mediation Theory and Practice.



Eric Galton

Eric Galton has been a mediator since 1986 and has mediated over 8000 disputes around the United States. Eric is a founder of the Lakeside Mediation Center in Austin, Texas. Galton is a Past President of the International Academy of Mediators and is one of five members who have been knighted by the organization. Eric currently serves on the IAM board. Galton taught mediation at University of Texas School of Law for eight years and is currently an adjunct professor at Pepperdine School of Law Straus Institute, where he has taught for 11 years. Eric has published five mediation books, including Stories Mediators Tell for the ABA with co-author Professor Lela Love. Eric is a Texas Distinguished Credentialed Mediator.



David Gaszner

A Dispute Resolution partner in national law firm Thomson Geer, David has been resolving complex corporate and commercial disputes for Australian and international clients for over 30 years. David became an accredited mediator in 1992 and was accredited under the Australian National Mediation Standards in 2009. He is a member of the mediation panels administered by the Resolution Institute, the Law Society of South Australia and the Commonwealth Office of the Franchising Mediation Advisor. As a member of the executive of the Federal Litigation and Dispute Resolution Section of the Law Council of Australia and Chair of its national Federal Court and Federal Circuit Court Liaison Committees, David has been extensively involved in the development of case management practices in the Federal Courts over the last 20 years.



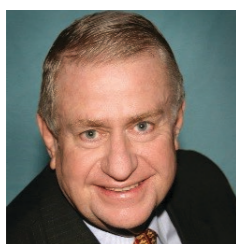
Phillip Green

Phillip mediates a broad range of commercial, construction, interpersonal, employment and Treaty disputes throughout New Zealand. Phillip is skilled at helping parties find practical solutions to get the issues sorted. Phillip also writes, trains and examines on all aspects of ADR. His background in construction disputes includes civil engineering, building construction from homes to large structures, retaining walls, tanking issues, soil mechanics, roading and infrastructure services, dam construction and airport works. Phillip has co-authored the text Mediation: Practice, Principles and Process - Boule, Goldblatt & Green LexisNexis 2009.



Susan Hammer

Susan Hammer is a commercial mediator based in Portland, Oregon, USA. She is a former partner in the law firm of Stoel Rives, LLP. In 1998, Susan founded Dispute Resolution Services and has mediated over a thousand commercial and public policy disputes since. She became a Distinguished Fellow of the International Academy of Mediators in 2001 and served on the IAM Board of Governors from 2008 to 2015. Susan is recognized in the Best Lawyers in America, Oregon Super Lawyers and The Top 25 Oregon Women Lawyers and Who's Who Legal: Mediation. She was named the Oregon Mediation "Lawyer of the Year" by Best Lawyers. Susan is a Senior Fellow at the Willamette University College of Law Center for Dispute Resolution.



Ian Hanger AM QC

Ian Hanger AM QC was called to the Bar in 1968 and took silk in 1984. He began mediating in 1990 in many fields of law (commercial, negligence, succession, construction) and has mediated on a full time basis since about 1996.

He was made a member in the Order of Australia for services to ADR and to music. He has been accredited as a mediator in Hong Kong, Singapore and Australia; is a member of the mediation panels of the Court of Arbitration for Sport, and ICSID; and a member of the Arbitration panel of CIETAC. He is a Distinguished Fellow of the International Academy of Mediators.



Maria Hansen

Maria has over 20 years' experience in dispute resolution. She has conducted mediations with a wide range of industries and individuals – from academics to artists, builders to bus drivers, chief executives to children.

She runs a successful private practice in Christchurch, with a particular focus on mediating and investigation bullying and harassment allegations in the workplace.

She also works part time in the public sector, resolving race, disability and other discrimination complaints covered by the Human Rights Act. Maria is currently part of a small team of Christchurch mediators resolving disputes between insurance companies and home owners with earthquake damaged properties following the series of devastating earthquakes in 2010 and 2011.



Lee Jacobson

Lee Jacobson graduated from the University of California Davis in 1977 with degrees in Political Science and Mass Communications. He attended Santa Clara University law school graduating in 1980 and was admitted to the California State Bar in December, 1980. Lee became a full time mediator in 2000. He regularly mediates matters involving claims for personal injury, harassment, discrimination, wage and hour and other labor related issues, and insurance coverage disputes. He has mediated approximately 3500 cases. Lee was inducted into the International Academy of Mediators as a Distinguished Fellow in November 2011 and was appointed to the IAM Board of Governors in May, 2014.



