



The “How To” of Presenting Damages in Arbitration

December 15, 2015 – 1:00 p.m. to 2:00 p.m. ET

PROGRAM SUMMARY

Speakers: Elizabeth Champnoi, Richard Silberberg, Neil Steinkamp

It may seem obvious that damages are a critical component of any arbitration. Yet, preparations to prove, resist or mitigate damages are often left to the eve of the evidentiary hearing, long after discovery is complete. Skilled counsel will be thinking about, and preparing, their case for or against damages from the outset. This program will discuss the steps necessary for success in presenting damages in arbitration. Topics to be covered include when/how to begin thinking about damages; when and/or how to involve an expert; leveraging discovery to create more compelling damages presentations; using expert reports to your advantage; examination of experts; and how to use demonstrative technology for effective presentations.

AGENDA

1:00 p.m.	Welcome and Introduction of Speakers	(5 minutes)
1:05 p.m.	Presentation of Damages	(45 minutes)
1:50 p.m.	Conclusion and Questions	(10 minutes)
2:00 p.m.	Evaluation	(5 minutes)
2:05 p.m.	Adjourn	



Global Financial Advisory Services



Elizabeth J. Shampnoi, Esq.

Director

NEW YORK

+1.646.807.4235

eshampnoi@srr.com

Related Services

[Dispute Advisory & Forensic Services](#)

[Complex Commercial Disputes](#)

Related Segments

[General Counsel](#)

[Litigators](#)

Elizabeth J. Shampnoi, Esq. is a Director in the Dispute Advisory & Forensic Services Group. She regularly provides litigators, in-house counsel and senior executives with a broad range of business advice concerning cost-effective and timely alternative dispute resolution. Many times this involves identifying which cases are appropriate for mediation or arbitration, proper forum selection, drafting clauses pre-dispute and post-dispute, selecting the arbitrator or mediator, rule interpretation/enforcement and best practices in advocacy.

Additionally, Ms. Shampnoi advises counsel in the selection of experts and consultants for a variety of matters, including, but not limited to, commercial disputes, internal and external investigations and business valuations.

Prior to joining SRR, Ms. Shampnoi was an Associate Director at a large, international consulting firm where she advised clients in the selection of experts and consultants; worked with clients to identify emerging issues and trends; developed innovative strategic business initiatives; and prepared tactical responses to market developments.

Before entering consulting, Ms. Shampnoi was an attorney at the law firm of Storch Amini & Munves PC. Her primary areas of practice included complex commercial litigation, arbitration, and mediation. She represented individuals, partnerships, corporations and educational institutions concerning disputes involving a variety of issues and industries including breach of contract, defamation, misappropriation, trademark infringement, fraud, real estate, factoring, entertainment and transportation. Ms. Shampnoi's practice also involved the drafting and negotiating of various types of agreements including confidentiality, non-compete, non-disclosure and employment agreements, as well as domestic and international dispute resolution clauses.

Earlier in her career, Ms. Shampnoi was the District Vice President of the New York region of the American Arbitration Association for several years. She advised advocates, in-house counsel and neutrals concerning all procedural and substantive aspects of domestic and international alternative dispute resolution. Ms. Shampnoi has spoken extensively on the subject of alternative dispute resolution and conducted numerous arbitration and mediation training seminars.

Ms. Shampnoi is admitted to the bar in the States of New York and Connecticut as well as the United States Eastern and Southern Districts of New York and the United States District Court of Connecticut. She has served as a board member for the Association for Conflict Resolution of Greater New York and the New York State Dispute Resolution Association and she was named a Rising Star in Dispute Resolution by Super Lawyers in 2011.

