



LESS CONFLICT // MORE PURPOSE

2020 ANNUAL REVIEW

INTERNATIONAL INSTITUTE FOR
CONFLICT PREVENTION & RESOLUTION



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CPR seeks to manage conflict to enable purpose.

CPR's mission is to harness the insights and experiences of its members to prevent and resolve business disputes.

WE DO THIS BY:

- Convening a community of members to generate innovative and best practice resources to prevent and resolve disputes.
- Promoting a global culture of dispute prevention and resolution.
- Resolving conflicts through an array of dispute resolution services and a Panel of Distinguished Neutrals.

THE VALUES WHICH ANIMATE OUR OPERATIONS ARE:

- Quality – We strive for excellence in all that we do.
- Accountability – We are responsive to the needs of each other, our members, our customers and to the broader community in which we work; we are responsible for addressing those needs efficiently and with integrity.
- Collaboration – We seek to understand each other and to help find common ground and effective solutions.

“LESS CONFLICT // MORE PURPOSE.”

A LETTER FROM CPR'S PRESIDENT AND CEO

It is hard to believe that only a few short months have passed since I arrived at CPR in August. With help from our staff, membership and Board of Directors, my first steps have been both to get educated and to be sure we are aligned as an organization.



Allen Waxman

We established for ourselves five imperatives: focus on the membership experience and programming to sustain and diversify those supporting our mission; drive utilization of CPR's dispute resolution services in furtherance of our mission; support the continued introduction of CPR globally as part of building capacity for ADR; engage in global advocacy in support of driving a dispute prevention and resolution culture and to better educate public policy makers on these issues; and enhance our operations to bring greater efficiency and effectiveness. We are on our way! And, this kind of ambition and reach is made possible by the incredible efforts of our members – who chair and participate in our committees, who lead our advisory boards, and who publish, teach and advocate for dispute prevention and resolution. It is wonderful to be able to lead such an organization, and I want to thank all of those engaged with us in this cause, and encourage those not engaged to get engaged.

So what is our cause? Every organization has a mission, a purpose, a reason they were created and why their folks go to work every day; CPR is no different. We strive for dispute prevention and resolution because conflict gets in the way of purpose. Managing conflict to enable purpose is our cause. And it is more critical now than ever. Can any of us recall a time when pursuing our purpose has been so disrupted by conflict or where the imperative for the business

community to lead has been so important? It was in this context that last summer the Business Roundtable – including many of our members – called on companies to widen the lens of their purpose to ensure that value is not only pursued for shareholders, but for all of its stakeholders – from customers, to employees, to suppliers and to the communities in which they work.

Essential to this charge will be the way in which business manages conflict with those stakeholders – constructively and efficiently. And with the support of our membership and others, we at CPR will continue to help companies meet that charge – by convening; publishing; educating and training; providing cutting-edge dispute resolution resources and services; and building capacity for ADR systems worldwide.

We undertake these efforts with one fundamental goal in mind – helping businesses to cut smoothly through the maze of conflict, the distraction and indeed destruction of business purpose that disputes can cause, and to regain and celebrate their purpose once again. Let's work together for a world with less conflict and more purpose.

A handwritten signature in dark ink that reads "Allen Waxman". The signature is fluid and cursive, with a large, stylized 'A' and 'W'.

Allen Waxman
President & CEO

A LETTER FROM THE CPR BOARD CHAIR AND VICE CHAIR

2019 was our first year leading this dedicated group as Chair and Vice Chair, after being passed the baton in June by departing Chair and new Fluor CEO, Carlos Hernandez.

June also saw the announcement by Noah J. Hanft that he would be stepping down as CPR President and CEO after leading the organization for five years, to be replaced by veteran life sciences General Counsel and law firm litigator, Allen Waxman. We would like to take this final opportunity to thank both Carlos and Noah for their terrific tenures.

Those who have met Allen cannot help but be struck by his intelligence, his intensity and the enthusiasm with which he has jumped in on all fronts, including reaffirming our mission and values; enhancing the membership value proposition with a focus on enriching our programming; growing CPR Dispute Resolution, including the launch of an employment-related mass claims protocol; and empowering our international advisory boards to continue to expand our reach.

We are proud of the support our membership and others continue to extend to us, as demonstrated in CPR's Corporate Leadership Award dinner, which each year helps to fund important public policy advocacy, dispute prevention and resolution programming, and initiatives around the world, like our international mediation competition in Brazil. This year's dinner was our second most successful ever, and for that we must credit and thank our honoree, The Ford Motor Company, and everyone else who contributed.

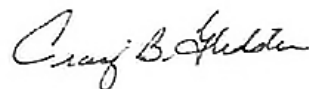
With Allen at the wheel, CPR has renewed its commitment to the growth and greater diversity of the CPR Panel of Distinguished Neutrals – highlighted this year by the production and promotion of its brochure promoting CPR's female neutrals.

We continue also to invest in developing the infrastructure to maintain the vibrancy of ADR, such as our leadership of the development of a cybersecurity protocol for international arbitration. And this short letter only begins to scratch the surface. We invite you to settle back and enjoy the myriad stories and successes contained in these pages, which so many of you helped to make possible.

On behalf of the entire CPR Board, we thank you and look forward to guiding this organization for another year.



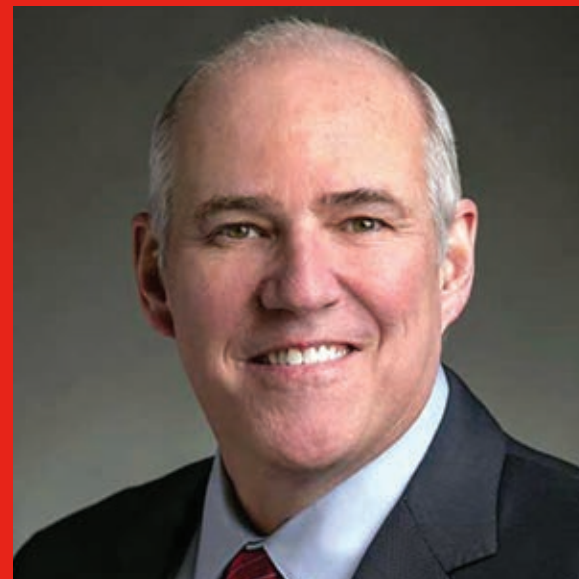
Tom Sabatino
Chair – CPR Board of Directors



Craig Glidden
Vice Chair – CPR Board of Directors



Thomas J. Sabatino



Craig Glidden

MEMBERSHIP

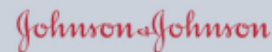
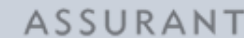
Whether you are a corporation, law firm, neutral, lawyer, or an academic or government entity, CPR membership offers you the opportunity to prevent and resolve business conflicts more effectively, while facilitating your business objectives, by taking advantage of CPR's cutting-edge dispute prevention and resolution resources and services. Our all-in-one approach provides the most innovative and affordable methods for anticipating and addressing your dispute prevention, mitigation and resolution needs.

CPR membership offers numerous discounts, and 24/7 website access to CPR's proprietary Panels of Neutrals – approximately 600 of the most highly qualified mediators and arbitrators around the world, with proven experience in more than 30 different practice areas and industries.

Perhaps most important, CPR membership also admits you into a community of ADR's greatest minds, fellow thought leaders networking and collaborating through CPR's best practice and industry-specific, members-only advisory boards and committees, and at regular events. These efforts not only reap direct benefits and create tools and best practices for members' own businesses and clients – but support the broader mission of building a more thoughtful dispute resolution culture worldwide as well. If you are not already a CPR member, what are you waiting for?

For more information about
membership or to join
CPR, contact us at
membership@cpradr.org

SOME OF CPR'S CORPORATE MEMBERS





The CPR Institute drives a global prevention and dispute resolution culture through the thought leadership of its diverse membership of top companies, law firms, academics, and leading mediators and arbitrators around the world. The Institute convenes best practice and industry-oriented committees and hosts global and regional meetings to share practices and develop innovative tools and resources. The Institute trains on dispute prevention and resolution, publishes a monthly journal on related topics, and advocates for supporting and expanding the capacity for dispute prevention and resolution globally.



CPR's Committees and Task Forces

CPR's Committees and Task Forces, the centerpiece of our think tank work, were as active as ever producing high quality content and well-attended programs. Below is only a small sampling of what some of the Committees and Task Forces accomplished this year. Please consider participating in one or more of our Committees and Task Forces, and encourage your colleagues to do so as well.