Samuel Jeffs

Samuel Jeffs will complete his LLB(Hons)/BA from Auckland University in 2016. Sam is a law clerk to Professor David AR Williams QC at Bankside Chambers, Auckland. Whilst at university, Sam was Editor-in-Chief of the Auckland University Law Review and the winner of the Stout Shield, Auckland University's premier moot. Having also won the national mooting championship, Sam will be part of the Auckland University team representing New Zealand at the Philip C. Jessup International Law Moot in Washington DC in April 2016.



Jeremy Johnson

Jeremy Johnson, BA, LLB (Hons) (Cantuar), LLM (Cantab), TEP, is a Litigation and Dispute Resolution Partner at Wynn Williams. He specialises in commercial, equity and trust disputes and has wide experience before all Courts and in front of mediators and arbitrators. Jeremy is recognised by Chambers 2015 Asia Pacific and Chambers 2015 Global Directories as being an "up and coming" practitioner in the field of Dispute Resolution. Jeremy has previously presented and written on arbitration and trust disputes.



Derek Johnston

Derek Johnston is a Commercial Barrister and Arbitrator and a corporate, commercial and securities law specialist. He is a member and Chair of NZX's Regulator Governance Committee and previously chaired the New Zealand Markets Disciplinary Tribunal. Derek is a Fellow of the Chartered Institute of Arbitrators, the Arbitrators and Mediators Institute of New Zealand, the Hong Kong Institute of Arbitrators, the Singapore Institute of Arbitrators, a Member of the London Court of International Arbitration - Asia Pacific Users Council, the International Council for Commercial Arbitration, the Hong Kong International Arbitration Centre Users Council, the ICC International Arbitration Committee (NZ) and member of the Arbitration Panel of the Kuala Lumpur Regional Centre for Arbitration.



Mark Kelly

Mark is a barrister and commercial mediator, practising out of Auckland. He practised in major national firms in New Zealand and Ireland before going to the bar. He has over 20 years of experience in dealing with a wide range of commercial issues. Mark trained as a mediator at Harvard Law School and with LEADR. He is an Associate of AMINZ. He is on various mediation panels.

He has successfully mediated a wide variety of commercial disputes, including disputes involving contract, company, construction, earthquake, insurance, finance, education, weathertightness and tortious issues. He has also presented and written on mediation. Mark was the winner of LEADR & IAMA's 2015 Australasian award for contribution to dispute resolution by an emerging practitioner.



Nina Khouri

Nina Khouri, BA/LLB(Hons) (Auckland), LLM (NYU), Acc. Med. LEADR, CEDR, is a commercial mediator and senior lecturer at the University of Auckland Faculty of Law, where she teaches and researches in the field of dispute resolution. She holds an LLM in dispute resolution and legal theory from NYU, where she studied in 2005/2006 as a Fulbright Scholar, and since then has mediated disputes in the United States, the United Kingdom, Canada and New Zealand. She is also an experienced civil litigator who has appeared in New Zealand courts at all levels. In addition to her practice in New Zealand, she sits on the International Standards Commission of the International Mediation Institute.



Justice Stephen Kos

Before joining the independent Bar in 2005, Stephen Kos was a senior litigation partner at Russell McVeagh and was Chairman of Partners of that firm from 2003-2005. Immediately prior to his bench appointment, Justice Kos was a partner of litigation firm Stout Street Chambers in Wellington and an associate member of Shortland Chambers in Auckland. He was also Pro-Chancellor of Massey University, an Honorary Lecturer in Law at Victoria University and Chairman of the New Zealand Markets Disciplinary Tribunal. Justice Kos is a graduate of Victoria University where he was awarded the Chapman Tripp Prize, and Cambridge University.



Kimberlee Kovach

Kimberlee K. Kovach has been a leader and visionary in the modern mediation and alternative dispute resolution movement for over thirty-five years. She is a prominent teacher, trainer, scholar and practitioner in the field of mediation and other dispute resolution processes. Kovach was a founding officer and Chair of the ABA Section of Dispute Resolution. She also served as Chair of the ADR Sections of both the Texas and Houston Bar Associations.

Professor Kovach created and conducted the first mediation training in Texas, and has continued to teach mediators globally. She authored the first widely adopted mediation textbook, Mediation: Principles and Practice as well as Mediation in a Nutshell (3rd Ed. 2014). Kovach has received awards for her contributions to ADR, and was honoured with the prestigious Lifetime Achievement Award by the International Academy of Mediators in recognition of her extensive work in the field of mediation.



