Explaining Complexity—How to Improve Your Presentation of Technical Information in Arbitration
February 24, 2015 – 1:00 p.m. to 2:00 p.m. ET

PROGRAM SUMMARY

Moderator: Harrie Samaras
Speakers: Laura A. Kaster, Harrie Samaras and Allison Snyder

Attendees will learn from the webinar:

- How technical information not properly presented can confuse or detract from a persuasive presentation.
- Assumptions advocates make about arbitrators and the process that decrease their effectiveness as advocates.
- Tips for presenting technical information and evidence to educate and persuade.
- Tips for linking technical information and evidence to disputed issues the arbitration panel will need to determine.

AGENDA

1:00 p.m. Welcome and Introduction of Speakers (5 minutes)

1:05 p.m. Program (50 minutes)
- How does the presentation of technical evidence/information arise in the kinds of cases the presenters handle or hear.
- What are the don’ts for presenting technical evidence/information and why?
- How can arbitration advocates and arbitrators improve the presentation of technical information/evidence in arbitration so that presentations and arguments are clearer and more persuasive, and there is a clear link between the relevance of the technical information and the issues the arbitrator has to decide.

1:55 p.m. Conclusion and Questions (10 minutes)

2:00 p.m. Evaluation (5 minutes)

2:05 p.m. Adjourn
Laura A. Kaster is a full-time mediator and arbitrator who has over 30 years of experience with arbitration, mediation and settlement negotiation in a wide variety of complex commercial and intellectual property disputes. As chief litigation counsel for AT&T Corporation and AT&T Labs for almost 10 years and as a partner at Jenner & Block, she was responsible for numerous settlement negotiations and mediations, many reaching novel results in matters involving multimillions of dollars. These matters including complex supplier disputes, class actions, all of AT&T’s insurance claims arising out of the destruction of its hub on 9/11, patent claims, shareholder actions, outsourcing, and class actions. She has published and spoken widely for the ABA, PLI, CCA, NYSBA and NJSBA on issues involving attorney prediction error, and the cognitive biases and heuristics that impact settlement. She is co-editor in chief of Dispute Resolution Lawyer, the Journal of the NYSBA Dispute Resolution Section.

She is CEDR accredited and an International Mediation Institute certified mediator. She serves as a mediator in the greater New York metropolitan area for the American Arbitration Association, CPR and the New Jersey and New York Courts. More information about her can be found at [www.AppropriateDisputeSolutions.com](http://www.AppropriateDisputeSolutions.com).
Faculty & Staff

Harrie Samaras

Principal & Founder, ADR & Law Office of Harrie Samaras
West Chester, PA

Ms. Samaras founded the ADR & Law Office of Harrie Samaras, focusing on providing dispute resolution services including the arbitration and mediation of domestic and international commercial disputes.

Ms. Samaras is a Harvard trained mediator who has received certification from the International Mediation Institute. Her training in domestic and international arbitration includes programs administered by the American Arbitration Association (AAA), the Chartered Institute of Arbitrators (CIArb) and the International Chamber of Commerce (ICC). She is an approved arbitrator and mediator for the U.S. District Court for the Eastern District of Pennsylvania and she serves as a neutral on an ad hoc basis and for such widely respected domestic and international ADR organizations as: CPR International Institute for Conflict Prevention and Resolution (Biotech, Health Care and Life Sciences, Technology and Trademark Panels), American Arbitration Association and its international arm – ICDR, World Intellectual Property Organization, the U.S. International Trade Commission, and National Arbitration and Mediation.

Ms. Samaras’ practice focuses on complex commercial cases including disputes involving intellectual property, business/technology and related issues. She has also served as a neutral in employment, personal injury and other civil matters. Ms. Samaras has arbitrated and mediated cases of all complexities including those involving multiple parties, multiple issues and substantial damages. She has served as sole arbitrator, co-arbitrator, chairperson, mediator and co-mediator in domestic and international cases.

See Experience for a representative listing of cases, technologies and industries.

