Storm Sandy Mediation Program: Lessons Learned

March 5, 2014 1:00 p.m. – 4:00 p.m.
Admission is free, but pre-registration is required at www.aaau.org/courses.

Location
Fordham University School of Law
140 West 62nd Street
New York, NY 10023

The lessons learned from the voluntary mediation program that the American Arbitration Association® (AAA®) successfully administered in 2013 in response to Storm Sandy will be crucial in order to replicate the program with short notice when future severe storms hit.

In 2013, the American Arbitration Association (AAA) was selected by the New York State Department of Financial Services to administer a voluntary mediation program for homeowners disputing their insurance claims or dissatisfied with denials of their claims arising from Storm Sandy. And in October of 2013, Governor Cuomo issued an Emergency Disaster Protocol that institutionalized the use of mediation in handling insurance claims arising from similar situations.

Hear how the Storm Sandy program was initiated and implemented—and how it can serve as a model for other disaster recovery and public good mediation programs.

Attendees will acquire specialized knowledge such as:

- What type of subject matter expertise is—or is not—required for mediators to capably mediate such disputes.
- How to mediate these cases in the shadow of the law.
- When to use an expert witness.
- Crafting the settlement agreement to address partial settlements or future contingencies.
- Issues of coverage vs. causation vs damages.

A panel discussion will center on the challenges that can be faced along with strategies to deal with them, such as:

- Scheduling and time constraints.
- Imperfect mediation facilities.
- Imbalances in knowledge and experience.
- Unprepared or unauthorized parties.
- Dealing with stereotypes and biases.
Who Will Be There?

Mediators, attorneys, insurance company executives, and government and not-for-profit dispute-resolution program administrators charged with establishing disaster-recovery claims programs.

The Panel

Charles Platto, Esq., The Law Offices of Charles Platto, New York, NY. An independent arbitrator and mediator specializing in domestic and international commercial and insurance matters, Mr. Platto is an adjunct professor of Insurance Law and Litigation at Fordham Law School. He trained the Storm Sandy mediators on insurance issues as well as conducted dozens of Sandy mediations.

Nancy Kramer, Esq. Mediator & Arbitrator, New York, NY. Ms. Kramer is a mediator and occasional arbitrator with a broad practice, specializing in employment, family and personal injury matters. She frequently writes about and presents on mediation issues. She is a member of the AAA mediation panel, as well as numerous court and government panels.

Lisa Renee Pomerantz, Esq., Attorney at Law, Bohemia, NY. Ms. Pomerantz is a member of the AAA National Roster of Commercial Mediators and Arbitrators and the New York State Dispute Resolution Association Board of Directors and Co-chair of the Association of Conflict Resolution Commercial Section.

Michele S. Riley, Esq., New York, Commercial Mediator and Arbitrator, New York, NY. Ms. Riley is an independent commercial mediator and arbitrator. She is a member of the AAA National Roster of Mediators, a Fellow of the Chartered Institute of Arbitrators, and adjunct faculty at Columbia University.

Petro Zinkovetsky, Esq., Zinkovetsky & Associates, PLLC, New York, NY. Mr. Zinkovetsky is a real estate and business attorney. He represented over 40 clients in Storm Sandy mediations administered by the AAA, including homeowners, medical offices, retail stores, and restaurants, with claims ranging from $25,000 to over $3,000,000.

Jeffrey T. Zaino, Esq., Vice President, AAA Commercial Division, New York, NY

William Considine, Esq., Vice President, AAA New York Insurance Programs, New York, NY

To Register: Visit www.aaau.org/courses.

Questions? Please contact Taryn Hyson by email at HysonT@adr.org or by phone at 212.484.4189.