2019 saw the formation of **The Digital Transformation Committee**, which meets periodically to analyze and discuss the impact of new technologies – such as smart contracts, open innovations, contract management and artificial intelligence – on the dispute prevention and resolution landscape. The group also focuses on matters related to cybersecurity and data protection.

In April, CPR's **Mediation Committee** and Morgan, Lewis & Bockius hosted a Washington, DC meeting featuring Karin L. Kizer, Attorney Adviser, Office of the Legal Adviser, U.S. Department of State, discussing the United Nations Commission on International Trade

Law (UNCITRAL)'s Convention on the Enforcement of Mediation Settlements and corresponding Model Law. This year, this committee has also focused intensely on mediation confidentiality.

May saw a **Banking & Financial Services Committee** meeting held at Holwell Shuster & Goldberg featuring the Hon. Robert D. Drain, United States Bankruptcy Judge for the Southern District of New York, followed by a Fall meeting featuring Hannah Sholl, Sr. Counsel, Global Litigation & Competition at Visa.

In September CPR's **Employment Disputes Committee Meeting** hosted a meeting at Ogletree, Deakins, Nash & Smoak & Stewart featuring an interview with Jamie Kohen, Executive Director & Assistant General Counsel of Human Resources Law at JPMorgan Chase & Co, discussing the current environment of arbitration and other forms of ADR, particularly in the #MeToo era. And the **Healthcare and Life Sciences Committee** co-hosted with the Arbitration Committee a panel discussion in Zurich, Switzerland, focused on arbitration in the life sciences industry.

In addition to organizing CPR's January 2019 Regional Meeting in Houston (See Meetings, Events & Trainings), the **Energy, Oil and Gas Committee** held an October

meeting broadcast in Houston and London featuring an interview with Rosemary Ioannou, Regional Managing Director, UK at Vannin Capital, an internationally recognized dispute resolution funder. This committee also jointly organized CPR's Canada Conference with the Canadian Advisory Board, examining ADR mechanisms in the energy sector.

Also in October, the **Government & ADR Task Force** hosted a Washington DC meeting at BakerHostetler on ADR approaches to government enforcement actions from a Department of Labor perspective and the rise of Ombuds programs in the federal government employment space.

In December, the **Transactional Dispute Prevention & Solutions Committee** hosted Intel's Howard Carsman, discussing the innovative and bespoke dispute prevention procedures he operationalized for Intel and how such implementation has impacted the company's portfolio. This year, a Task Force of this committee worked on developing drafts of a turn-key suite of dispute identification, prevention and resolution provisions designed to preserve long-term business partnerships. This month also saw an event held simultaneously at King & Spalding in New York and at Khaitan & Co. in Delhi, India, where the CPR

CPR COMMITTEES AND TASK FORCES



NEW! Digital Transformation Committee



Arbitration Committee



Banking and Financial Services Committee



Construction Advisory Committee



Employment Disputes Committee



Energy, Oil & Gas Committee



Environmental Committee



Government & ADR Task Force



Healthcare and Life Sciences Committee



Insurance Committee



Intellectual Property Disputes Committee



Mediation Committee



National Task Force on Diversity in ADR



Transactional Dispute Prevention and Solutions Committee

Arbitration Committee presented the India Supplement to *The CPR Corporate Counsel Manual for Cross-Border Dispute Resolution*. The Manual, published in 2017, is a comprehensive guide to planning for and managing the full spectrum of cross-border Alternative Dispute Resolution (“ADR”) processes. The India Supplement is the first of a series of planned CPR guides to the ADR regimes of major developing countries.

Other summary highlights from this very busy year include the **Environmental Committee’s** debuting of a series of webinars on hot topics on the use of ADR in environmental disputes; the **Intellectual Property Committee’s** collaboration with the Delaware District Court on a model program of best practices and draft local rules to facilitate mediation in overlapping multijurisdictional cases pending among the federal courts, the U.S. Patent and Trademark Office and International Trade Commission (“ITC”); and the **Construction Advisory Committee’s** forming of a subcommittee to review CPR’s Rules for Expedited Arbitration of Construction Disputes and draft new construction rules.

Finally, CPR this year began reviewing its Fast Track Arbitration Rules. Members of the **Arbitration Committee** and the **Rules Revision Committee** have also been participating on the **Model Clause Task Force** together with members of the **Mediation and Transactional Dispute Prevention and Solutions Committees** and invitees to prepare alternative CPR model dispute resolution clauses.

Public Policy

CPR’s public policy mission is “To encourage policymakers and practitioners in the United States and abroad to foster the adoption of ADR in the public sector, academia, and in legal practice and to improve the way business conflict is addressed.” This year, CPR approached its public policy objectives in a number of ways.

- Continued support of academic and student engagement through our own robust legal internship program, our collaboration with law schools on ADR programs the inclusion of academics on CPR panels and various pro bono partnerships.
- Legislative advocacy and tracking and the consideration of comments or amicus briefs in important cases.



Franco Gevaerd, CPR Legal Intern; Olivier André, CPR SPV, International ; Piotr Wojtowicz, CPR Legal Intern, at the UN



Anna Hershenberg, CPR Corporate Counsel and VP, Programs and Public Policy

- Sending a delegation to participate in the United National Commission on International Trade Law (“UNCITRAL”) Working Group II dealing with issues relating to expedited arbitration and Working Group III dealing with Investor-State Dispute Settlement Reform. CPR actively participated in the week-long sessions, during which it shared its views and experiences on expedited and investor-state arbitration.
- Continued reporting, in our blog and elsewhere, on important issues such as the federal and state laws restricting mandatory arbitration in light of the #MeToo movement; the Singapore Convention on Mediation’s ratification process and exploring its potential effects; (4) the *Schein* case on remand from the U.S. Supreme Court to the Fifth Circuit.
- Work with the European Advisory Board Public Policy Working Group to provide feedback on the EU draft directive on collective redress actions.



United Nations
UNCITRAL

DIVERSITY & INCLUSION INITIATIVES

CPR has developed a four-pronged strategy to accomplish its diversity and inclusion goals:



1. GROWING THE PIPELINE

- Collaboration with National Bar Association on a panel presentation on diversity issues in ADR in the aftermath of the Jay-Z case at the National Bar Association's Annual Meeting, followed by a networking event in July



- Collaboration with the ADR Inclusion Network
- Community Engagement – CPR staff continues to educate the community about the importance of diversity in the dispute resolution field and to promote CPR's own diversity initiatives and thought leadership through writing articles, speaking engagements and serving as leaders of diversity committees in the ADR community

2. SUPPORTING THE PIPELINE

- “Young Lawyer” Rule – CPR has begun to track the use of its GAR-Award nominated Young Lawyer Rule, which aims to increase opportunities for junior attorneys (who are often women and people of color) to take a more active role in arbitration hearings, by asking selected CPR neutrals to report on the use and effect of the Rule. By reaching out to CPR neutrals both at the time of their selection and at the close of the matter, this process is designed both to capture use of the Rule and to remind neutrals to utilize the Rule prior to the start of the arbitration

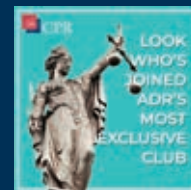
CPR/LCLD/FINRA PROGRAM

- CPR, in collaboration with LCLD and FINRA, continues this two-year mentoring and apprenticeship program, which supports the entry of talented diverse attorneys into the world of ADR through sustained training, mentorship and exposure to arbitration and mediation

- Fundraising for CPR's Diversity Projects and Initiatives – CPR has raised over \$2,300 in donations for its diversity projects and initiatives. (See a list of diversity donors in the back of this report, page 36.)

3. PROMOTION

- Diverse Neutrals Brochure – CPR created a well-received brochure, called Look Who's Joined ADR's Most Exclusive Club, promoting its distinguished



female neutrals. CPR is exploring pursuing funding to create a similar brochure to promote all CPR neutrals who self-identify as diverse

- CPR's Diversity in ADR Award – CPR has opened the application process for the CPR Diversity in ADR Award, which will be presented at the 2020 CPR Annual Meeting.

