Using Mediation Techniques in Commercial Arbitration

February 25, 2014 – 2:00 p.m. – 3:30 p.m. ET

PROGRAM SUMMARY

Speakers: Lisa Renee Pomerantz, Esq. and Michele S. Riley, Esq.

This program will identify opportunities for the use of mediation skills and techniques in arbitration, what the benefits of doing so might be, what the challenges are, what skills or techniques can effectively be exported and adapted to arbitration, and what mediators and attorneys can do to maximize the benefits of using mediation approaches in all phases of the arbitration process.

AGENDA

2:00 p.m. Welcome and Introduction of Speakers (5 minutes)

2:10 p.m. Mediation Techniques in Arbitration (70 minutes)
  • What is the Arbitration Paradox?
  • What are the possible causes of this paradox?
  • How can the arbitrator balance the need to take control with the need to ensure party satisfaction with the process?
  • What are the opportunities for applying mediation techniques in arbitration?
  • What are the mediation techniques that might be applicable?
  • How can these techniques be applied?

3:20 p.m. Conclusion and Questions (10 minutes)

3:30 p.m. Evaluation (5 minutes)

3:35 p.m. Adjourn
Lisa Renee Pomerantz has more than thirty years of legal and dispute resolution experience. After graduating from Harvard University and Boston University Law School, Lisa clerked for a federal judge. Following a stint as a litigation attorney, she worked for fifteen years as in-house counsel.

Since 2003, Lisa has practiced law in Suffolk County. She works with entrepreneurs to structure and foster successful business relationships and to resolve disputes amicably and cost-effectively. She serves on the AAA’s Roster of Neutrals as a Commercial Mediator and Arbitrator, as a member of NYSDRA’s Board of Directors and as Co-Chair of the ACR Commercial Section.

In 2010, the Long Island Business News named Lisa as a recipient of its Top Fifty Around 50 Award and in 2011 as a recipient of its Leadership in Law Award. Lisa has chaired the Suffolk County Women’s Business Enterprise Coalition and the Suffolk County Bar Association’s ADR and Intellectual Property Committees. In 2007, Lisa received the Suffolk County Bar Association Directors’ Award in recognition of her service as ADR Committee Co-Chair. She also received Awards of Recognition from the Suffolk County Bar Association for her contributions to continuing legal education and as IP Committee Co-Chair.

Michele S. Riley is a commercial mediator and arbitrator. She mediates and/or arbitrates a wide range of business disputes for the American Arbitration Association, International Institute for Conflict Prevention & Resolution, and Financial Industry Regulatory Authority (FINRA), as well as litigated cases for the NYS Supreme Court and the Federal district courts in New York. She is also a Fellow, Chartered Institute of Arbitrators (FCI Arb). Ms. Riley complements her ADR practice by teaching courses on negotiation and mediation at the International Center for Cooperation and Conflict Resolution and in the Master’s Degree Program in Negotiation and Conflict Resolution, Columbia University. She is a recent past co-chair of the Commercial Section of the Association for Conflict Resolution and a member of the ABA Dispute Resolution Section.

Before starting her ADR career, Ms. Riley practiced law for more than 20 years. She has extensive international experience in cross-border commercial transactions, representing clients while working for law firms in both New York and Tokyo, Japan. She is a former General Counsel of a U.S.-based subsidiary of a multinational automotive company. Ms. Riley holds an M.A. from Yale University and a J.D. from Georgetown University Law Center.