



IAM

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TAKING COMMERCIAL MEDIATION TO THE NEXT LEVEL

Training Day with Experienced Commercial Mediators

15th November 2018

Schellenberg Wittmer, Löwenstrasse 19, 8001 Zürich

The Mediation Process provides a vehicle for parties and their legal advisors to shape creative outcomes in response to the dispute. Domestic and international commercial disputes are increasingly settled through mediation. It is helpful to understand the commercial mediation practice of other countries.

This one-day training allows you to learn from some of the most experienced mediators what their mediation practice looks like. In small groups, they will discuss current experience, best practice and specific technics.

This one-day training gives you an exceptional opportunity to learn about commercial mediation from different experts and to take your own mediation practice to the next level.

MEET THE EXPERTS

Claude Amar, IAM Distinguished Fellow, Paris, France

Claude is a hotel developer. He was trained as an architect (Ecole Nationale Supérieure des Beaux-Arts, Paris) and has studied Finance at INSEAD and Negotiation at Harvard (with Robert Mnookin's team). He was trained as a mediator by Gary Friedman, at the Centre for Mediation in Law in San Francisco. Claude is the President of the Académie de la Médiation and of the IFCM (French Institute for Mediators Certification), the IMI's French QAP.

Claude is the founder and President of the Eyetech Foundation, an NGO dedicated to cataract blindness treatment. Claude is a member of the IAM Board of Governors.

Robert Daisley, IAM Distinguished Fellow, Tampa, FL, USA

Robert has mediated over 1,500 cases since becoming certified in 2004. He mediates approximately 250 cases a year, for a long list of satisfied clients from diverse practice areas and both sides of the Bar.

Rob graduated Phi Beta Kappa from Dartmouth at age 20 and Order of the Coif from UVA Law at age 23. For 22 years, he handled trials for plaintiffs and defendants in insurance, contract, professional liability, personal injury, employment, real estate and eminent domain cases. As a Mediator, Rob has earned a reputation for working hard, working creatively and getting to the printer.

Rob has an extensive knowledge of business, contract, eminent domain, employment, insurance and risk management, intellectual property, maritime, personal injury, professional liability, products liability, real estate, securities and sports law. Robert is a member of the IAM Board of Governors.

Chuck Doran, IAM President-Elect, Boston, MA, USA

Chuck is an experienced mediator specializing in the resolution of employment, franchise and other disputes. A mediator since 1992, he is a member of the CPR Dispute Resolution Panel of Distinguished Neutrals and has provided mediation and other ADR services to a variety of clients including AT&T, Bose, BMW of North America, Coca-Cola, General Motors, Oxfam America, the Equal Employment Opportunity Commission (EEOC), the Massachusetts Commission Against Discrimination (MCAD), and the USPS REDRESS I and REDRESS II Mediation Panels.

Chuck is a Distinguished Fellow with the International Academy of Mediators and serves on IAM's Board of Governors. In 1993, Chuck completed a Specialization in Negotiation and Dispute Resolution at the Program on Negotiation at Harvard Law School. In 1994, Chuck founded MWI, a nationally recognized dispute resolution service and training organization based in Boston, MA that provides individual and corporate clients with negotiation consulting and training, mediation and arbitration services, and mediation training.

Chuck served as a member of the Massachusetts Supreme Judicial Court Standing Committee on Dispute Resolution and was Chair of the Qualifications Subcommittee. He is an arbitrator with the Massachusetts Bar Association's Fee Arbitration Board and is a past president of the Association for Conflict Resolution, New England Chapter.

Jon Fidler, IAM Vice-President, Toronto, ON, CAN

Prior to mediating, more than 20 years experience as a personal injury/insurance lawyer acting equally both for plaintiffs and insurers. Mediating since 1988, full time since 1994. Awarded Chartered Mediator (C.Med.) designation. One of the busiest mediators in my field in Ontario. I have also served as a deputy judge of the Ontario Small Claims Court and have lectured at numerous continuing legal education programs on various ADR related topics. I sit on the IAM Membership Committee, the Board of Directors and am the current Treasurer. I was awarded the Ontario Bar Association Award of Excellence in ADR in November 2016.