4. IMPROVING SELECTION

- Neutral Self-Identification – CPR is providing neutrals with the opportunity to self-identify as diverse in their response to the Neutral Query letter

and then providing to the parties those self-identifications to facilitate the selection of diverse neutrals

- Diversity & Inclusion Statement in Neutral Nomination Form – CPR's neutral nomination letter includes a diversity and inclusion statement, which encourages parties to consider the benefits of diversity on the quality of decision-making and the role implicit bias can play at the time they are selecting neutrals
- Diversity & CPR Panels – CPR's diversity efforts are leading to concrete results, as CPR continues to add diverse neutrals to our panels and increase our diverse selection rate (See DRS section for current statistics)
- CPR's Task Force on Diversity in ADR – Co-chaired by the Honorable Shira A. Scheindlin (ret.) and the Honorable Timothy K. Lewis (ret.), this Task Force is working on two projects: 1) meeting with leaders of law firms and corporations to encourage the selection of diverse neutrals; and 2) drafting a model clause that includes language requiring the selection of diverse neutrals

Developing the Next Generation of Leaders

CPR's Y-ADR program promotes the full spectrum of dispute resolution mechanisms with the younger generation of lawyers – those who are 45 years old or younger or those with less than eight years of professional experience in international ADR practice. Through periodic seminars and other initiatives, Y-ADR participants gain an insider's look at the role of dispute resolution processes and practices in corporations and multinational organizations. More important, they have an opportunity to network with in-house counsel and experts in the field.



CPR announced a new 28-member Y-ADR Steering Committee

this year, composed of young in-house counsel and practitioners at leading corporations and law firms around the world. The current list is available on our website.

And, as usual, this year Y-ADR hosted several dynamic events, including an "Introduction to CPR" at Baker McKenzie in January; a joint program with German arbitration group DIS40 on "Cyber Security and Data protection in the Resolution of Transatlantic Disputes," hosted by Shearman & Sterling in Frankfurt, Germany; CPR's first-ever seminar in Dubai – hosted by Freshfields Bruckhaus Deringer and co-sponsored by FTI Consulting; a December networking event in London; and its annual "Year in Review" reception hosted by Debevoise & Plimpton in New York.



An attentive crowd at Y-ADR's "Introduction to CPR" event hosted by Baker McKenzie in NY with Franco Gevaerd, CPR Intern, center



Yousuf Aftab (Atelier Aftab & Enodo Rights); Ross Andre (Southern Company); and Eva Chan (Skadden, Arps, Slate, Meagher & Flom), at the "Y-ADR Year in Review" event at Debevoise & Plimpton



The winner of the 2019 Trivia Contest with Y-ADR Co-Chair Natalie Reid, Debevoise & Plimpton; at the Y-ADR Year-in-Review event at Debevoise



The audience at the Y-ADR Year in Review at Debevoise (CPR's Citlalli Grace, center foreground; CPR's Kai Sass-Hauschildt, center back)



Olivier André, CPR; Jennifer Kim, Trammo, Inc.; Laura Zimmerman, Baker McKenzie; Gaëlle Tribié, Sidley Austin, at the Y-ADR Seminar, "Introduction to CPR" at Baker McKenzie



London Y-ADR Steering Committee Members, Elizabeth Chan, Three Crowns and Saadia Bhatti, Gide Loyrette Nouel, at a holiday "Mix and Mingle" in London



CPR Dispute Resolution harnesses the thought leadership and output of the Institute to provide ADR services – mediation, arbitration, early neutral evaluation, dispute resolution boards and others – through innovative and practical rules and procedures and through CPR’s Panel of Distinguished Neutrals.



In 2019, CPR intensified its focus on inspiring greater usage of our rules, resources, panels and services – which extend well beyond arbitration to include special arbitrators for interim measures, fundholding, deal facilitation, early neutral evaluation, mini-trials and dispute resolution boards, as well as a Flat Fee Mediation Program and a 15% Member Discount from Participating Neutrals, which is extended to all parties in a dispute resolution matter.

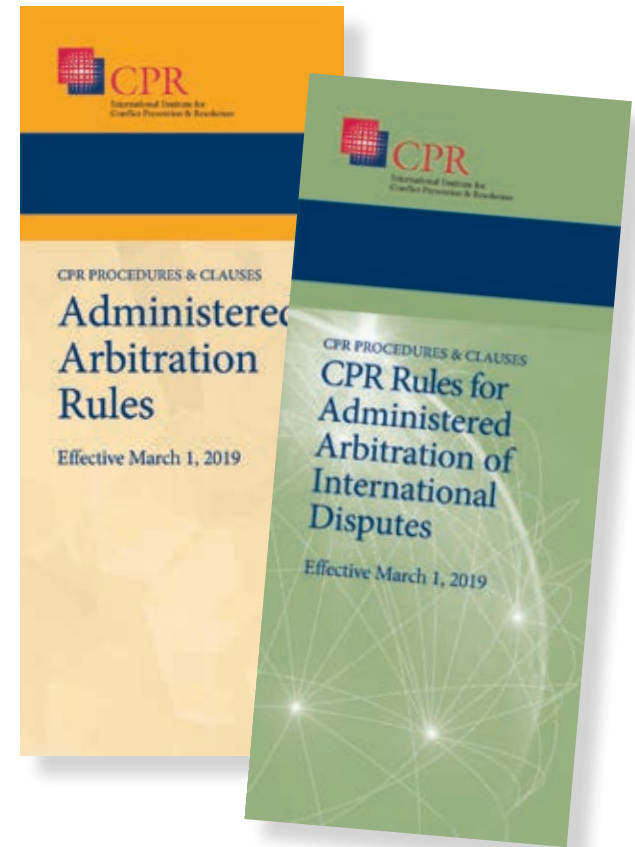
Early in the year, CPR released a revised set (domestic and international) of **CPR's Administered Rules for Arbitration**, which adopted CPR's award-winning signature Screened Selection Process as the default mechanism for arbitrator selection, while providing a host of other options for which the parties may contract. Other key updates included new "Young Lawyer" Rule; provisions for a single arbitrator for cases not exceeding \$3 million; enhanced opportunities for mediation during the arbitration; express procedural guidance on early disposition; and the inclusion of cyber security issues among the issues to be discussed.

This year CPR entered into several dispute resolution services-related collaborations with other organizations, including:

- Jointly with the **Centre for Effective Dispute Resolution**, the production of an Insights Report on the Use of ADR.
- A strategic partnership with **TerraLex**, an award-winning network of quality, independent law firms, under which TerraLex named CPR its exclusive recommended ADR Services Provider and can now access CPR's panel of Distinguished Neutrals as well as numerous events and publications and discounts on CPR offerings.

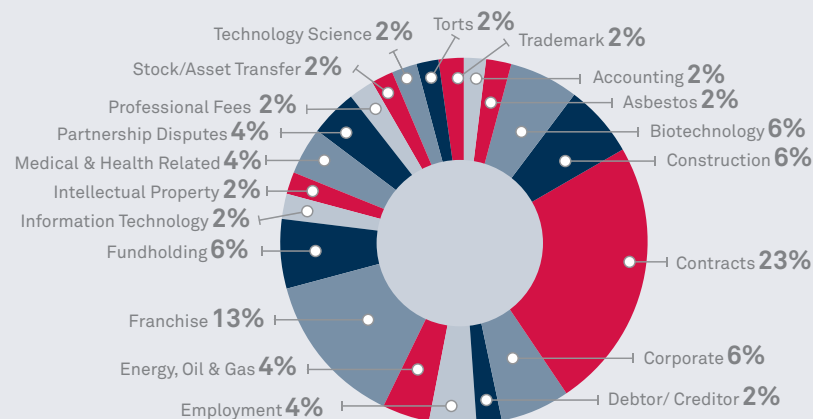
- The signing of a collaboration agreement with the **New York International Arbitration Center (NYIAC)**, through which, via co-hosted events and cross-promotions, the parties will cooperate to provide ADR resources and to advance international arbitration, and through which CPR members receive a 5% discount on NYIAC hearing facilities.
- CPR partnered with **FTI Consulting** to offer Cybersecurity Training to CPR Neutrals at no cost, as a benefit of being on the panel. Already of the highest caliber, a number of CPR neutrals completed all three modules of the training, learning about current and emerging cyber threats and coming away with practical mitigation techniques and guidance.

Recognizing that there have been many recent instances of mass arbitrations brought against single entities in the employment arena, but little innovation in how to address them, CPR developed an **Employment-Related Mass Claims Protocol**, harnessing the experience of its members and neutrals knowledgeable in this area. The Protocol offers a procedure for fairly and efficiently resolving these matters.



