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 (45 minutes)
Processes for a Fair and Efficient Arbitration
Protect the Award

2:50 p.m. Conclusion and Questions (10 minutes)

3:00 p.m. Evaluation (5 minutes)

3:05 p.m. Adjourn
Current Employer-Title: Melinda G. Jayson, P.C.

Profession: Attorney

Work History:

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.


**Alternative Dispute Resolution Training**

Melinda G. Jayson, Esq.
Neutral ID: 114971


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 (FCI Arb); 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

Awards and Honors
Fellow, Chartered Institute of Arbitrators (FCI Arb). Fellow, College of Commercial Arbitrators.
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.

Citizenship
United States of America

Locale
Dallas, Texas, United States of America

Compensation

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Melinda G. Jayson, Esq.
Neutral ID : 114971
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Effective 10/1/13

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