



NEW YORK STATE BAR ASSOCIATION  
**DISPUTE RESOLUTION SECTION**



**6.5 MCLE Credits**

1.5 Areas of Professional Practice, 3.5 Skills  
1.5 Ethics and Professionalism

## Fall Meeting 2018

### Refining Skills for a Changing ADR Landscape

October 22, 2018

**New York Law School**  
185 West Broadway  
(corner of West Broadway and Leonard Street)  
New York, NY 10013-2921

[www.nysba.org/DRSFallMeeting18](http://www.nysba.org/DRSFallMeeting18)





### **Dispute Resolution Section Chair**

Deborah Masucci, Esq.  
Masucci Dispute Management and Resolution Services

### **Program Co-Chairs**

Theodore K. Cheng, Esq.  
ADR Office of Theo Cheng, LLC

Rekha Rangachari, Esq.  
New York International Arbitration Center



## **CLE INFORMATION**

**Under New York's MCLE rule**, this program provides up to 6.5 MCLE credit hours (1.5 in Areas of Professional Practice, 3.5 in Skills, and 1.5 in Ethics and Professionalism, this program is transitional and does qualify for newly admitted attorneys.

### **Discounts and Scholarships**

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who required financial aid may apply in writing, not later than ten working days prior to the start of the program, explaining the basis of the hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Kristina Gagnon at 518.487.5669 or [kmgagnon@nysba.org](mailto:kmgagnon@nysba.org).

### **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 Kristina Gagnon at 518.487.5669 or [kmgagnon@nysba.org](mailto:kmgagnon@nysba.org).

# SCHEDULE OF EVENTS

## Refining Skills for a Changing ADR Landscape

8:30 AM – 10:00 AM	Executive Committee Meeting
8:30 AM – 10:00 AM	Resumé Revamping Table (representatives from provider organizations)
8:45 AM – 10:00 AM	Registration
10:00 AM – 10:10 AM	Welcoming Remarks by DRS Chair Deborah Masucci
<b>10:10 AM – 11:25 AM</b>	<b>Plenary 1</b> <b>A Roundtable on Mediation Impasse-Breaking Techniques (1.5 Skills)</b> Experienced mediators will address how they handle various impasse situations that arise in mediation sessions. Using hypothetical scenarios, the panelists will share specific impasse-breaking techniques that have worked for them (or that they have considered using) in a facilitated roundtable session that will promote peer learning.
Moderator:	<b>Gabrielle Y. Vázquez, Esq.</b> McGrail & Bensinger LLP
Panelists:	<b>Jennifer Lupo, Esq.</b> Lupo Law PLLC <b>Charles M. Newman, Esq.</b> Law and Mediation Offices of Charles M. Newman <b>Ruth D. Raisfeld, Esq.</b> Ruth D. Raisfeld, P.C. <b>Stephen Sonnenberg, Esq.</b> JAMS
11:25 AM – 11:35 AM	BREAK
<b>11:35 AM – 12:30 PM</b>	<b>Plenary 2</b> <b>Sharpening our Communication Skills in the Online World: Strategies and Tips for Mediators, Arbitrators, and Advocates (1.0 Skills)</b> In a world that increasingly incorporates the latest technology into our workspace, ADR practices are also evolving to include increased communications through e-mail, video conferencing, social media platforms, and other means of online communicating. In many instances, the first time the participants (including the neutral) in a mediation or arbitration actually meet and interact with each other in person is at the session or hearing, but there are many other means of communicating that can be used as part of the process. Learn how to properly and clearly communicate in this online world – a critical skill set that everyone in the ADR field needs to develop – in a training session, appropriately enough, via videoconferencing.
Moderator:	<b>Theodore K. Cheng, Esq.</b> ADR Offices of Theo Cheng LLC
Speaker:	<b>David A. Hoffman, Esq.</b> Boston Law Collaborative, LLC
12:30 PM – 1:30 PM	Networking Luncheon

**1:30 PM – 2:45 PM**

### **Plenary 3**

#### **Access to Justice: Opening the Door to Additional Protections in Arbitration**

(1.5 Areas of Professional Practice)

The recent decade has witnessed the growth of interim, provisional, and conservatory relief in arbitration. Arbitral institutions took the lead, amending their rules also to permit the appointment of emergency arbitrators. This panel investigates grounds for relief and the process of accessing such relief in both domestic and international arbitration proceedings.