CPR DISPUTE RESOLUTION SERVICES // CASES BY SUBJECT MATTER

07/01/2018 – 06/30/2019



NEUTRALS WHO COMPLETED THE 2019 CPR CYBERSECURITY TRAINING

Earnest Badway
Fox Rothschild

C. Mark Baker
Norton Rose Fulbright

Gary L. Benton
Gary Benton
Arbitration

Steven Certilman
Steven A. Certilman

Stephanie Cohen
Cohen Arbitration

Robert Copple
Copple & Associates.

Bina Dagar
Ameya Consulting

Hon. Joseph A. Del Sole
Del Sole Cavanaugh
Stroyd

J. Timothy Eaton
Taft Stettinius &
Hollister

Collins Fitzpatrick
Judicial Council of the
Seventh Circuit

Paul Freehling
Paul Freehling ADR

Linda Gerstel
Gerstel ADR

David Godkin
Birnbaum & Godkin

Sheryl Goski
Law Offices of Sheryl
Mintz Goski

Richard Greenleaf
Greenleaf ADR

Roger Jacobs
Jacobs Center for
Justice and Alternative
Dispute Resolution

Joan Stearns Johnsen
JSJ-ADR

David Kreider
David L. Kreider,
International
Arbitrator

Michael Lampert
Lampert ADR

Joel Levine
Joel Levine, Esq.
Certified Mediator/
Arbitrator

Jack P. Levin
Jack P. Levin,
Arbitrator & Mediator

Scott Marrs
Akerman

Joseph Matthews
Joseph M. Matthews,
P.A.

Peter Michaelson
Michaelson ADR
Chambers

Linda Michler
Professional Dispute
Resolution

Rory Millson
Cravath, Swaine &
Moore

Elizabeth Ann Morgan
The Morgan Law Firm

Andrew Nadolna
JAMS

Hon. Dan Naranjo
The Law Offices of Dan
A. Naranjo

**Pierre F. de Ravel
d'Esclapon**
Attorney at Law
Arbitrator & Mediator

Howard Reiss
Reiss Sheppe

**Pedro Ribeiro de
Oliveira**
Advocacia Pedro
Ribeiro

James Roethe
J. Roethe ADR Services

Carlos Romero
Post and Romero

Beatriz Rosa
Tarobá Engenharia e
Negócios Ltda

Harrie Samaras
ADR Office of Harrie
Samaras

David Sharp
Law Offices of David
E. Sharp

Steven Skulnik
Thomson Reuters
Corp.

Roderick M. Thompson
Farella, Braun + Martel

Judy Weintraub
Accord

**Stanley C. Wisniewski,
Ph.D., J.D.**
Hon. Stanley C.
Wisniewski, Ph.D.

Joseph Zammit
Zammit Technology
ADR

CPR'S DISTINGUISHED NEUTRALS FAST FACTS



545
DISTINGUISHED
NEUTRALS



145
CPR PANELISTS
LOCATED OUTSIDE
UNITED STATES



28
COUNTRIES
REPRESENTED



28
SPECIALTY
PANELS



29
LANGUAGES
SPOKEN

41%

PANELISTS SELECTED
FOR CASES ARE
DIVERSE OR WOMEN

17%

CPR PANELISTS
ARE WOMEN

14%

CPR PANELISTS
IDENTIFY AS
DIVERSE

.6%

CPR PANELISTS
SELF IDENTIFY
AS LGBTQ

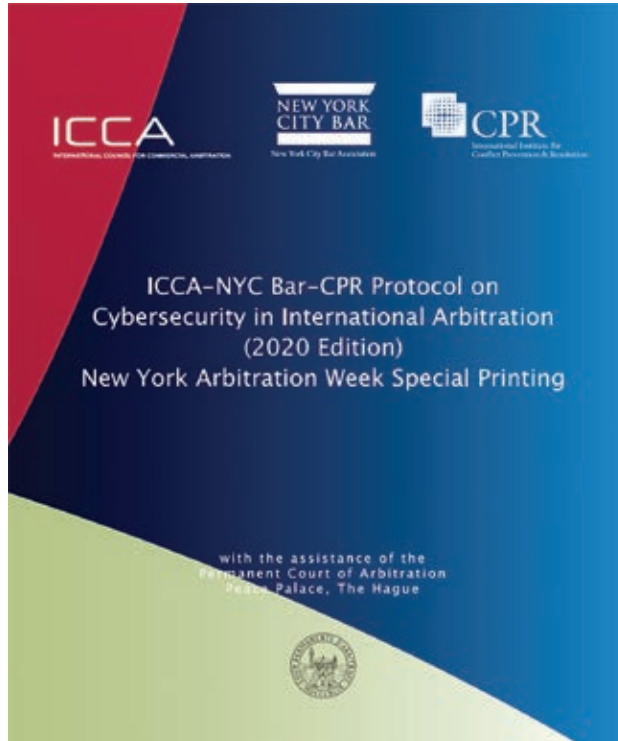
DRIVING A DISPUTE RESOLUTION CULTURE GLOBALLY

In 2019, CPR continued its advocacy and educational initiatives designed to increase understanding and implementation of thoughtful dispute resolution processes and programs throughout the world, in areas such as Europe, Canada and Brazil, and this year including such new places such as Mexico, New Delhi and Dubai.



Cybersecurity in International Arbitration

A Working Group comprising CPR, ICCA and the New York City Bar Association, and of which CPR's SVP, International, Olivier P. André is a member, has finalized a protocol on cybersecurity in international arbitration and released it during New York Arbitration Week. The Protocol aims to provide a framework for determining reasonable information-security measures for individual arbitration matters and increasing awareness about information security in international arbitrations. "Ensuring that proceedings in arbitration protect the security of the information at issue is critical to arbitration's continued vitality" said Allen Waxman, CPR President & CEO." This protocol offers a practical approach for providing that safeguard."



BRAZIL

This year, CPR proudly announced Rafael Francisco Alves of L.O. Baptista and TozziniFreire Advogados' Mônica Mendonça Costa as new Chair and Vice Chair, respectively, of its Brazilian Advisory Board. The BAB recently released the Brazil Mediation & ADR Guide and organizes regular events throughout Brazil. An in-person meeting of the BAB was hosted on November 8, 2019 at L.O. Baptista in São Paulo. The BAB is currently organizing the next CPR Latin America Conference which will be hosted by AASP (São Paulo Bar Association) on March 30, 2020, in São Paulo.

In April, and in conjunction with its inaugural Latin America Conference (See Meetings, Events & Trainings), CPR held its third International Mediation Competition in São Paulo, Brazil. The competition was hosted by CAM-CCBC and was preceded by a training for students. As the only international mediation competition held in Latin America, the CPR International Mediation Competition is a unique opportunity for students to learn and practice mediation and negotiation skills through the role-playing of a mediation problem drafted by experienced mediators and practitioners. The competition convenes students and distinguished ADR professionals from around the globe providing exceptional network opportunities. The 2020 CPR International Mediation Competition (the 4th edition) will be hosted by Demarest Advogados in São Paulo from March 27-29, 2020.



As Ibrahim Godofa (pictured, left, along with his fellow "Best Team Work" Prize teammates Sumaiyah Abdi Omar (center) and Edgar Usagi Alema (right)) told CPR following the competition,

“The 2019 CPR International Mediation Competition has definitely been one of the key opportunities that I have been lucky enough to participate in this year and arguably for the entirety of my law school period....The role all of these takeaways will play in enhancing the position of mediation in Kenya, especially among our fellow students, cannot be underestimated.”

CPR SVP, Dispute Resolution Services, Helena Tavares Erickson also visited São Paulo where she spoke at the Instituto Brasileiro de Direito Empresarial (Brazilian Institute of Business Law) and at the IBA Entrepreneurship Conference in November.

2019 CPR International Mediation Competition



Olivier P. André, CPR, opening the student training at the 2019 CPR International Mediation Competition



A mediation session at the competition



Gilberto Giusti of Pinheiro Neto, former CPR Board Member, announcing results at the end of the competition



Team during the Award ceremony



Team during the Award ceremony



Team during the Award ceremony



Final opposing Harvard Law School and PUC do Paraná for the best Negotiators' Team



Olivier P. André at the 2019 International Mediation Competition



CANADA

In addition to organizing two 2019 Congresses, in both Toronto and Calgary (See Meetings, Events & Trainings), the CAB also held in person meetings in both Toronto and Calgary. The CAB is currently focused on recruiting new Canadian members, increasing the use of CPR Dispute Resolution Services in Canada and continuing to enhance the Panel of Distinguished Neutrals in Canada.



