



Protocols, Processes, and Protecting the Award

October 30, 2014 – 2:00 p.m. to 3:00 p.m. ET

PROGRAM SUMMARY

Speakers: Melinda Jayson

Arbitrators and counsel can learn how to actively and jointly manage the arbitration process to give the parties a seat at the table in deciding how the case proceeds, creating a greater sense of participation and increasing the actual participation of the parties in case management. This enhances the integrity of the process and may lead to a greater belief that each side has had its day to be heard.

AGENDA

2:00 p.m.	Welcome and Introduction of Speakers	(5 minutes)
2:05 p.m.	Protocols for Arbitration Processes for a Fair and Efficient Arbitration Protect the Award	(45 minutes)
2:50 p.m.	Conclusion and Questions	(10 minutes)
3:00 p.m.	Evaluation	(5 minutes)
3:05 p.m.	Adjourn	



Melinda G. Jayson, Esq.
Melinda G. Jayson, P.C.

Current Employer-Title Melinda G. Jayson, P.C.

Profession Attorney

Work History Melinda G. Jayson, P.C., 1989-present; Counsel, Cox Smith Matthews Incorporated, 2008-2009; General Counsel, Hall Financial Group and affiliates, 1999-2008; Partner/Associate, Akin, Gump, Strauss, Hauer & Feld LLP, 1980-1996.

Experience Large law firm litigation partner experience representing claimants and respondents in arbitration and in court. General Counsel experience for a holding company advising on legal matters for all its affiliated entities, including U.S. and international corporate transactions, real estate, securities, lending, contracting, software development and technology, oil and gas, agriculture, and retail distribution. Primary substantive experience includes transactional matters, accounting and legal malpractice, borrower and lender, securities offerings, franchising, real estate, health care, energy and oil and gas, insurance, technology ownership and rights, employment relations, fiduciary relationships and shareholder rights, and corporate governance. Experience with disputes and issues arising from commercial and corporate transactions includes mergers of public and privately-held businesses; buy/sell agreements; asset sales and purchases including purchase price adjustment issues; securities law compliance, offerings and exemptions; equity investments; international investments and related tax issues (including EU and U.S. tax treaties); and general contract and operational issues. Professional malpractice issues include alleged legal and accounting negligence, securities law compliance, audit management and report issuance, disclosures, and SEC issues. Borrower and lender issues include development and operational financing; secured transactions; mezzanine lending transactions, securitizations, and collateral issues; rights among lenders; foreclosures; and consumer issues. Securities issues include public and exempt offerings under federal and state laws and disclosure issues. Franchising includes franchise disclosure document requirements, rights among franchisees, and rights between franchisor and franchisees. Real estate issues include domestic and international development issues, purchases and sales, leasing and landlord/tenant disputes, construction and permanent financings, property maintenance and condition, building construction and development, government permitting, and environmental issues, in the commercial office, retail, multi-family developments, hotels, wineries, and agricultural segments. Health care includes payor/provider disputes and relations and agreements among and between providers, hospitals, insurers (including CMS issues), and patients. Insurance issues include coverage and disputes between or among brokers, insurers, and clients or customers. Technology includes development agreements and rights; software development, royalty, and contracting; rights in or to intellectual property; prosecution at the PTO of patents and trademarks; ownership of trademarks and patents; and relations among competitors. Employment relations include non-compete agreements, executive compensation including stock options and termination, employee rights under

employer-offered insurance programs, and general employment-based issues. Fiduciary relationships and shareholder rights include partnership issues, officer and director duties, shareholder demand, and professionals' relationships and duties to clients.

International commercial experience includes purchases and sales of foreign (non-U.S.) business units and real estate, lending matters, and issues of compliance with foreign laws (including labor and tax matters). International litigation experience includes resolution of disputes in the hospitality industry, asset management agreements, vendor issues, and general commercial disputes.

Served as the attorney member of an advisory council for a healthcare facility providing skilled nursing/rehabilitation, long term care, and assisted living to senior citizens, including analysis of Medicare and payor/provider issues.

Alternative Dispute Resolution Experience

Fellow, Chartered Institute of Arbitrators (FCIArb). Fellow, College of Commercial Arbitrators. Substantial domestic U.S. and international ADR experience in complex commercial disputes since early 1990s, combining large law firm litigation partner experience with corporate General Counsel legal and business operational understanding of commercial issues. Arbitration awards authored in hundreds of cases, involving billions of dollars (US) in claims. Selected in 2005 to the first AAA/National Research Exchange panel of forty arbitrators in the nation to arbitrate analyst research disputes in the public securities markets. Specialty Track Chair for the Fourteenth and Fifteenth Spring Conferences of the American Bar Association's Dispute Resolution Section, 2012 and 2013.

Texas' Top-Rated Lawyers, 2012, 2013, 2014 under "Alternative Dispute Resolution" ALM (The American Lawyer, Corporate Counsel, The National Law Journal, and Texas Lawyer magazines). Top Rated Lawyers 2014 under "Litigation," ALM (The American Lawyer, Corporate Counsel, The National Law Journal, and Texas Lawyer magazines). Selected to International Bar Association's Who's Who Legal: Texas (print edition 2008) under "Arbitration" as "a 'very fine practitioner' in the eyes of her peers Recognized for her work as both arbitrator and counsel ... across a range of sectors including commercial, health care, corporate, and employment...." Selected to Texas Lawyer magazine's "In-House Crowd," 2005. Finalist, Texas General Counsel Forum's Magna Stella In-House Counsel Awards in the "Small Legal Department" category, 2007.