Lee M. Jacobson, IAM President, Fresno, CA, USA

Lee is a full time mediator/arbitrator and is President of Jacobson Dispute Resolution, APC. After graduating from the University of California at Davis in 1977 with degrees in Political Science and Mass Communications, Lee attended law school at the University of Santa Clara, becoming an associate editor of the Santa Clara Law Review and earning a Juris Doctor degree in 1980. He then began his legal career working for the Ericksen, Arbuthnot law firm specializing in insurance defense litigation where he worked for 7 ½ years before starting his own law firm, Jacobson, Hansen and Najarian in August of 1988 where he continued litigating insurance defense matters.

Jeff Jury, IAM Past-President, Austin, TX, USA

Jeff Jury, a founding partner of Burns Anderson Jury & Brenner, L.L.P. in Austin, is a lawyer, mediator, arbitrator and teacher. He holds the designation “Credentialed Distinguished Mediator” from the Texas Mediator Credentialing Association. Jeff is the Immediate Past President of the International Academy of Mediators, and has served on the Council of the State Bar of Texas Construction Law and ADR Sections. He authored chapters on negotiating liquidated damages, comprehensive lien releases, and settlement agreements for “Construction Checklists,” published by the ABA Forum on the Construction Industry. His article on flow-down clauses in construction contracts is frequently cited in continuing education articles.

Jeff teaches Mediation, and Negotiation at the University of Texas Law School. He was honored with the Professionalism Award by the Austin Bar Association and the Texas Center for Legal Ethics and Professionalism in 2009.

Michel Kallipetis, IAM Secretary, London, UK

Michel regularly mediates a wide variety of disputes including: partnerships; banking; insurance and re-insurance; all areas of employment disputes including racial and sex discrimination claims and pension rights; solicitors and valuers’ negligence claims; medical negligence and personal injuries claims; construction, engineering and commercial disputes with claims over several £100m including referrals from the Commercial Court and the Technology & Construction Court. He has also mediated a variety of land disputes involving rights of way and disputed boundaries. Many of the mediations have been multi party disputes and others have involved international companies and the laws of other countries. He has mediated for the ICC and the AAA.

Steven Paul, IAM Distinguished Fellow, Los Angeles, California, USA

Steve Paul is a mediator based in Los Angeles, specializing in mediating employment/labor, business and entertainment disputes. He is also an Adjunct Professor at the Straus Institute for Dispute Resolution at Pepperdine Law School, where he has taught employment dispute resolution for the past several years. Prior to becoming a mediator, Steve was legal and business affairs counsel for over a decade at Warner Bros., where he provided legal oversight of day-to-day studio operations and labor and employment issues. Steve graduated Phi Beta Kappa from UC Berkeley, and received his law degree from Berkeley's Boalt Hall School of Law. He is a Distinguished Fellow with the International Academy of Mediators, and serves on the IAM’s Board of Governors. Steve also provides strategic planning, personnel oversight and governance on behalf of other community non-profit social service organizations.

James Peter, IAM Distinguished Fellow, Zurich, CH

James T. Peter, Dr. iur., LL.M. is commercial mediator since 1997. James is lecturer and trainer in mediation, negotiation, communication and conflict management for the University of Lucerne, University of Zurich, University of Zurich of Applied Sciences and many more. He has a wide experience as mediator for commercial disputes in a variety of business fields such as construction, engineering, pharmaceuticals, IT, banking, fashion, and more. He further mediates disputes among partners as well as employment and workplace disputes. He mediated for institutions such as ICC or SCAI (Swiss Chambers of Commerce Association). He is past-president of the Swiss Chamber of Commercial Mediation. James is a member of the IAM Board of Governors.