DUBAI

This year, CPR held its first ever seminar in Dubai. The seminar titled “Business Unusual: Strategies to Disrupt Disputes in the Middle East” was hosted by Freshfields Bruckhaus Deringer and co-sponsored by FTI Consulting. This event took place during Dubai Arbitration Week and enabled CPR to raise its profile in the Middle East. Y-ADR also joined forces with the MENA young lawyers’ group to organize a symposium on November 19, 2019, during Dubai Arbitration Week.



INDIA

Simultaneously in person and via video conference in New York (King & Spalding) and Delhi (Khaitan & Co), this year the CPR Arbitration Committee presented the India Supplement to the *CPR Corporate Counsel Manual for Cross-Border Dispute Resolution*. The Manual, published in 2017, is a comprehensive guide to planning for and managing the full spectrum of cross-border ADR processes. The India Supplement is the first of a series of planned CPR guides to the ADR regimes of major developing countries.



MEXICO

In March, CPR traveled to Mexico City to present a breakfast event, generously hosted by White & Case, providing an introduction to CPR, as well as the key features of its International Mediation Procedure, its non-administered and administered arbitration rules and its Panel of Distinguished Neutrals. Olivier P. André, CPR SVP, International, also discussed cybersecurity in international arbitration at the Young ICCA & ICC YAF Workshop “Technology in International Arbitration” in Mexico City.



EUROPE

This year, CPR welcomed to its European Advisory Board (EAB) Torsten Bartsch – Associate General Counsel at Caterpillar Sarl in Geneva, Switzerland; Carlos J. Gutiérrez García – Chief Litigation Officer at Siemens Gamesa Renewable Energy S.A.; Noradèle Radjai – Partner in the international arbitration team of LALIVE in Geneva; and Kevin Smith – based in The Hague, Managing Counsel, Europe, Middle East and North Africa – Global Litigation at Shell Legal.

In addition to organizing the European Business Dispute Resolution Conference (See Meetings, Events & Trainings), CPR’s European Advisory Board and Cuatrecasas hosted a September seminar in Barcelona on “The Future of Dispute Resolution in Spain.” During an in-person meeting of the EAB, also hosted by Cuatrecasas, the EAB discussed the model mediation agreement it is drafting, to be used in conjunction with the CPR

The Future of Dispute Resolution in Spain



International Mediation Procedure taking into account the requirements provided in the Singapore Convention for the enforcement of mediated settlement agreements. The EAB also started to plan the organization of the 2020 CPR European Conference, which will be hosted by SwissRe at the Gherkin in London on May 14, 2020.

The EAB also organized a CPR Corporate Counsel Roundtable Series event at Hammervoll Pind in Oslo, Norway, and an event on arbitration in the pharmaceutical and life sciences sector hosted by LALIVE and Hughes Hubbard & Reed in Zurich, which was organized by the Arbitration Committee in collaboration with the Healthcare and Life Sciences Committee.



European Advisory Board at its in-person meeting in Barcelona (September 2019)

MEETINGS, AWARDS AND TRAININGS

Nothing better demonstrates the power of the CPR approach to dispute resolution than the extraordinary in-person exchanges that take place at CPR's events – whether that be CPR's Corporate Leadership Award Dinner, its dynamic Annual Meeting, or one of its numerous Business Congresses or Regional Meetings.

CPR'S Annual Meeting

At its annual meetings, specialized trainings with leading neutrals and Y-ADR events, CPR convenes skilled and experienced counsel from leading companies and law firms, neutrals, academics and judges to address changes and challenges in dispute resolution, and exchange perspectives and best practices. Presentations and discussions are always interesting, often challenging and highly interactive.

CPR hosted its **2019 Annual Meeting, “Business Unusual: Rules, Tools & Strategies to Disrupt Disputes”** at The Fairmont Hotel in Washington, D.C. The event was attended by approximately 200 practitioners and thought leaders, including an elite group of corporate executives, top law firm and government agency counsel, leading neutrals, and esteemed judges and academics.

We began with a keynote from George A. Bermann, the Jean Monnet Professor of EU Law, Walter Gellhorn Professor of Law, and the director for the Center for International Commercial and Investment Arbitration (CICIA) at Columbia Law School. He is also a CPR distinguished neutral.

Sessions included a General Counsel Roundtable and sessions on the Psychology of Decision Making; ADR in Government Contracting; Cybersecurity and Data Privacy; Assault on Arbitration as a Dispute Resolution Mechanism; Dispute Resolution in India; Driving Mediation into the Arbitration Process; Expedited Procedures in Arbitration; Preparing for the Robo-Revolution; Master Mediators Answering Mediation’s Most Intriguing Questions; Nafta, BITs, ITAs and Global Trade; What Makes a Great Arbitrator; IP and ADR; CPR-CEDR Insights Research; Ethics in ADR; and Practical Takeaways from Court Decisions. We ended with a “Brunch with the GCs,” featuring Scott Partridge from Bayer and Leslie Thornton from Washington Gas (Ret.).



Hagit Elul, Hughes Hubbard; Kathleen Paisley, Ambros Law; Hugh Carlson, Three Crowns



William Crosby, Interpublic Group



The Mastercard legal team



Olivier André, CPR, right



Noah Hanft, AcumenADR (former CPR President & CEO)



Patrick Pearsall, Jenner & Block; Vanessa Duvanel Alarcon, King & Spalding; Derek Soller, Baker & McKenzie; Olivier André, CPR; Peter Buckley, Fox Rothschild; Nicolas Lopez, Elevadores Otis; Benjamin Graham, Williams & Connolly; Natalie Reid, Debevoise & Plimpton; Jared Hubbard, Fitch Law Partners; Dana MacGrath, Bentham IMF

CPR'S Annual Meeting



Ank Santans, White & Case; Mark Luz, Trade Law Bureau, Global Affairs Canada



Ben Picker, Stradley Ronon; John Buckley, Williams & Connelly; Steven Younger, Patterson Belknap Webb & Tyler



Vanessa Alarcon Duvanel, King & Spalding; Dana MacGrath, Bentham IMF; Jennifer Thornton, Arent Fox; Peter Buckley, Fox Rothschild



Citlalli Grace, CPR (left); Nicolas Lopez, Elevadores Otis (center); Lilian Marques, Chaffetz Lindsey (right)



Mark Kantor, Independent Arbitrator; Lisa Banks, Katz, Marshall & Banks



Leslie Thornton, Washington Gas (ret); Scott Partridge, Bayer



George Bermann, Columbia Law School; Charles Moxley, Moxley ADR; Charles Morgan, The Morgan Group; Jack Levin, Arbitrator



Helena Tavares Ericson, CPR, presenting the Female Neutrals Project Book



Benjamin Graham, Williams & Connolly



Eric Green, Resolutions LLC



Joan Stearns Johnsen, JSJ Mediation; Deborah Mastin, Law Office of Deborah Mastin (standing); Theo Cheng, ADR Office of Theo Cheng



Hon (ret.) Timothy Lewis, Schnader; Michael Lewis, JAMS; Ben Picker, Stradley Ronon; Ralph Wellington, Schnader



(Foreground) Ellen Parker, KPMG (fmr); Dana MacGrath, Bentham IMF



Fatima Cristina Bonassa Buckner, Bonassa Buckner Advogados; and Dave McLean

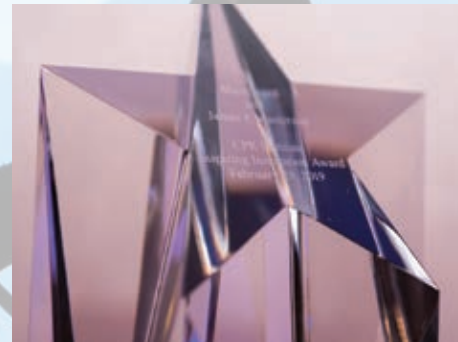
CPR Awards

This year's **Inspiring Innovation Award Dinner** honored **Mastercard** and **James Masterson**, Assistant General Counsel, Litigation (pictured below), for their innovative ADR thinking and excellence in execution. Nominations for this award are received from the community of corporations, law firms and other organizations or individuals who are involved in ADR.