David Kreider

David L. Kreider is a full-time, independent Chartered Arbitrator. A member of the teaching faculty of the Chartered Institute of Arbitrators, David is admitted to the panels of arbitrators of the major arbitral institutions throughout the world and is a member of the ICC Court of Arbitration. He also sits on the New Zealand Markets Disciplinary Tribunal, as an appointee of the New Zealand Government. David speaks fluently and reads Mandarin Chinese and is frequently appointed as sole arbitrator or chairman in cross-border references involving commercial disputes, financial, licensing, IP or technology issues, and in disputes where one or more parties are Chinese. David is a Director of the American Arbitration Association (AAA) and the Australian Centre for International Commercial Arbitration (ACICA). He is admitted to the Intellectual Property specialist panels of arbitrators of the Singapore International Arbitration Center (SIAC), and the recently established High Technology & Intellectual Property Centre of the Shenzhen Court of International Arbitration (SCIA).



John Larmer

John Larmer John has some 48 years experience as a land professional with involvement in farm lending, rural valuation and management consultancy that progressed into dispute resolution expertise. An experienced arbitrator and mediator/conciliator, he is a past president of AMINZ, has also led the valuation profession, and currently sits as an additional member of the High Court for valuation and land compensation matters.



Scott Markus

Scott Markus, San Diego County's first full-time attorney-mediator, facilitates settlements of complex litigation throughout California. Since 1992, Mr. Markus has mediated more than thirty-five hundred disputes involving personal injury, insurance, employment, real property, business, construction and many other subjects. He has worked with countless Fortune 500 companies, insurance companies and government agencies at the city, county, state and federal level and with the top consumer attorneys throughout the region. Through his guidance, parties have reached settlements ranging from \$1000 to \$20 million.

Mr. Markus has a J.D. from the University of Oregon School of Law (1980) and a B.A. from Middlebury College, VT (1977). Raised in Cleveland, he has lived in San Diego since 1980.



Prof. Chris Marshall

Professor Chris Marshall is the Diana Unwin Chair in Restorative Justice. He graduated from Victoria University in 1975 with a BA (Hons) in geography and anthropology. He subsequently completed degrees in Divinity (1980) and Peace Studies (1996) and a PhD in New Testament from the University of London (1984). After teaching for 20 years in Auckland, he joined the Religious Studies Programme at Victoria in 2004.

In 2013 he was appointed as inaugural holder of the Diana Unwin Chair in Restorative Justice, located in the School of Government. Chris has published seven books and a large number of book chapters and journal articles, many dealing with restorative justice themes. He is also an active and accredited restorative justice facilitator, and has been widely used around the world as a conference speaker and visiting lecturer.



Andrew McGregor

Andrew McGregor is a consulting mechanical engineer, commercial pilot and experienced engineering investigator. He owns and directs Prosolve Ltd, a forensic engineering practice based in Auckland which investigates engineering failures and accidents in the aviation, marine, industrial and construction industries. In past years Andrew has consulted to the New Zealand Transport Accident Investigation Commission (TAIC) on Marine, Rail and Air Transport Accidents and has led investigations into several high profile industrial failures, fires and air accidents both in New Zealand and off-shore.

He is regularly involved in investigations that require both blameful and non-blameful outcomes. His professional interests include dispute resolution and investigative processes that facilitate technical comprehensiveness.



Gene Moscovitch

Gene Moscovitch has been one of California's busiest and most successful commercial mediators for nearly two decades. His areas of expertise include employment disputes, civil rights cases, and sophisticated commercial matters. A graduate of the UCLA School of Law, he is the current President-Elect of the International Academy of Mediators and has served on its Board of Governor's for the last 8 years. He has consistently been recognized as one of California's top mediators and has become one of its most sought-after conference speakers.



Douglas Murphy QC

Doug Murphy QC has been in practice in Queensland since 1980 and took silk in 2006. His recent practice focuses on Commercial, Property, Equity & Trusts, Probate and Succession Law. Doug was a member of the Queensland Bar Council for 14 years. He currently chairs the Succession and Elder Law Committee and is a member of the ADR Committee. He is also on the Advisory Board of Bond University's ADR Centre and the Visiting Committee of Griffith University Law School.

He commenced mediating in 1996. As well as local courses, he undertook advanced courses at California's Pepperdine University, and at the American Institute of Mediation in Los Angeles. He is an accredited mediator under the Australian National Mediator Accreditation System and in 2013 he became a Distinguished Fellow of the International Academy of Mediators.



John R Phillips

John R. Phillips has been Managing Partner of Husch Blackwell, LLP, a Midwest law firm of approximately 700 attorneys. He is Senior Counsel and essentially a full-time mediator/arbitrator. He is a Distinguished Fellow of the International Academy of Mediators, College of Commercial Arbitrators, American College of Trial Lawyers, and College of Labor and Employment Lawyers.

He was a member of the Advisory Committee that drafted and implemented the innovative court annexed Early Assessment Program in Missouri federal courts in 1992 and is also a member of the Missouri Supreme Court ADR Commission.