During the past twenty-six years Ms. Samaras has worked as an attorney in the corporate and private sectors, for the U.S. government as a staff attorney and law clerk at the U.S. Court of Appeals for the Federal Circuit, and as a Patent Examiner at the U.S. Patent and Trademark Office in the biomedical arts. She has served as Director of Intellectual Property Litigation for a former Fortune 100 telecommunications company and as Vice President Intellectual Property, Legal for a business unit of a multinational pharmaceutical/drug delivery company. In both positions, she was responsible for prosecuting and defending actions worldwide involving IP assets in courts and administrative tribunals, performing early case assessment, negotiating a variety of commercial contracts, and serving as an advocate in ADR proceedings.

Courses
Arbitration in IP/Technology Disputes
Arbitration in IP/Technology Disputes
Arbitration in IP / Technology Disputes
Explaining Complexity—How to Improve Your Presentation of Technical Information in Arbitration
Ms. Samaras has represented clients as lead counsel and co-counsel in intellectual property litigation at the trial and appellate stages and in mediations involving such diverse technological areas as: consumer diagnostic testing; pharmaceuticals; drug delivery; mechanical devices (including medical devices); telecommunications, computer systems; and biotechnology.

Ms. Samaras has been a long-standing leader in professional organizations and an advisor in the ADR and intellectual property arenas, and she is an avid presenter and author.

She obtained her Master of Laws degree in Patent and Trade Regulation Law from The George Washington University National Law Center, and she earned her Juris Doctor degree from The University of Baltimore School of Law. Ms. Samaras holds Masters and Bachelor of Science Degrees from the University of Maryland in the life sciences.

### Upcoming Sessions

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Allison Snyder is a partner in the litigation section of Porter Hedges. She has over 30 years of experience representing companies and individuals in complex business litigation and construction disputes involving fraud, breach of contract, breach of warranty, non-conforming goods, negligent construction, negligence, business torts, and matters involving emergency injunctive relief.

She has extensive experience in:

- breach of contract litigation
- construction delay, acceleration and inefficiency claims
- construction defect litigation
- takeover and tender disputes
- differing site conditions claims
- payment and performance claims
- change order and warranty claims
- wrongful termination claims
- construction insurance and indemnity issues
- design defect disputes
- claims for extras
- contractor default workouts
- bond and lien claims preparation and litigation
- litigation between owners, sureties, contractors, subcontractors, suppliers and design professionals
- construction contract negotiation and drafting
- arbitration and mediation of complex construction and commercial cases

Ms. Snyder’s practice focuses on commercial, industrial, energy, petroleum pipeline, petrochemical and maritime projects ranging from high rise towers, hospitals, schools and prisons to power plants, petrochemical refineries, drilling rigs and on and off shore pipeline and production facilities. She arbitrates and litigates construction claims of all kinds including commercial projects, pipeline construction, compressor and turbine failures, cogeneration facilities, vessel failures, and numerous other energy and infrastructure projects.

Ms. Snyder is recognized as one of America’s leading lawyers in construction law by Chambers USA. Ms. Snyder has been listed in The Best Lawyers in America for construction law since 2006 and was named a Lawyer of the Year in 2015. She has been selected as a “Texas Super Lawyer” in Construction/Surety Law by Texas Monthly since 2004. In the June 2008 issue of H Texas Magazine, Ms. Snyder was listed as a “Houston Top Lawyer” in the area of Construction Litigation. In May 2009, Ms. Snyder was listed in Super Lawyers Corporate Counsel Edition for the State of Texas in construction/surety law.
Arbitration Experience

Ms. Snyder has over 25 years of extensive experience chairing arbitration panels and acting as sole arbitrator in commercial and construction disputes. She has served on international and domestic arbitration panels and worked with numerous providers including the AAA, the ICDR and the ICC.

Mediation Experience

Ms. Snyder has over 21 years of experience mediating construction and commercial disputes.