CPR also honored the recipients of its **36th Annual Academic, and Y-ADR Writing, Awards**, which celebrate processes, techniques, systems, commitment and scholarship that address the resolution, prevention or creative management of major disputes.

The Award for **Outstanding Professional Article** recognizes articles published by academics and other professionals that advance understanding in the field of ADR. This year, at a luncheon ceremony on March 1, this award was granted to **S.I. Strong** for "Truth in a Post-Truth Society: How Sticky Defaults, Status Quo Bias, and the Sovereign Prerogative Influence the Perceived Legitimacy of International Arbitration," 2018 *Univ. of Ill. L. Rev.* 533 (2018) and **Ayelet Sela** for "Can Computers Be Fair? How Automated and Human-Powered Online Dispute Resolution Affect Procedural Justice in Mediation and Arbitration," 33 *Ohio St. J. on Disp. Res.* 91 (2018).



The **Joseph T. McLaughlin Student Article Award**, endowed through the year 2021 in honor of Joseph T. McLaughlin – a former CPR Board member, long-time CPR supporter and prolific advocate for effective conflict resolution practices as a practitioner, academic, writer and speaker – recognizes an article or paper written by a student that was focused on events or issues in the field of ADR. This year's winner was **Abby Chin** for "Streamlining Doping Disputes at the Olympics: World Sports Organizations, Positive Drug Tests, & Consistent Repercussions," 33 *Ohio State Journal on Despite Resolution* (2018).

The **CPR Founder's Award** was presented by Eric Green to James F. Henry, CPR's founder and longtime President of CPR Institute (International Institute for Conflict Prevention and Resolution). Jim led the push for the "Corporate Pledge," which in the mid-1980s committed more than 4,000 operating companies to consider alternatives to litigation in disputes with other pledge signers. James F. Henry remains one of the most effective and influential leaders in bringing Alternative Dispute Resolution into the mainstream of American legal practice.

The **Y-ADR Annual Award for Efficient and Effective Collaboration Between Corporate Counsel** and Outside Counsel honors young lawyers who write about efficient relationships between corporate counsel and outside counsel in the context of ADR Proceedings. The award is generously funded by Assurant, Inc., GlaxoSmithKline and White & Case LLP. This year's winners were **Nicolas E. Lopez**, Director, Legal Affairs & Business Development for Otis Latin America, and **Gustavo Santos Kulesza**, Senior Associate at Barbosa, Müssnich & Aragão – BMA Advogados, for "Ten Commandments for Teaming Up in an ADR Proceeding."

CPR also awarded its **2019 Diversity Award** to Judge Timothy Lewis (ret.), Counsel at Schnader Harrison Segal & Lewis and Co-Chair of the ADR Practice Group.



Stradley Ronon's Bennett Picker giving the Diversity award to Hon. Timothy Lewis (ret.) of Schnader

Business Disputes Management Conferences

CANADA

CPR held two Canadian Conferences in 2019. The first, at Fasken in Toronto, focused on “Resolving the Unresolvable” and was organized by CPR’s Canada Advisory Board (CAB) in collaboration with Arbitration Place. The second, “Horses for Courses: Effective Use of Different ADR Mechanisms in the Energy Sector” in October, was organized in collaboration with the CAB and CPR’s Energy Committee and was hosted by McCarthy Tétrault (with a reception at Blake, Cassels & Graydon).



2019 CPR EUROPEAN CONFERENCE ON BUSINESS DISPUTE MANAGEMENT

CPR's 2019 CPR European Conference was organized by CPR and its EAB in collaboration with the Centre for Effective Dispute Resolution (CEDR). The conference took place at the London office of Swiss Re and was followed by a networking reception. Meeting panelists and participants included outstanding group of in-house counsel, leading practitioners, academics and jurists, as well as international arbitrators and mediators. **Teresa Giovannini** (pictured), a founding partner of LALIVE and a CPR Distinguished Neutral, was our Keynote Speaker.



CPR Trainings

In January, at Lock Lorde in Houston and jointly with **The Chartered Institute of Arbitrators (CIArb) North American Branch**, we offered a three-day international arbitration training and qualification program, leading to CIArb's prestigious Fellow status.

In conjunction with CPR's Annual Meeting, February brought a joint CPR/ CEDR Advanced Mediation Skills training to BakerHostetler in Washington, DC, leading to CEDR's international accreditation.



And in May, CPR and CIArb (its North American and Canada Branches) collaborated again, this time at General Motors' headquarters in Detroit, and targeting attorneys with approximately 10 years of litigation and/or dispute resolution experience.



Karl Mackie CBE (CEDR), Olivier P. André (CPR), Eileen Carroll QC (CEDR), Noah Hanft (CPR), James South (CEDR), Andy Rogers (CEDR)



Olivier P. André (CPR) & Diego Faleck (Faleck & Associados)



Speakers' dinner with CPR European Advisory Board (EAB) generously hosted by DLA Piper



CPR EAB Chair Maurice Kuitens (Fluor Corporation) and EAB Member Teresa Giovannini (LALIVE)



Conference keynote speaker Teresa Giovannini (LALIVE), CPR Distinguished Neutral and EAB Member



Vanessa Alarcon Duvanel (King & Spalding), EAB Secretary



EAB Members Ferdinando Emanuele (Cleary Gottlieb Steen & Hamilton) and Stefano Catelani (formerly DuPont)



EAB Member Krzysztof Wierzbowski (Eversheds Sutherland)



Full room at the 2019 CPR European Conference



CPR Distinguished Neutrals Eileen Carroll QC (CEDR) and Prof. Dr. Renate Dendorfer-Ditges, Esq. (DITGES Law Firm)



Panel – Master Mediators Answer Most Intriguing Mediation Questions



EAB Member James Cowan (Shell), Richard Little (Eversheds Sutherland) and EAB Member Clifford J. Hendel (HENDEL IDR)



Networking break at the 2019 CPR European Conference



Gavin Chesney (Debevoise & Plimpton), Albert Hilber (Swiss Reinsurance) and Ania Farren (Vannin Capital)



James South (CEDR) delivering closing remarks

THE LATIN AMERICA CONFERENCE

After six successful years of initiatives in Brazil, CPR proudly hosted the 2019 CPR Latin America Conference along with Pinheiro Neto Advogados, in São Paulo, welcoming all of Latin America and its international business and legal communities. The Conference featured keynote speaker **Professor Sílvio de Salvo Venosa**, along with panelists from **Otis Elevator**, **Shell**, **Unilever**, and leading law firms from Argentina, Brazil, Ecuador and the United States. Panels included ADR in Labor and Employment; Data Privacy Laws in Brazil and Latin America; The Singapore Convention; and Lessons Learned – from Both Successful and Unsuccessful Selections of Mediators and Arbitrators.



Ricardo A. Ostrower (Marval, O'Farrell & Mairal)



Kamel Aitelaj (Milbank)



Adriana Braghetta (L.O. Baptista)



Brazil Advisory Board (BAB) Member Tiago Cortez (Koury Lopes Advogados)



Luiz Fernando Martins Castro (Martins Castro Monteiro Advogados), Adriane Nakagawa Baptista (Atelier Jurídico) and BAB Member Fátima Cristina Bonassa Bucker (Bonassa Bucker Advogados)



Gilberto Giusti, Pinheiro Neto Advogados



Denise Shaw (The Shaw Group); Adriane Nakagawa Baptista (Atelier Jurídico); and Carmen Backsmann (Corporate Consulting & ADR)



Helena Tavares Erickson, CPR SVP, Dispute Resolution Services and Corporate Secretary



Prof. Sílvio de Salvo Venosa (Demarest Advogados)



Thomas Walsh (Freshfields)



Julio Cesar Beltrão (Unilever)



BAB Member Vilma Toshie Kutomi (Mattos Filho) and Luis Carlos Moro (Moro e Scalamandrê Advocacia)



Ricardo Moreno (Otis Elevator)



Reception



Patricia Freitas Fuoco (Pacheco Neto Sanden Teisseire Advogados) and Samira Miguel (Instituto Ayrton Senna)

REGIONAL MEETINGS

In January, CPR's **Energy, Oil and Gas Committee** hosted "Cocktails and Conversation" at BakerHostetler's event space in Houston. More than 100 people attended the event, which took place on the Wednesday before the ITA International Energy Arbitration Conference.

A panel of General and top legal Counsel from Marathon Oil, Southern Company, Chevron Upstream and ConocoPhillips discussed the powerful impact of ADR as it continues to evolve in the energy sector.