He is the Past Chair of the ABA Dispute Resolution Section. He also participated in the International Mediation Summit at The Hague sponsored by the ABA Dispute Resolution Section and the International Academy of Mediators conference in London. He has been in Best Lawyers in America since 1994 listing in five different categories, and in Chambers USA since 2003.



Polly Pope

Polly Pope (LLB(Hons), MIR) is a litigation partner at Russell McVeagh. Her practice includes financial services disputes and regulatory enforcement, construction and technology disputes, insolvency and investigations. Polly got her start in international arbitration working in the London office at Debevoise & Plimpton in the early 2000s, and later spent four years in the London office of Clifford Chance. She is experienced in domestic and international arbitration, having acted in arbitrations under the LCIA, ICC, UNCITRAL, LMAA and GAFTA Rules.



Stephen Price

Stephen is a highly-regarded dispute resolution lawyer who leads Minter Ellison Rudd Watts' Construction Division. He has extensive expertise in resolving large scale construction contract disputes particularly relating to variations, delays/disruption, and defective works. He appears regularly in arbitrations, mediations and Dispute Resolution Boards, as well as in the Courts at all levels. Stephen lectures on Construction Law for the AUT Masters of Construction Management degree and the AUT Law School Masters of Laws degree. He is recognised as a Band 1 Construction Lawyer by the Chambers Asia Pacific 2015 Directory, and a recommended lawyer by the APL500 Directory.



Michelle Reinglass

Michelle is a full time mediator following a 30-year litigation career, handling of employment, business, and insurance and personal injury cases. Michelle is a member of ABOTA, a fellow of the College of Labor and Employment Lawyers, and a Distinguished Fellow of the International Academy of Mediators. She is a past President of the Orange County Bar Association (OCBA), past Chair of the California Employment Lawyers Association (CELA), and past Chair and lawyer representative of the Central District Delegation to the Ninth Circuit Judicial Conference. Michelle has also received many honours and recognitions including "Employment Trial Lawyer of the Year," and has been named one of The Daily Journal "Top 100 Most Influential Lawyers in California", "Top Female Litigators", "Top Labor and Employment Lawyers", as well as one of "California's Top 50 Neutrals". She has been named as one of California's "Super Lawyers," 2004-2015, and was inducted into the Western State University College of Law Hall of Fame.



Helen Rice

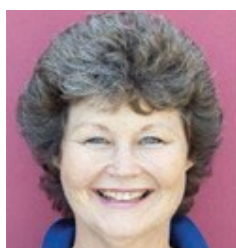
Helen Rice is a partner at Rice + Co Lawyers. In more than 25 years of legal practice, Helen has established herself as one of New Zealand's most successful mediation and litigation lawyers. Helen has extensive commercial litigation experience acting for local government and insurance companies in multi-million dollar litigation. Known for her integrity as a straight shooter, she loves 'ripping things apart' to identify the core of a problem in order to solve it. "I love turning a 'no' into a 'yes'," she says. "We benchmark success by how well our clients do, if a client pays \$1 more than they need to, then it's a bad day for me," says Helen.

Helen is a popular presenter for the New Zealand Law Society having recently shared her insights during a NZLS roadshow for hundreds of lawyers into the skills required to achieve excellence within the mediation environment.



Larry Rute

Larry R. Rute is a partner and co-founder in Associates in Dispute Resolution, LLC, Topeka, Kansas. This firm provides a wide range of alternative dispute resolution services, including commercial mediation and arbitration, private judicial proceedings, and conflict resolution systems design. ADR, LLC offices are located in Topeka and Lawrence, Kansas, and Kansas City, Missouri. He has successfully mediated more than 4,000 matters involving commercial law, consumer protection, employment law, family law, personal injury, probate, and complex multi-party cases, including class and collective actions. He is a Mediator and Due Process Hearing Officer for the Kansas Department of Education.



Anne Scott

Anne worked as a lawyer for thirteen years before changing direction and moving into the field of health and wellbeing. For the last five years she has studied with Universal Medicine and is a qualified Esoteric Healing practitioner. She has taught, and presented to, individuals and groups on Yoga, prevention and management of stress, lifestyle factors (including exercise, nutrition, sleep, anxiety, depression, work/life balance and time management). She qualified as an FDR provider in 2015 and has set up her own business, 'Mediation for Harmony'.



Geoff Sharp

Geoff is one of Who's Who Legal Top 10 Global Commercial Mediators for 2013, 2014 and 2015; He is a door tenant of Brick Court Chambers in the UK and works in London, Asia and the Middle East and is one of New Zealand's busiest commercial mediators being voted inaugural Mediator of the Year at the 2012 NZ Law Awards.