Representative Experience

- Represented a contractor in construction defect litigation with a Texas municipality involving slab failure and mold claims.
- Represented a contractor in litigation with a defaulting subcontractor’s surety regarding defective work in three power plants.
- Represented an oil and gas operating company in oil and gas accounting litigation.
- Represented a general contractor against a national supplier/subcontractor in the recovery of a multimillion judgment involving fraud, breach of contract and DTPA claims.
- Successful recovery of delay claim and extra work claim for a subcontractor against the U.S. Army Corps of Engineers.
- Represented contractors and sureties in prosecuting extra work claims, delay claims and differing site condition claims against various U.S. Governmental entities from the Request for Equitable Adjustment through the Board of Contract Appeals.
- Represented sureties in numerous takeover scenarios involved in completing multiple public and private projects including the takeover of a defaulted general contractor on 8 public and private projects simultaneously.
- Represented subcontractors and contractors in prosecuting payment claims, extra work claims, wrongful termination claims, delay claims and differing site conditions claims against various municipalities, counties, school districts and MUDS.
- Represented subcontractors and suppliers in prosecuting bond and lien claims.
- Represented sureties in defending bond and lien claims.
- Represented contractors in bid protests against public entities.
- Represented general contractors in fraud, breach of contract, DTPA and negligence disputes with both owners and subcontractors.
- Represented public and private owners in various breach of contract disputes with general contractors.
- Represented public and private owners in tort and contract disputes with design professionals.

Professional / Civic Affiliations

- Martindale Hubbell AV Rated Attorney
- American Bar Association, Member
- State Bar of Texas, Member of the Construction Law Section (Chair 1999-2000), Construction Law Conference Planning Committee (1993-2001), District 4D Grievance Committee
- Houston Bar Association, Member of the Construction Law Section (Chair 1997-1998), Courts & Courthouse Facilities Committee, the Judicial Liaison Committee, the Alternative Dispute Resolution Committee, and the Administration of Justice Committee
- Texas Bar Foundation, Fellow
- Houston Bar Foundation, Fellow
College of the State Bar of Texas, Fellow
Garland Walker Inns of Court, Member
American Arbitration Association, Member of the Large, Complex Case Panel and Regular Panel of Arbitrators
International Center for Dispute Resolution, Member of the Panel of Arbitrators
Attorney Mediators, Inc., Member
Association of Attorney-Mediators, Member of Houston Chapter
Construction Law Journal, South Texas College of Law/State Bar of Texas, Editorial Board
DRI, Member
College of Commercial Arbitrators, Fellow

Industry Trade Associations

Associated General Contractors of America, Member
Houston Contractors Association, Member
Associated Builders and Contractors, Member
ABC Houston Legal Issues Committee, Member and Chair (2004-2005)
ABC PAC Committee, Trustee (2004-2006)
Women Contractors Association, Member and Past Board Member (2000-2003)
National Bond Claims Association, Member (2000-2003)

News

Porter Hedges Lawyers Named to Who’s Who Legal 2014
Nineteen Porter Hedges Partners Selected by Texas Super Lawyers for 2014
Nineteen Porter Hedges Partners Recognized in Best Lawyers in America 2015
Chambers USA Ranks Porter Hedges’ Construction Practice Among the Leading Practices in Texas for the Tenth Consecutive Year
Chambers USA Ranks Porter Hedges Among the Country’s Leading Law Firms in its 2014 Law Firm Rankings
Sixteen Porter Hedges Partners Selected by Texas Super Lawyers for 2013
Nineteen Porter Hedges Partners Recognized in Best Lawyers in America 2014
Legal 500 Ranks Porter Hedges Among the Leading Bankruptcy and Construction Practices in the Country
Porter Hedges’ Construction Practice Ranked By Chambers USA Among the Leading Practices in Texas for the Ninth Consecutive Year
Twenty-One Porter Hedges Attorneys Recognized in Best Lawyers in America 2013
Porter Hedges Construction Team Successfully Represents Beacon Maritime in Dispute Over Refurbished Offshore Drilling Rigs
Porter Hedges’ Construction Practice Ranked By Chambers USA Among the Leading Practices in Texas for the Eighth Consecutive Year
Porter Hedges Ranked by Chambers USA 2012 Among the Country’s Leading Law Firms
Porter Hedges Named to The National Law Journal’s 2012 Midsize Hot List
Nineteen Partners Named to the 2011 Texas Super Lawyers List
2011 Chambers USA Rankings Announced
21 Partners Named to the 2010 Texas Super Lawyers List
2011 Best Lawyers in America Lists 18 Partners from Porter & Hedges
2010 Best Lawyers in America Announced
Porter & Hedges' Energy Practice Receives Chambers USA National Ranking
2009 Chambers USA Rankings Announced
2009 Texas Super Lawyers Announced
Firm Receives Chambers USA Recognition
Attorneys Receive Local Recognition
2008 Super Lawyers Announced
Seventy Percent of Porter & Hedges’ Attorneys Named as 2007 Texas Super Lawyers
Porter & Hedges Receives Chambers USA Recognition
26 Porter & Hedges Attorneys Named as 2006 Texas Super Lawyers
13 Porter & Hedges’ Attorneys Named as Best Lawyers in America for 2007
Seventy Percent of Porter & Hedges’ Partners Selected as Super Lawyers