Education

J.D., Criminal Justice and Paralegal Studies, **Touro College**

B.S., **Mercy College**

Designation

Esquire



Richard H. Silberberg, Esq.
Dorsey & Whitney LLP

Current Employer-Title	Dorsey & Whitney LLP - Partner
Profession	Attorney - Commercial and International Litigation and Arbitration
Work History	Partner and Chair of Global Litigation and Advocacy Group, Co-Chair Class Action Litigation Group, Dorsey & Whitney LLP, 1988-present; Partner/Associate, Delson & Gordon, 1975-87.
Experience	More than thirty-five years of experience handling a highly diversified commercial and international litigation and arbitration practice which includes the representation of litigants in a broad range of commercial disputes. Approximately forty percent (40%) of practice involves compliance counseling and representation of parties in disputes arising out of dealership, distributorship, franchise and licensing agreements and relationships. Approximately thirty percent (30%) of practice involves the defense of national and state-wide class actions, representative actions and other multi-party litigation matters involving products and services. Approximately thirty percent (30%) of practice involves representation of parties in disputes involving antitrust, breach of contract and warranty, business torts, defamation, employment discrimination, false advertising, fraudulent conveyances, invasion of privacy, letters of credit, RICO, securities, trademarks, trade secrets and unfair competition in federal and state tribunals throughout the country and in administrative, arbitration and mediation proceedings.
Alternative Dispute Resolution Experience	<p>Member of American Arbitration Association Commercial, Large Complex Case and Mediation Panels; Panel of Arbitrators for Plan of Court-Annexed Arbitration, U.S. District Court for Eastern District of New York; Board of Directors, College of Commercial Arbitrators; Board of Directors (and Executive Committee), New York International Arbitration Center; National Academy of Distinguished Neutrals; London Court of International Arbitration.</p> <p>Sole arbitrator of disputes involving allegations of franchisor's encroachment upon franchisee's exclusive territory; manufacturer's cancellation of dealer agreement; manufacturer's request for declaration that it validly terminated distribution agreement; purchaser's failure to take deliveries under distribution agreement; medical equipment purchaser's non-compliant return of merchandise pursuant to settlement agreement; pharmaceutical company's breach of license and development agreement; manufacturer's failure to use best efforts to market patented pet product; licensee's breach of world-wide license to sell and distribute trademarked childhood pet product; purchaser's breach of biotechnology supply agreement; medical practitioners' breach of acquisition agreement; health care company's breach of nondisclosure agreement; customer's breach of factoring agreement; media and technology company's late delivery of company's common</p>

Richard H. Silberberg, Esq.
Neutral ID : 108706

stock in consideration of consulting services; purchaser's breach of contract and employer's breach of guaranty relating to performance of stock purchase agreement; printing company's breach of employment agreement by failing to pay profitability bonus and other compensation; hotel franchisee's failure to pay liquidated damages following breach of franchise agreement; and designer's breach of fashion consulting agreement.

Panel Chair for disputes involving rights of terminating member of Webb-Pomerene association; and allegations of aircraft company's breach of aircraft lease agreement; glass manufacturer's breach of international joint venture agreement; duct system manufacturer's breach of steel purchase agreement; high-tech company's breach of agreement involving placement of computer technology support personnel at investment banking firms; international fashion designer's breach of franchise agreement; hotel operator's failure to pay licensing fees; food supplier's breach of supply agreement; pharmaceutical manufacturer's breach of commercialization agreement; hedge fund's breach of employment agreement; designer's breach of interior design agreement; manufacturer's failure to pay sales commissions; purchaser's failure to pay for shares pursuant to stock purchase agreement; purchaser's breach of pallet production agreement; client's breach of contingent attorneys' fee agreement following mediated settlement of client's claim against third party; member's breach of fiduciary duty to other members of newly-formed LLC; and insurance company's breach of liability insurance policy by failing to provide indemnification for defense of litigation.

Panelist for other disputes involving allegations of improper termination of law firm partners; accounting firm's breach of obligations to withdrawing partners; international real estate brokerage franchisor's breach of European franchise agreements; international real estate brokerage franchisee's breach of sub-franchise agreement; insurance company's failure to indemnify insured under D&O policy; manufacturer's failure to pay licensing fees on patented consumer product; petroleum company's breach of PILOT agreement; hedge fund's breach of deferred bonus compensation plan; electronic trading products company's wrongful taking of investor's shares without adequate compensation; sole shareholder's breach of merger and management agreements; fund's breach of contract and fiduciary duty relating to performance of investment management agreement; and investment management company's wrongful discharge of CEO.