Geoff is a Vice-Chair of the International Mediation Institute's ISC and is IMI Certified. He is honoured to be a past LEADR fellow and the first Australasian to be elected a Distinguished Fellow of the International Academy of Mediators.

He is admitted as a barrister in New Zealand, the Supreme Court of Victoria, High Court of Australia and the Australian Federal Court.



Robert M. Tessier

Robert M. Tessier is a California Attorney, admitted to the bar in 1986. After 20 years in practice, and having represented both plaintiffs and defendants in a busy tort and real estate practice, he devoted all of his professional time to the art and science of mediation. In 2008 he joined Judicate West, a California ADR provider, and became one of the the most sought after mediators in the field of personal injury. He has twice been named one of the Top 50 Neutrals by the State-wide publication Daily Journal, and is AV Rated by Martindale-Hubbell for his professional ability and highest ethical standards.

Mr. Tessier has published numerous articles in the field of mediation for the various bar associations, publications and the Pepperdine Law Review. He regularly presents at conferences.



David Turner

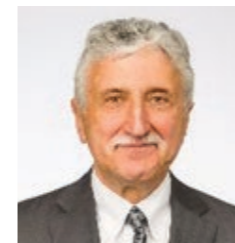
David Turner is a barrister at Bankside Chambers employed by David Williams QC. David is involved every day in investment treaty and international commercial arbitrations occurring around the world.

Prior to working at Bankside, David obtained his Masters of Law from Harvard Law School, specialising in international and constitutional law. He has also worked at Freshfields Bruckhaus Deringer US LLP in Washington DC in the Latin American international investment arbitration practice group, where he worked on a variety of ICSID disputes involving countries across North, Central and South America. David also previously worked as a Judge's Clerk at the Supreme Court of New Zealand for Justice Peter Blanchard.



Eric Van Loon

Eric Van Loon has been a full-time mediator and arbitrator for more than 26 years. A co-founder of JAMS, his practice includes business/commercial, intellectual property, environmental, governmental, energy, construction, and tribal matters. He chaired the US Copyright Panel that set the first royalties for internet-streamed music and has mediated individual settlements of more than \$1 billion. He served as Massachusetts Assistant Secretary for Environmental Affairs and Undersecretary for Economic Affairs. He holds degrees from the University of North Carolina at Chapel Hill, the London School of Economics, and Harvard Law School, and has taught courses at Harvard and at Boston Universities.



Jerry Weiss

Jerome F. Weiss is the founder of Mediation Inc., an Ohio corporation. He has mediated a broad range of state and federal cases including tort, employment, commercial, securities, banking and financial, insurance coverage, death, injury, eminent domain, appropriation and professional malpractice disputes. Jerry is an Adjunct Professor at Case Western Reserve University, teaching the seminar in "Mediation Representation: Theory, Principle & Practice". He is recognized as AV Preeminent (Martindale's highest rating) and is listed in Best Lawyers in America and was listed as a First Tier in ADR in U.S. News and World Report inaugural and current edition. Jerry was selected as Best Lawyers' 2013 Cleveland Mediation "Lawyer of the Year". He is the only Northeast Ohio person to be peer-selected as a Distinguished Fellow in the International Academy of Mediators (IAM). He was inducted in 2015 as a member of Case Western Reserve University's Society of Benchers, the law school's highest honour.



Hayden Wilson

Hayden is a Partner at Kensington Swan and leads the firm's public law and litigation practice in Wellington, New Zealand.

An experienced counsel in mediation, Hayden also practises as a commercial mediator. Hayden is a member of AMINZ and LEADR/IAMA. He is also a member of the Institute of Directors.



CONFERENCE INFORMATION

Dispute Resolution on the Edge

In 2016 AMINZ will conference with the International Academy of Mediators. The conference offers a galaxy of opportunities to strengthen your professional networks here and abroad as well as expanding your professional knowledge and reputation.

Held over three intellectually sizzling days, the coming event features more than 40 presenters from around the globe. It includes an array of networking opportunities. Among the fascinating extras is an entrée to conference with a seminar about settling of indigenous disputes, which will be hosted by New Zealand's Attorney-General, Hon Chris Finlayson, QC, at Parliament.

Continuing Professional Development

Conference for AMINZ members provides 2 CPD points per-half day of formal conference sessions.

Registration

Early-bird savings are available to those who register and pay by 1 February 2016. Numbers are capped for this conference, so we strongly recommend you register early.

The easiest way to register is online. www.aminz.org.nz - click on "Conference 2016", or complete the enclosed registration form and return it to AMINZ by fax, post or email.

