



American Arbitration Association
Dispute Resolution Services Worldwide

College of Commercial Arbitrators American Arbitration Association

Managing Your First Arbitration

Miami, Florida, April 28, 2011

Program Agenda

8:00-8:45 AM Registration and Breakfast

8:45-9:00 AM Introduction – Stanley P. Sklar (CCA) and Al Orosa (AAA)

9:00-10:00 AM Getting to Arbitration

Presenter: Christi L. Underwood, *Principal*

Christi L. Underwood PA; AAA Arbitrator; CCA Fellow

- + Advantages of arbitration
- + Drafting alternative dispute resolution (ADR) clauses
- + Selecting the arbitrator
- + Motions to compel or stay
- + Arbitral jurisdiction
- + Pleadings in arbitration
- + Costs of arbitration
- + Arbitration Fairness Act considerations

10:00-11 :00 AM The Preliminary Conference & Discovery

Presenter: Richard DeWitt, *Principal, Resolve Disputes*

Distinguished Fellow – International Academy of Mediators

Fellow – The Chartered Institute of Arbitrators

Fellow – The College of Commercial Arbitrators

- + Role of the arbitrators
- + The preliminary conference
- + Managing discovery
- + Pre-hearing exchange of witness lists and exhibits
- + Requests for hearing subpoenas
- + Time management and logistics

11:00-11:15 AM Break

11: 15 AM-12: 15 PM Ethical Issues in Arbitration

Presenter: Eugene Farber, *Partner, Farber, Pappalardo & Carbonari, LLP;*

Adjunct Professor, PACE University School of Law;

AAA Arbitrator; CCA Fellow

- + Confidentiality in arbitration
- + Disclosure requirements
- + Party-appointed arbitrators
- + Other ethical issues in arbitration

12:15 -1:45 PM Lunch

1:45 - 2:45 PM The Arbitration Hearing

Presenter: Larry R. Leiby, *Partner, LB Consensus, LLC*
Adjunct Professor, Florida International University College of Law
AAA Arbitrator; CCA Fellow

- + Format of hearings
- + Scheduling and length of hearings
- + Exhibits
- + Testimonial evidence
- + Examination of witnesses
- + Expert testimony in arbitration
- + Costs and attorney fees

2:45 - 3:45 PM The Award

Presenter: R. Wayne Thorpe
Chair, ABA Dispute Resolution Section;
JAMS Arbitrator; CCA Fellow

- + Dispositive motions
- + The reasoned & non-reasoned award
- + Appeals
- + CCA Protocols for expeditious, cost-effective commercial arbitration

3:45 - 4:00 PM Break

4:00 – 4:50 PM Panel Discussion, Q&A: Trends in Arbitration (Open forum with the panelists)

Moderator: Eugene Farber

Panelists: Al Orosa, *Vice President AAA*, Joseph Matthews, *Partner, Colson & Hicks, AAA Arbitrator; CCA Fellow*, Gilbert K. Squires, *Principal, Gilbert K. Squires, P.L., AAA Arbitrator; CCA Fellow*, and speakers

Closing Comments & Evaluation forms

CLE Credit. This program has been submitted for 7 hours, including 1 hour ethics, Florida Bar CLE credit.

ACE Credit: AAA neutrals will receive credit for meeting their arbitrator continuing education (ACE) requirements for two years. Please email AAA Neutrals Services at ecenter@adr.org to report your attendance.