Recipient, "National Arbitrator and Mediator of the Year - USA," 2014; "Complex Business Disputes Specialist of the Year - Texas," 2014; "Commitment to Mediation - USA," 2013; "Health Care Arbitration Legal Practice of the Year - Texas," 2013, Acquisition International magazine.

Alternative Dispute Resolution Training

11th Annual ICDR Miami International Arbitration Conference-International Dispute Resolution in the Americas, 2013; Institute for Transnational Arbitration, International Arbitration From the Arbitrator's Perspective, 2013; 29th AAA-ICDR/ICC/ICSID Joint Colloquium, The Frontiers of Arbitration, 2012; Institute for Transnational Arbitration, The Final Curtain: Post-Hearing Submissions, Deliberations and Enforcement, 2012; AAA/ICDR Neutrals Conference, 2012, 2010, 2009; ICDR International Symposia in Advanced Case Management Issues, 2012; Institute for Transnational Arbitration, The Merits Hearing - Getting the Message to the Tribunal, 2011; AAA Regaining Speed and Economy in Dispute

Resolution, 2011; Faculty, AAA Thirty Steps to a Better Arbitration, 2011; AAA The Ethics Behind "Better, Faster, Cheaper" in ADR, 2011; Institute for Transnational Arbitration, Commencing an International Commercial Arbitration: Fundamentals and Strategy, 2010; AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2008; State Bar of Texas ADR Section, Arbitration Roundtable, 2010, 2009, 2007; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE005), 2006; AAA Neutrals Conference, 2005; AAA Practical Tips for Dealing with Delay Tactics (ACE004), 2005; AAA Arbitrator Ethics & Disclosure (ACE003), 2004; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2003; AAA Commercial Arbitrator II Training: Advanced Case Management Issues, 2001; AAA Arbitrator Update 2001; NASD Regulation Chairperson Arbitrator Training, 2000; EEOC, Mediator Training, 1999; AAA Neutrals' Retreat, Commercial Arbitrator Training, 1998; AAA Panel Retreat, 1997; Faculty, AAA Securities Arbitrator Training; Faculty, AAA Arbitrator Training; various training through the Dallas Bar Association and the Society of Professionals in Dispute Resolution.

Professional Licenses

Admitted to the Bar: Texas, 1980; U.S. District Court: Northern and Southern Districts of Texas; U.S. Court of Appeals: Fifth, Eighth, and Eleventh Circuits; U.S. Supreme Court.

Professional Associations

Fellow, Chartered Institute of Arbitrators (FCIArb); Fellow, College of Commercial Arbitrators; Dallas Bar Association; State Bar of Texas (Alternative Dispute Resolution Section, current Council member; Grievance Committee Professionalism Enhancement Program Subcommittee, past member); Institute for Transnational Arbitration (Advisory Board); American Health Lawyers Association; United States Council for International Business; SMU Dedman School of Law Corporate Counsel Symposium (Past Advisory Board); Attorneys Serving the Community.

Education

University of Texas (BA, with highest honors-1977; JD, with honors-1980). Pepperdine University School of Law (LLM courses in Alternative Dispute Resolution).

Publications and Speaking Engagements

Speaker: "The Dispute Resolution Spectrum," Alternative Dispute Resolution Section of the Dallas Bar Association, 2012; "Arbitrators' Roundtable," State Bar of Texas Alternative Dispute Resolution Section, 2010 (Austin), 2009 (Fort Worth), 2007 (Fort Worth); "Thirty Steps to a Better Arbitration," American Arbitration Association, Dallas, 2011, 2005; "State Regulatory Issues for Broker-Dealers and Investment Advisers After NSMIA," National Society of Compliance Professionals, Southern Regional Membership Meeting, 1998; "Preparation and Presentation of a Case in Arbitration," Texas Wesleyan University School of Law, 1996; "New Insights Into Defense Motions to Dismiss, From the Fifth Circuit," Panel Counsel Forum, Fall 1995; "Document Retention Policies," Attorney-Client Privilege Work Product Doctrine, 1993. Chapter author, "Mediator / Arbitrator," chapter 9, 24 Hours With 24 Lawyers: Profiles of Traditional and Non-Traditional Careers, published by West/Thomson Reuters, 2011.

Awards and Honors

Fellow, Chartered Institute of Arbitrators (FCIArb).
Fellow, College of Commercial Arbitrators.
Texas' Top-Rated Lawyers 2014, 2013, 2012 under "Alternative Dispute Resolution," ALM (The American Lawyer, Corporate Counsel, The National Law

Journal, and Texas Lawyer magazines).
Top Rated Lawyers 2014 under "Litigation," ALM (The American Lawyer, Corporate Counsel, The National Law Journal).

Recipient, "Neutral Arbitrator and Mediator of the Year - USA," 2014; "Complex Business Disputes Specialist of the Year - Texas," 2014; "Commitment to Mediation - USA," 2013; "Health Care Arbitration Legal Practice of the Year - Texas," 2013, Acquisition International magazine.

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Citizenship
Locale

United States of America
Dallas, Texas, United States of America

Compensation

Hearing:	\$375.00/Hr
Study:	\$375.00/Hr
Travel:	\$375.00/Hr
Cancellation:	\$3000.00/Day
Cancellation Period:	5 Days
Comment:	Expenses will be billed at cost. A cancellation fee equal to one hearing day may be charged for each scheduled week of hearing or part thereof if a hearing is cancelled or postponed five or less days prior to the first scheduled hearing date.



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