In April, CPR hosted its Philadelphia Regional Meeting, with Schnader Harrison Segal & Lewis, at the historic Union Club in Philadelphia, founded in 1862. This VIP networking event featured former professional poker player, decision strategist and author Annie Duke, as well as prominent inside counsel, outside counsel, neutrals and academics discussing how clients, counsel and neutrals can better navigate decision-making and relationships to successfully resolve disputes.

And in May, CPR hosted a high-level, insider networking event for in-house, outside counsel and neutrals, featuring General Motors' **General Counsel, Craig Glidden**, and **International Trade & Export Compliance Counsel**, as well as the **Deputy Director** of the Trade Law Bureau of **Global Affairs Canada** and the former **Chief of Investment Arbitration** of the **U.S. Department of State**, discussing international arbitration and the potential impact of the recent United States-Mexico-Canada free trade agreement. This event was followed by a networking cocktail reception.

HOUSTON // PHILADELPHIA // DETROIT // CLEVELAND // SAN FRANCISCO // TORONTO



Houston Regional Meeting



HOUSTON // PHILADELPHIA // DETROIT // CLEVELAND // SAN FRANCISCO // TORONTO

CORPORATE LEADERSHIP AWARD DINNER

Each year, CPR honors a corporation and a general counsel that have demonstrated leadership in the field of conflict management and have institutionalized ADR into their legal structure and corporate culture. The Award is presented at a black-tie event that draws approximately 500 attendees representing the general counsel from Fortune 200 corporations, partners from leading law firms, and industry experts and scholars who come together to demonstrate the importance of ADR. The event raises critical funds for CPR's public policy research and programs, as well as our initiatives internationally. Past honorees have included *General Motors, AT&T, Amgen, ConocoPhillips, DuPont, Ernst & Young, FMC Technologies, GlaxoSmithKline, General Electric, Hewlett-Packard, Microsoft, Pfizer, Royal Dutch Shell, United Technologies and 3M.*



At the 2019 Corporate Leadership Award in New York, CPR and its distinguished guests honored **The Ford Motor Company** and the company's General Counsel, Bradley Gayton. The company has long embraced CPR's mission to put ADR in the mainstream of legal

practice, participating in CPR's think tank work through their involvement with several committees. Gayton has continued to embody and apply these principles, setting a tone and high standard for employees, business partners, vendors and the community as a whole.

DINNER COMMITTEE

Charles R. Morgan
CHAIR
President & CEO
The Morgan Group

Johnine Barnes
Greenberg Traurig, LLP

Sharon Caffrey
Duane Morris LLP

Mary Beth Cantrell
Sr. Associate General Counsel
Amgen Inc.

Ann Cathcart Chaplin
Deputy General Counsel -
Litigation
General Motors

Mary Quinn Cooper
McAfee & Taft

William J. Curtin III
Hogan Lovells

Randall W. Edwards
O'Melveny

Sandra Giannone Ezell
Bowman and Brooke LLP

Joanne B. Faycurry
Schiff Hardin LLP

Peter J. Fazio
Aaronson Rappaport Feinstein
and Deutsch, LLP

Craig B. Glidden
Executive VP & General
Counsel
General Motors

Carlos M. Hernandez
Chief Executive Officer
Fluor Corporation

Spencer P. Hugret
Gordon & Rees, LLP

Linda Klein
Baker Donelson Bearman
Caldwell & Berkowitz, PC

Joseph F. Lagrotteria
K&L Gates LLP

Corporate Leadership Award Dinner



Charles Morgan, Morgan Group; Allen Waxman, CPR; Bradley Gayton, Ford; Tom Sabatino, CPR Chair



Derek, Linkous, Bush Seyferth; Linda Klein; Baker Donelson; Suzanne Miklos, General Motors; Moheeb Murray, Bush Seyferth



KPMG Team with Amanda Rigby (Second from left)



A Friend; Carter Crow, Norton Rose Fulbright; Erinn DePorre, General Motors; Suzanne Miklos, General Motors; Unknown; Cheryl Bush, Bush Seyferth; Tom Bazermore, Huie



Oderah Nwaeze, Duane Morris; Sharon Caffrey, Duane Morris; Alyson Walker Lotman, Duane Morris; John Mellen, Ford



Joseph Neuhaus, Sullivan & Cromwell; Eric Green, Resolutions LLC



Eric Green, Resolutions LLC; James Pike, Fluor; Scott McLaughlin, Eversheds Sutherland; John Reynolds, Fluor



Larry Ottaway, Foliart Huff; Amy Sherry Fischer, Foliart Huff; a friend, Gordon Todd, Sidley Austin



James Feeney, Dykema; Michael Cooney, Dykema; Peter Kellett, Dykema



Huie Team



Dinner in the main hall



Ford Team with Bradley Gayton



General Dynamics Team with Greg Gallopoulos (second from right)



Carey Roberts, Assurant; Kelly Wilcove, Assurant; Ank Santens, White & Case



General Dynamics: Christine Mueller, Blaise Brennan, Kyle McNamara, Neal Wheeler, Suzanne Reifman



Allen Waxman, CPR; Bradley Gayton, Ford; Tom Sabatino, CPR Chair



Gibson Dunn Team with Katherine V.A. Smith (Second from left)



Bradley Gayton

MARKETING & COMMUNICATIONS

CPR promotes its cutting-edge rules, panels, dispute resolution services, membership benefits and programs to a wide range of stakeholders through a wide range of platforms.



CPR Speaks and Publishes

CPR's blog, **CPR Speaks**, continues to serve as a significant resource for coverage of breaking ADR news developments, as well as insight and analysis of ADR issues. In addition to content written by senior staff and JD/LLM student legal interns, this year CPR published a wealth of original content by well-known and prestigious authors, pulled from its distinguished membership and neutrals panel. In-depth coverage of Supreme Court arbitration issues continued this year, with a focus on class action and mandatory arbitration issues, along with pieces on ethics, arbitrator disclosure, mediation, employment arbitration agreements, UNCITRAL Convention and Model Law drafts, the Singapore Convention and numerous other important issues.

CPR TWEETS



THE BEST OF CPR SPEAKS: THE BLOG OF THE CPR INSTITUTE

6 Top Posts From 2019

More on Mass Individual Arbitration as an Alternative to Class Arbitration

FEBRUARY 15, 2019 | CPR



UPDATED/No Class: Supreme Court Reverses Ninth Circuit On State Law Over FAA

APRIL 24, 2019 | CPR



Implications of Henry Schein and New Prime US Supreme Court Decisions

JAN 22, 2019 | CPR



The European View: The Decision on the Jurisdictional Objection in Vattenfall AB and Others v. Federal Republic of Germany

NOV 9, 2019 | CPR



Update: ADR Breakfast on New York State's Presumptive Mediation Implementation

JULY 16, 2019 | CPR

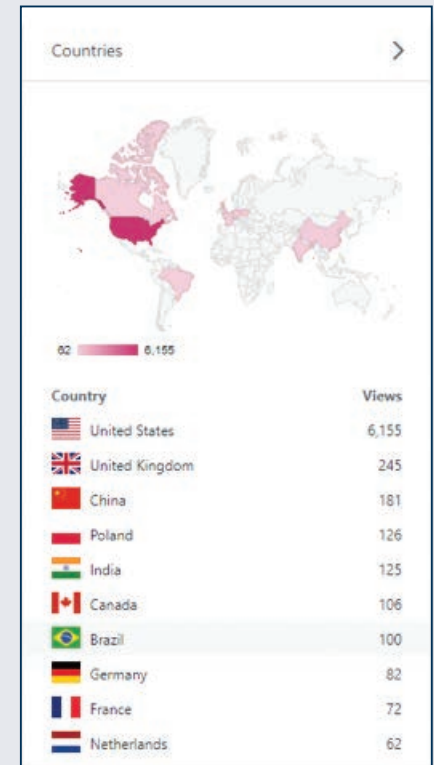


CPR Delegation Participates in the 69th Session of the UNCITRAL Working Group II on Expedited Arbitration

FEB 20, 2019 | CPR



CONNECTING AROUND THE GLOBE



MEDIA RELATIONS HIGHLIGHTS

CPR received a wide breadth of coverage by the media in 2019.
Here is a sampling:



Bloomberg Law
Big Law Business



CORPORATECOUNSEL



infosecurity
GROUP



The Legal Intelligencer

New York Law Journal

Pittsburgh Post-Gazette



Practical Law™ A THOMSON REUTERS
LEGAL SOLUTIONS

Wolters Kluwer

GET SOCIAL
WITH CPR



If you are not already doing so, you can follow CPR on Facebook, Twitter (@CPR_Institute) and on its LinkedIn Company page. CPR also has a blog, at <http://blog.cpradr.org/>, and welcomes your contributions.