Conference Venue

Most of the conference sessions will be held at the beautiful Hilton Kawarau Village in Queenstown, which sits on the edge of Lake Wakatipu. You'll find information in the programme on any events not at the Hilton.

Accommodation

We have ensured that the year's gathering for dispute-resolvers is priced as cost effectively as possible. Rooms at the Hilton and Double Tree Hotels are onsite and cost as little as NZ\$182 per night. **You must book early** to secure a room (Accommodation is paid on arrival at the hotel). We have also negotiated great rates at other hotels which can be viewed on the conference website.

Korero & Slice of the Day

Korero are discussion groups. Slice of the day sessions offer you the ability to take in a piece of what you might have missed.

SOCIAL EVENTS

The fun and networking part of conference!

Sprinkled throughout conference are an abundance of fabulous social events. The restaurant scene of Queenstown is on display with a variety of options for the Thursday night Social Dinners.

You'll be dazzled by the jaw-dropping views at the Skyline, the venue for Saturday's Gala Dinner.

And in between, we offer you a free evening to enable you to chill with colleagues and friends in New Zealand's playland!

Gala Dinner



Be transported to new heights for the Gala Dinner on Saturday 5 March, at the Skyline overlooking Queenstown.

A glass of bubbles will await your arrival to the dinner by gondola.



Masters of Ceremonies Tracy Allen and John Walton will guide you through the evening. Bob Fisher QC will be the dazzling after-dinner speaker and a splendid three-course dinner will be served while you're entertained by the LA Social Club.

The cost includes return transport to the dinner, food and beverages.

Dress code is formal (black tie or lounge suit for men). Wearing of medals is appropriate.



Questions?

The AMINZ and IAM teams are happy to help you with anything you need to know regarding conference. Please do not hesitate to ask. For updates on Conference view: www.aminz.org.nz

The Newbies Function

A meet-and-greet newbies' session at the bar of the Hilton – if you're new to an AMINZ or IAM conference, meet up at the bar and have a few drinks with us.

Thursday Social Dinner

The restaurant scene of Queenstown is on offer with three restaurant options. We have negotiated excellent set menus at each of these diverse restaurants.

The prices include transportation to and from the Hilton Hotel and meals. Beverages are to be met separately by delegates.

IAM Members' Meeting

This meeting is open to IAM Members only and will be held prior to the launch of conference at the Hilton Hotel.

The Fellows' Breakfast

If you are a Fellow of AMINZ, you are invited to this breakfast to be hosted by the President of AMINZ. There's no charge for the breakfast. (Partners of Fellows may also attend, but there is a charge for their attendance.)

And in Wellington

For IAM members, once you have registered for the 29th February event, you will receive an invitation to be hosted by AMINZ members in their homes for one of the nights you are in town.

Plus there are other treats on offer in Wellington. Visit the AMINZ website to see the must-dos in the coolest little capital.

What's on in Queenstown?



Queenstown, New Zealand, sits on the shore of the South Island's Lake Wakatipu, set against the dramatic Southern Alps. The surrounding Central Otago region is known for its Pinot Noir and Chardonnay vineyards, and for adventure sports, walks and scenery. Our Top 10 listing can be seen online.

Thank You

Many thanks to the Speaker Selection Committee that worked on putting together a dazzling programme for this year's joint Conference: Tracy Allen, Geoff Sharp, John R. Phillips, Deborah Clapshaw, John Walton, Tony Willis, Renee Levine and Deborah Hart.

Settling Indigenous Disputes

Lessons learned from New Zealand dispute resolution

Hosted by New Zealand Attorney General, Hon. Christopher Finlayson QC at the Legislative Chamber, Parliament Buildings Wellington, 29 February 2016 9.30am – 12.30pm



This is the way to start your conference experience.

About the Event

New Zealand Treaty of Waitangi claims and settlements have been a significant feature of New Zealand race relations and politics since 1975. Over the last 30 years, New Zealand governments and Māori have engaged to try and remedy breaches by the Crown of the guarantees set out in the Treaty.

The process by which claims are settled have had a profound effect on New Zealand society and the way entrenched, long-running disputes can be settled.

This inspirational event brings together leaders in negotiating various claims, explores how they are achieved and delves into the broader lessons of what the processes teach us about possibilities for settling other deep-seated and protracted disputes.

The morning is an entrée into New Zealand for international guests and a welcome to the start of the New Zealand AMINZ – IAM Conference experience. For others it is a fascinating insight into the settling of indigenous claims.

Who will be involved:

Headlining the event is our host, **Hon, Christopher Finlayson QC**. Minister Finlayson is the Minister responsible for treaty settlements and has, for the last 6 years, been at the vanguard of negotiating claims with Māori. He will present on the Crown's perspective of settling claims.