Publications

"Drafting Arbitration Clauses In Construction Contracts To Get The Arbitration You Want," The Texas Construction Law Journal
Construction Alert: "Texas Supreme Court Unanimously Blocks Contractors' Economic Loss Tort Claims Against Designers"
"Spoliation on Construction Projects: What It Is and How It Can Hurt You…," Build Houston Magazine
Construction Alert: "Texas Supreme Court Issues Ewing Opinion"
Porter Hedges Publishes a White Paper on the 2013 Texas Legislative Changes Affecting the Construction Industry
Construction Alert: "What to Do Before Repairing Building Defects"
"Perfecting Lien Rights on Private Projects," Texas Mechanic’s Lien and Bond Claim Law: Lorman Seminar
Construction Alert: "Fifth Circuit Withdraws Ewing Opinion"
Construction Alert: "Fifth Circuit Ruling on Commercial General Liability Policies Could Have a Significant Impact on the Texas Construction Industry"
Construction e-Alert: "Fifth Circuit Holds that Contractor is Entitled to Additional Insured Coverage even though Indemnity Agreement is Unenforceable"
Construction Client Alert: "Unknown Conditions - Can Parties Contractually Assign Liability Without Limits?"
"Top 10 Mistakes Litigators Make in Construction Arbitrations," University of Texas Construction Law Conference
"How Will Recent Changes in Texas Construction Law Affect Your Company?"
"Summary of Legislation Affecting the Texas Construction Industry Passed by the 82nd Texas Legislature," Texas Legislative Wrap Up Seminar, The Houston Contractors Association Education Committee
"Best Practices on Bonds and Liens"
"Terminations: The Good, The Bad and The Ugly"
"Claims on Federal Projects," Lorman Seminar
"Claims on Texas Public Works Projects," Lorman Seminar
"Enforcing Perfected Lien Rights," Lorman Seminar
"The New Contingent Payment Clause Statute: Does it Really Help Anyone?" Build Houston
- "Bond Claims on Public Works Projects in Texas"
- "How Design Documents Can Prevent or Cause Construction Claims," Lorman Seminar
- "Mechanic's Liens in Texas - Top Ten Mistakes Claimants Make"
- "Bond Claims on Public Projects"
- "Sovereign Immunity: When It's Time to Pay, It's Good to be King!"
- "Sovereign Immunity: Where Are We Now?", Tools of the Trade, publication of the Association of Builders and Contractors of Greater Houston
- "Prevailing Wage Requirements on Texas Public Works Project," Legal Notes Newsletter