Mediator Skills/Part 2 of 2

Managing Matters: Three Top Neutrals on Mega-Cases' Common Grounds And Fundamental Divides

VOL. 37 NO. 9 OCTOBER 2019



An American budget is conducting an experiment abroad on arbitrating matters. It is likely that any outer-space dispute will result in a choice-of-law complication. For example, imagine this:

The answer to these questions are surprisingly simple because there is an internationally agreed-upon statute that addresses these matters. This statute will therefore, inevitably, be a proposed that calls for international law to develop a legal structure to resolve outer-space disputes.

These space endeavors require that there is a number of international law, it is likely that any outer-space dispute will result in a choice-of-law complication. For example, imagine this:

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Alternatives

CPR's *Alternatives to the High Cost of Litigation* completed its 36th year of publication in 2019 with the newsletter's customary blend of news analysis and cutting-edge conflict resolution practice articles.

Alternatives broke new ground this year featuring subjects including

- Mediation, with news articles on cutting-edge trends and monthly practice features, led by Master Mediator columnist Robert Creo's deep dive into using storytelling techniques to help parties settle faster;
- Arbitration, featuring extensive analysis previewing arguments and deconstructing decisions on the U.S. Supreme Court's four cases in the field during 2019, as well as intensive practice examinations including severability, enforcement and third-party evidence in hearings; three major features on proper award drafting serve as a preview of even more extensive analysis on this evolving topic coming over three early 2020 issues;
- Negotiation, kicking the year off focusing on group dynamics brought forth in organizational negotiation style that translate to essential practice knowledge for striking a deal at your bargaining table;
- International ADR, with extensive analysis of U.K. caselaw; "A View from London," a new column by arbitrator Adam Samuel; the United Nation's work on expedited processes, and information on the emergence and essential practice application of the new Singapore Convention on Mediation, and
- News coverage on court decisions that have altered the extent and nature of arbitrator disclosure; legislation regulating arbitration, mediation and ADR processes in the wake of the #MeToo movement, and accounts of the latest efforts throughout the profession to diversify neutrals.

Alternatives reinforced the basics of ADR practice with a two-part update on current baseball arbitration practices; coverage of a push for more special masters in U.S. litigation; a game-changing look at in-house litigation and ADR case management, and an examination of a top British court's fascinating boost for early neutral evaluation, a longstanding but underused process that can help avoid lengthy litigation.

For 36 years,
Alternatives continues
to be the leading
venue for discourse in
the business conflict
resolution community

Innovative new processes introduced for the first time included a proposal for international dispute resolutions treaties involving commercial development of outer space, and the introduction of the concept of presumptive mediation in New York state courts.

And leading the list of 2019's most circulated *Alternatives* articles has been a two-part roundtable discussion on mass claims facilities, mediation

techniques, and the future of conflict resolution featuring three of the world's top commercial mediators, Kenneth Feinberg, Eric Green, and Francis McGovern. The nation's top mediators discussed judicial skepticism about alternative processes, and their mediation careers; the special masters are known for their involvement in the 9/11 Victim Compensation Fund, the litigation surrounding Takata Airbags, and Dalkon Shield, among many others. These September and October *Alternatives* features are provided as a public service, on open access, without the need for a subscription, and will remain available at altnewsletter.com.

Alternatives is edited by Russ Bleemer and has been co-published by the CPR Institute with international publisher John Wiley for nearly 16 years. The newsletter is provided on multiple platforms, including print; websites that include full text and individual articles by subscription as well as open access; academic, legal and commercial databases, including full text on Lexis and Westlaw; email, and via a Wiley web app for mobile access that is available for free to CPR Institute members and subscribers.

CPR Institute members should visit www.cpradr.org/news-publications/alternatives. John Wiley offers the newsletter by subscription or individual article at altnewsletter.com.



Russ Bleemer
Editor, *Alternatives*

A LETTER FROM THE CHAIRMAN OF CPR'S FINANCE BUDGET & AUDIT COMMITTEE

This past year CPR experienced considerable change and growth. Expanded programming and international events engaged our membership and attracted new participation in the CPR Institute.

Our Dispute Resolution Services continues to grow and offer new and innovative solutions to ADR users. We are investing in our technology to better serve our panelists and our members.

Over the past 5 years, CPR's revenues have increased by 35% and this past fiscal year (7/1/18-6/30/19) had the highest gross revenue in over 20 years. The extraordinary success of our fundraising efforts at the Corporate Leadership Award Dinner honoring Johnson & Johnson and its General Counsel, Michael Ullmann, impacted our financial performance significantly with an increase of over 53% over the prior year's Dinner. Similarly, our Dispute Resolution Services experienced a 41% increase and our Contributions and Grants rose 25% from Fiscal Year 2018. These results, combined with strong expense management, have increased CPR's net assets by 82% since 2015.

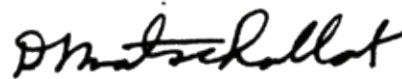
At the mid-point of the current fiscal year, we are proud to have had another successful Corporate

Leadership Award Dinner honoring Ford Motor Company and its GC, Bradley Gayton at the Ziegfeld Ballroom. Our International programs have expanded to the Middle East and India, while continuing to grow in Latin America, Europe and Canada. The Annual Meeting once again promises a provocative and interesting agenda which will draw registration from around the world and will showcase the benefits of open discourse in the ADR field. CPR's Dispute Resolution Services continues to provide exemplary service and provide new services that will facilitate efficient dispute management.

With the new leadership of CEO, Allen Waxman, this is only the beginning of creating a collaborative community in the CPR Institute and offering superior ADR options to our Dispute Resolution Services users. We are excited about the future and look forward to your participation with us.

On behalf of the Board of Directors, we greatly appreciate the financial contributions, leadership and service

of so many of you and our donors. With your continued support, we look forward to sustained growth and even greater impact in the future.

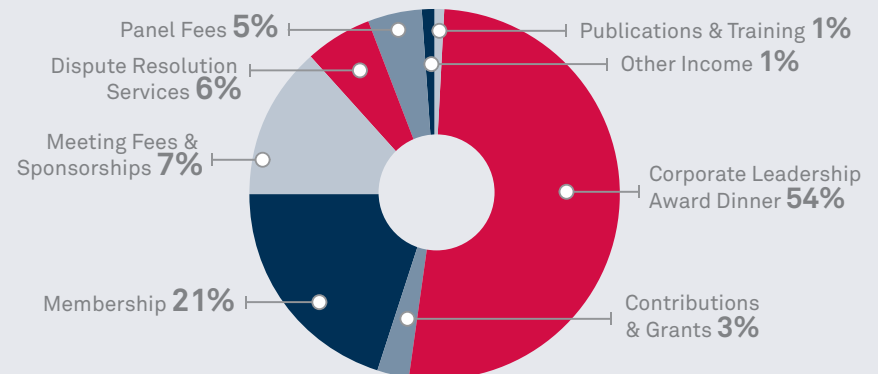


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FY19 REVENUE DISTRIBUTION

Cases by Subject Matter – 07/01/2018 to 06/30/2019



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David Ziegler

Fasken Martineau DuMoulin – Canada Advisory Board (Secretary)

*Indicates new status as of 2019



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ABOUT CPR

Established in 1977, CPR is an independent nonprofit organization that helps prevent and resolve legal conflict more effectively and efficiently.

The CPR Institute drives a global prevention and dispute resolution culture through the thought leadership of its diverse membership of top companies, law firms, academics, and leading mediators and arbitrators around the world. The Institute convenes best practice and industry-oriented committees and hosts global and regional meetings to share practices and develop innovative tools and resources. The Institute trains on dispute prevention and resolution, publishes a monthly journal on related topics, and advocates for supporting and expanding the capacity for dispute prevention and resolution globally.

CPR Dispute Resolution harnesses the thought leadership and output of the Institute to provide ADR services – mediation, arbitration, early neutral evaluation, dispute resolution boards and others – through innovative and practical rules and procedures and through CPR's Panel of Distinguished Neutrals.