Larry R. Rute, IAM Treasurer, Topeka, KS, USA

Larry is a partner and co-founder in Associates in Dispute Resolution, LLC, of 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. Larry earned his Juris Doctorate (JD) from Washburn University School of Law and received a Master of Law (LLM) degree from the University of Washington. He is licensed in Kansas and Missouri. He has served as an Adjunct Professor at Washburn University School of Law, teaching Dispute Resolution Techniques and Negotiation Strategies. He is a Charter Member of the National Academy of Distinguished Neutrals. He currently serves as Treasurer on the International Academy of Mediators Board of Directors.

Larry has successfully mediated more than 4,500 matters involving commercial law, consumer protection, employment law, family law division of assets, personal injury, probate, workplace disputes and complex multi-party cases, including class and collective actions. He serves as an arbitrator on behalf of the American Arbitration Association (AAA), National Arbitration Forum (NAF), and FINRA Dispute Resolution. He is a Mediator and Due Process Hearing Officer for the Kansas Department of Education.

Jerry Weiss, IAM Distinguished Fellow, Cleveland, OH, USA

Jerry is the founder of Mediation Inc. He received his B.A. from Syracuse University and his J.D. from Case Western Reserve University. He has mediated a broad range of complex disputes that often involve a significant emotional component.

Jerry is an Adjunct Professor at Case Western Reserve University, where he designed and teaches 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 - featured as its 2013 mediation "Cleveland Lawyer of the Year" - and Super Lawyers and he has been consistently listed as First Tier in ADR in U.S. News and World Report from its inaugural edition to the present.

He is the only Northeast Ohio mediator elected as a Fellow in the International Academy of Mediators (IAM), where he sits as a Governor. He has spoken on topics dealing with conflict and people and institutions in conflict both in the U.S. and abroad. He holds a dual U.S. and German citizenship. He was inducted as a member of Case Western Reserve University's Society of Benchers, the highest honor bestowed by that law school.

Jerry is well known as a mediator who looks for the human beings behind the conflict. Jerry is a member of the IAM Board of Governors.

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AGENDA

09:20-10:30AM	Panel Discussion: Practice of Commercial Mediation • (Practice Areas; A Typical Commercial Mediation: Duration, Joint Session vs. Caucus Model, Pre-Mediation Briefs)
10:30-10:50AM	COFFEE NETWORKING
10:50-12:00PM	Panel Discussion: Role of the Attorney • In what way is the attorney interacting with the mediator? • Why has mediation not developed the same way in the different Countries (or within the different States of the US)?
12:00-13:30PM	LUNCH NETWORKING
13:30-14:45PM	WORKSHOPS (4 Groups) 1. Trust as a Cornerstone to Resolution and Empathetic Listening: Jerry Weiss 2. Workplace and Corporate Internal Mediation: Chuck Doran 3. Reverse Engineering A Settlement: The Three Key Components to a Successful Mediation: Robert Daisley 4. The Importance of First Numbers in Commencement of Settlement Negotiations: Lee Jacobson, Steve Paul, James Peter
14:45-15:15PM	COFFEE NETWORKING
15:15-16:30PM	WORKSHOPS (4 Groups) 1. Mediation Preparation and Pre-Mediation Conferences: Larry Rute 2. How to Avoid a "Trainwreck"?: Jon Fidler 3. Confidentiality/Privilege and a Comparative Study of Different Approaches Especially between Common Law and Civil Law Jurisdictions: Michel Kallipetis 4. How Important is it, to have the Right Persons at the Mediation Session and What can you do about it?: Jeff Jury, Rob Daisley & Claude Amar
16:30-17:15PM	COCKTAILS APERO

REGISTRATION FORM

COST: \$495.00 (USD) Includes Coffee Breaks, Lunch, Apéro

Name _____

Company Name _____

Address _____

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PAYMENT METHOD: (Credit cards will be charged in USD at \$495.00) MasterCard Visa

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For more information about the program, please contact James Peter at jp@ksup.ch.
To register, complete the form and email to info@iamed.org