Events

- "Construction Mediation," University of Houston, AA White Dispute Resolution Institute
- "Managing a Successful Arbitration," American Arbitration Association and College of Commercial Arbitrators
- "Spoliation in Construction Cases," 27th Annual Construction Law Conference
- "Perfecting Bond Claims on Private and Public Works Projects," Construction Lien Law in Texas, Lorman Seminar
- "Construction Lien Law in Texas," Associated Builders and Contractors
- "Contract Termination," The Basic Course in Texas Construction Law, The Construction Law Section of the State Bar of Texas
- "Limiting Liability in Construction Contracts" and "Legislative Update," Porter Hedges Construction Law Program
- "HCA's 'Ask a Lawyer' Panel Discussion," Houston Contractors Association
- "The Impact of Delivery Systems on Litigation Strategies," 26th Annual Construction Law Conference
- "How Do Various Project Delivery Systems Affect Litigation Strategy in Multi-Party Claims?" Houston Bar Association, Construction Law Section
- "Managing Change Orders in Texas," Houston Contractors Association
- "Summary of Legislation Affecting the Texas Construction Industry Passed by the 82nd Texas Legislature," HUB International Rigg Insurance and Bonds
- "What Do You Mean I'm Not Entitled to Recover My Damages - The Ramifications of Clauses that Limit Liability in Construction Contracts," University of Texas Construction Law Conference
- "Mechanic's Lien and Bond Claim Strategies in Texas," GAF 8th Annual Wealth Builder Conference
- "ADR Strategies," American Arbitration Association, Corporate Counsel Colloquy Speaker
- "Arbitration Panel," State Bar of Texas Construction Law Conference Speaker
- "Lien Claims on Non-Residential Private Projects," Texas Construction Lien and Bond Claims, Lorman Seminar
- "Change Orders in Texas," The Texas Section of the American Society of Civil Engineers
- "Texas Legislative Update 2009," Smart Construction/Smart Business Program
- "The New AIA A201 General Conditions and How they Conflict with Texas Law and
Other Problems,” Lorman Seminar
- "Managing Construction Projects in Texas," Lorman Seminar
- “The Condominium Craze: Managing the Players, the Project, and the Potential Liability,” University of Texas Construction Law Conference
- “Key Contract Provisions between General Contractors and Subcontractors,” Texas State Bar
- “The Top Ten Important Things to Know when Dealing with the Surety Company,” Texas State Bar
- "Building a Foundation for Managing Complex Construction Law Issues in Texas," National Business Institute
- "Mechanic's Liens - The Top Ten Mistakes Claimants Make,” 19th Annual Construction Law Conference
- “Texas Construction Law: Can This Job Be Saved?” Lorman Seminar
- "Advanced Concepts in Construction Delay and Disruption Disputes," Lorman Seminar
- "Change Orders vs. Construction Change Directives: The Devil is in the Details," San Antonio Bar Association
- "Arbitration Tips and Tactics for Securities, Construction and Employment Cases", Houston Bar Association Construction Law Section
- "Ethical Distinctions Between Arbitrator and Mediation", Houston Bar Association ADR Section
- "Discovery Disputes in Arbitration Proceedings," American Arbitration Association
- "Breaking Up Is Hard To Do: The Risks Inherent in Termination of Construction Contracts and Subcontracts," Association of Builders & Contractors Association
- “Retention of Control by the General Contractor and Resulting Liability; When and How Does a Contractor Lose His Independent Contractor Protection and Who Becomes Liable?” Porter & Hedges Construction and Real Estate Seminar
- "Bid Protests on State and Local Projects; Who Bears the Risk of Defective Plans & Specifications; Termination of Contracts; and Bond Claims in Public Works Projects in Texas," State Bar of Texas Construction Law Conference
- "Mediation Preparation and Advocacy," Porter & Hedges Litigation Continuing Legal Education Seminar
- "Architect/Engineer Liability and Practice in Texas,” Lorman Seminar
- "Calculating Damages for Delay," State Bar of Texas Construction Law Section 15th Annual Construction Law Conference
- "Advanced Construction Law in Texas," National Business Institute Seminar
- "Tips for Effective Mediation of Construction Disputes," Construction Financial Managers Association
- "Construction Contracting with Public Entities in Texas," Lorman Seminar
Click here to go to the Commercial Arbitration Rules

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Effective 10/1/13

Click here to go to the Construction Arbitration Rules

Click here to go to the Employment Arbitration Rules

Click here to go to the Labor Arbitration Rules