Other presenters include; **Sir Eddie Taihakurei Durie, KNZM**: co-Chair of the Māori Council, former High Court Judge and leading expert on the Treaty of Waitangi, **Mavis Mullins**: University of Auckland's 2015 Māori Women's Business Leader of the year, Landcorp director, chairwoman of Poutama and Aihau Whanganui Incorporation, board member of Rangitane Tu Mai Ra (the post governance settlement entity established to receive treaty settlement assets) and a board member of the Rangitane Settlement Negotiations Trust, **Daphne Luke**: Chair of Te Huarahi Taki Trust - a charitable trust that was established to enable Māori to negotiate the radio spectrum claim.

Other presenters will be announced.

Advanced Arbitration Seminar

with Royden Hindle, FAMINZ (Arb)

Queenstown, Sunday 6 March 2016, 9:30am – 5:00pm

The Advanced Arbitration Seminar is a great opportunity for those practitioners wanting to refresh or build their knowledge of arbitration.

This seminar is ideal for practitioners who have completed some previous studies and/or have some experience of arbitration and

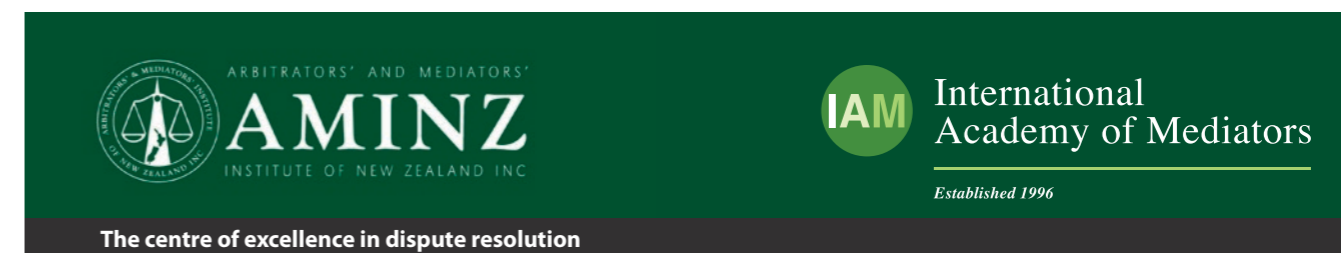
want to update their knowledge, students who have completed some dispute resolution papers at university level and overseas practitioners wanting to be updated on arbitration in New Zealand.

It is a prerequisite for those practitioners wanting to work towards achieving Fellowship – the Institute's highest credential.

Building on your current understanding, you will be updated on topics including:

<ul style="list-style-type: none"> • Communication practices during hearings and meetings • Writing arbitration awards • Arbitration agreements, recognition and enforcement of the agreement • Preliminary meetings, meeting procedures and arbitrator powers 	<ul style="list-style-type: none"> • Hearings • Court involvement in arbitration • Remedies • Assessment of evidence 	<ul style="list-style-type: none"> • Decision making • Awards – form writing • Post award • Ethics for arbitrators
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PROGRAMME



Dispute Resolution on the Edge

THURSDAY 3 MARCH 2016	
3.00-5.00pm	IAM Members' meeting
3.30-4.30	REGISTRATION
5.00-6.00	NEWBIES WELCOME Venue: Meet in the bar
6.00-7.15	LAUNCH Speaker: Gerard van Bohemen On the edge of global conflict Sponsored by the NZ Law Foundation
7.30 onwards	SOCIAL EVENT Venues: Rata, Blue Kanu and Speight's Ale House

FRIDAY 4 MARCH 2016			
8.00 - 8.45	Late Registration		
7.30 - 8.30	Stretch and Strengthen with Anne Scott		
8.45 - 9.15	Mihi (Māori welcome) Delegates must be seated by 8.40am		
9.15-10.00	Gary Born The Rainbow Warrior – a case for mediation and arbitration		
10.00 -10.30	MORNING TEA		
	DETERMINATIVE	CONSENSUAL	SPECIALIST STREAM
10.30 – 11.30	Alex Baykitch Topic TBA	Panel Kimberlee Kovach, Tony Willis, Jerry Weiss, Eric Galton Transformative Mediation – Can you Find Heart and Soul (and Adventure) in an increasingly Numerical World?	Stephen Price Expert Witnesses: Emerging frontiers