Moderator:

**Rekha Rangachari, Esq.**

New York International Arbitration Center

Panelists:

**James P. (“J.P.”) Duffy IV, Esq.**

Baker & McKenzie LLP

**Erica B. Garay, Esq.**

Garay ADR Services

**Hon. Faith Hochberg (ret.)**

Faith Hochberg ADR

**2:45 PM – 4:00 PM**

### **Plenary 4**

#### **The Ethics Gameshow! (1.5 Ethics and Professionalism)**

Being cognizant of, and complying with, ethics and disciplinary rules are an everyday task for ADR professionals, particularly if you are both a neutral and an attorney. Team-up with your colleagues to answer various ethics hypotheticals and then compare your answers with those provided by our resident panel of ethics experts to score points. The winning team gets a prize!

Hosts:

**Theodore K. Cheng, Esq.**

ADR Offices of Theo Cheng LLC

**Felicia T. Farber, Esq.**

Farber Resolutions LLC

Experts Panel:

**Hon. Carol E. Heckman (ret.)**

Lippes Mathias Wexler Friedman LLP

**Nicole Hyland, Esq.**

Frankfurt Kurnit Klein & Selz PC

**Lewis Tesser, Esq.**

Tesser, Ryan & Rochman, LLP

4:00 PM – 4:15 PM

BREAK

**4:15 PM – 5:15 PM**

### **Plenary 5**

#### **Securing the Decision: A Primer on Arbitral Award Writing (1.0 Skills)**

This panel explores best practices to safeguard an arbitral award (interim, partial final, final) against future court proceedings for enforcement, set-aside and vacatur. Diversity of perspective is a focal point, with voices from arbitral institutions, counsel, and arbitrator.

Moderator:

**Kabir Duggal, Esq.**

Arnold & Porter Kaye Scholer LLP

Panelists:

**Christian P. Alberti, Esq.**

International Centre for Dispute Resolution

**Stephanie Cohen, Esq.**

Independent Arbitrator

**Marek Krasula, Esq. (invited)**

SICANA, Inc./International Court of Arbitration

**Kiera S. Gans, Esq.**

DLA Piper

**Richard L. Mattiaccio**

Allegaert Berger & Vogel LLP

**5:15 PM – 6:30 PM**

#### **Networking Reception honoring the Winners of the National Championship NYSBA/ACCTM Alternative Dispute Resolution Law Student Writing Competition/Resume Writing Table**

# NEW YORK STATE BAR ASSOCIATION

## MEETING REGISTRATION FORM

Name: \_\_\_\_\_

Member ID: \_\_\_\_\_

Office: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

### FEES

	BEFORE 10/08/18	AFTER 10/08/18
<input type="checkbox"/> DISPUTE RESOLUTION SECTION MEMBER FEE:	\$100.00	\$150.00
<input type="checkbox"/> NYSBA MEMBER FEE:	\$200.00	\$250.00
<input type="checkbox"/> NON-NYSBA MEMBER FEE:	\$250.00	\$300.00
<input type="checkbox"/> NEWLY ADMITTED FEE:	\$75.00	\$75.00
<input type="checkbox"/> LAW STUDENT FEE:	\$50.00	\$50.00
<input type="checkbox"/> NON-MEMBER FIRST TIME ATTENDEE FEE:	\$200.00	\$250.00

#### If you are already a NYSBA Member

- Check here to join the Dispute Resolution Section for \$35 and receive the discounted registration rate

### PAYMENT INFORMATION

- Check or money order enclosed in the amount of \$ \_\_\_\_\_  
(Make checks payable to New York State Bar Association.)

or

- Charge \$ \_\_\_\_\_ to  American Express  Discover

- MasterCard  Visa Expiration Date \_\_\_\_\_

Card Number \_\_\_\_\_

Authorized Signature \_\_\_\_\_

## Dispute Resolution Section Fall Meeting

**Thursday, October 22, 2018**

**New York Law School**

185 West Broadway  
New York, NY 10013-2921

[www.nysba.org/DRSFallMeeting18](http://www.nysba.org/DRSFallMeeting18)

#### Registration fee includes:

Continental breakfast, lunch,  
cocktail reception, CLE program,  
and programming materials

#### Cancellation Notice:

Notice of cancellation must be received  
by October 15, 2018 in order to obtain a  
refund of registration fees. Please contact  
Kristina Gagnon at [kmgagnon@nysba.org](mailto:kmgagnon@nysba.org)  
or 518-487-5669 to cancel your registration.

#### Fax or mail this form with registration fee(s) to:

Kristina Gagnon, Section Liaison  
New York State Bar Association  
One Elk Street  
Albany, New York 12207  
Phone: 518.487.5669  
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Please refrain from faxing **and** mailing  
as this can result in double billing.