	DETERMINATIVE	CONSENSUAL	SPECIALIST STREAM	
11.35– 12.20	Kim Francis Recent developments in arbitration appeals: What can be appealed, and who should determine it?	Gerard van Bohemen Topic: TBA Sponsored by the New Zealand Law Foundation	John Larmer Rural Dispute Resolution: Stepping Over (or onto) the Edge Chair: Ranald Gordon	
12.25-1.10	Simon Foote, David Turner, Samuel Jeffs From Gods to Gary: The Past, Present and Future of Investment Treaty Arbitration in the Pacific Rim	Panel Jan Frankel Schau, Robert Tessier, Michelle Reinglass Same Old Song, Sung Out of Tune: Micro-Interventions for Unexpected Calamities	Derek Johnston and Polly Pope Regulatory action in New Zealand: Moving Beyond the Courts	
1.10 – 2.10	LUNCH			
2.10– 3.10	A Fireside Chat I'm on the edge of what? Eric Galton interviews Susan Hammer, Elizabeth Birch, Maria Hansen			
	DETERMINATIVE	CONSENSUAL	DOING THE BUSINESS	SPECIALIST STREAM
3.15 – 4.00	Justice Stephen Kos The legal perspective: Inquisitorial processes-How they might work in arbitration.	Nina Khouri and Maria Dew International Mediation – the new era of enforceability	Korero Hayden Wilson To joint session or not to joint session?	Restorative Justice Prof Chris Marshall
4.00-4.30	AFTERNOON TEA			
4.30 – 5.00	Dr Petra Butler interviews Gary Born The session for your arbitration questions, queries and issues	Geoff Sharp New Voices	A slice of the day Kimberlee Kovach, Tony Willis, Jerry Weiss and Eric Galton Jan Frankel Schau, Robert Tessier and Michelle Reinglass Prof Chris Marshall	A slice of the day Simon Foote, David Turner and Samuel Jeffs Kim Francis
5.00 – 5.30			A slice of the day Nina Khouri and Maria Dew John Larmer Mark Kelly	A slice of the day Stephen Price Derek Johnston and Polly Pope
5.30pm onwards	FREE EVENING			

SATURDAY 5 MARCH 2016				
7.30 – 8.30	Stretch and Strengthen with Anne Scott			
8.00 – 9.15	AMINZ Fellows' Breakfast Hosted by the AMINZ President, John Walton FAMINZ			
9.15 – 10.15	Tony Willis Healing the Schism between Judges /Arbitrators and Mediators Chair: Gene Moscovitch			
10.15 -10.45	MORNING TEA			
	DETERMINATIVE	CONSENSUAL	DOING THE BUSINESS	SPECIALIST STREAM
10.45 – 11.45	Justice Clyde Croft Resisting the Temptation of Domesticity - the Evolving Role of the Courts in Arbitration	Scott Markus, Gene Moscovitch and Lee Jacobson First Demands and First Offers ... Striving for a Solid Start	Nina Khouri When is too far?	Eric Van Loon Indigenous Peoples' Mediation on the Edge: When American Indians Assert Ancient Treaty Rights and Seek Billion Dollar Deals Chair: Phillip Green
11.50 – 12.35	David Kreider How much justice is enough?	Panel Larry Rute, John R Phillips, David Clark and Phillip Green Mediating Multi-party Disputes: 21st Century Problem Solving		Andrew McGregor Calamities, Mistakes, Thinking Illusions and the Law Chair: John Walton
12.35 – 1.35	LUNCH			
1.35 – 2.20	Phillip Howell Richardson International Mediation and the art of voyaging in the unknown			
2.25 – 3.10	Jeremy Johnson Construction Contracts Act - Trust Disputes	Panel Doug Murphy QC, David Gaszner, Ian Hanger AM QC Convenor: Royden Hindle	Mark Kelly The gatekeepers to commercial mediation – who are they, who will they be in the future, what do they want, and what do they need?	Arnaud Deutsch Hybrid processes – Computer-Assisted Med Arb
3.10 – 3.40	AFTERNOON TEA			
3.40 – 4.10	A slice of the day David Kreider, Justice Clyde Croft, Andrew McGregor	A slice of the day Eric Van Loon, Scott Markus, Gene Moscovitch and Lee Jacobson Larry Rute, John R. Phillips, David Clark and Phillip Green	Korero Jerome Chapman Plain thinking and plain writing for clear decisions	Korero Helen Rice Listen to your body – stay on the edge
4.10–5.30	On the ethical edge A hypothetical with Michel Kallipetis QC			
7.30 – late	Gala Dinner at the Skyline Masters of Ceremonies: Tracy Allen and John Walton After Dinner Speaker: Robert Fisher QC Band: LA Social Club			

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The team is led by partners Jeremy Johnson, Jared Ormsby, Amanda Douglas and Joshua Shaw.

We look forward to meeting you at
the 2016 AMINZ Conference

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