Alternative Dispute Resolution Training

AAA Managing a Successful Arbitration, 2014; Faculty, AAA The Preliminary Hearing: Preliminary, But Not Just Procedural, 2014; ICDR/IBA Four Roundtables in Times Square - Putting the Spotlight on International Arbitration on Broadway, 2011; Faculty, AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE005), 2010; College of Commercial Arbitrators Annual Meeting, 2011, 2010; AAA Arbitrator Ethics & Disclosure (ACE003), 2006; faculty, AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics, 2005; faculty, AAA Seeking Interim Relief In Arbitration, 2005; faculty, AAA Best Practices For Arbitrating Large Complex Cases, 2005; faculty, AAA Optimizing the Hearing, 2005, 2004; faculty, AAA Best Practices in Complex Arbitration, 2005; AAA Neutrals Conference, 2005; AAA Neutrals Conference, 2003; AAA Arbitration Awards: Safeguarding, Deciding & Writing

Richard H. Silberberg, Esq.
Neutral ID : 108706

The AAA provides arbitrators to parties on cases administered by the AAA under its various Rules, which delegate authority to the AAA on various issues, including arbitrator appointment and challenges, general oversight, and billing. Arbitrations that proceed without AAA administration are not considered "AAA arbitrations," even if the parties were to select an arbitrator who is on the AAA's Roster.

Awards (ACE001), 2003; AAA Commercial Arbitrator II Training: Advanced Case Management Issues, 2002; faculty, AAA Drafting Effective Arbitration Clauses, 2002; AAA Arbitrator Update 2001; AAA Commercial Arbitrator Training, 1998; AAA Train the Trainer Program, 1998; AAA Hearing Chair Training, Arbitration Day, 1992; Center for Public Resources Mediation Training, 1992.

Professional Licenses

Admitted to the Bar: New York, 1976; U.S. District Court: Southern and Eastern Districts of New York, 1976; U.S. Court of Appeals: First (1997), Second (1981), Third (1991), Eleventh (1996), and Federal (1988) Circuits; U.S. Court of International Trade, 1983; U.S. Supreme Court, 1994.

Professional Associations

College of Commercial Arbitrators (Board of Directors); National Academy of Distinguished Neutrals; New York Academy of Mediators and Arbitrators; New York International Arbitration Center (Board of Directors, Executive Committee); International Arbitration Club of New York; London Court of International Arbitration; Federal Bar Council; Association of the Bar of the City of New York; New York State Bar Association (Commercial and Federal Litigation Section, Committee on Federal Procedure; Dispute Resolution Section, Arbitration Committee); American Bar Association (Litigation Section, ADR Committee, Antitrust Litigation Committee, and International Litigation Committee; Antitrust Section, Franchise and Dealership Committee; Dispute Resolution Section); Fund for Modern Courts (Executive, Audit and Development Committees); Lawyers' Committee for Civil Rights Under Law (Board of Directors).

Education

University of Wisconsin-Madison (BA-1972); New York University (JD-1975).

Publications and Speaking Engagements

Panelist, "Mediation - The Future for Corporate Disputes," ACQUISITION INTERNATIONAL, February 2012; Co-author, "McLaughlin v. American Tobacco Co.: Raising the Bar Even Higher for Fraud-Based Consumer Class Actions," ANDREWS LITIGATION REPORTER, August 2008; co-author, "Product Defect Suits and Failure to Manifest," NEW YORK LAW JOURNAL, May 2008; panelist, "Straight Talk About B2B Arbitration," American Arbitration Association and NATIONAL LAW JOURNAL, May 2004; panelist, "Best Practices in Large, Complex Cases: A Practitioner's Roundtable," DISPUTE RESOLUTION JOURNAL, May-July 2004; panelist, "The Antitrust Injury Doctrine: Adding Insult to Injury?" American Bar Association, April 2002; author, "Antitrust Injury in Dealer Termination Cases: One Standard or Two?" Antitrust Law Section, American Bar Association, April 26, 2002; panelist, New Jersey Commission on Professionalism in Law, September 2002; panelist, "Representing Clients in Court Ordered and Other Mediations," Association of the Bar of the City of New York, October 1999; panelist, "What the Business Lawyer Needs to Know About ADR," Practising Law Institute, January 1998, June 1999; co-author, "'Morris' Fortifies the Corporate Veil," NEW YORK LAW JOURNAL, April 12, 1994.

Awards and Honors

Best Lawyers in America -- Mediation and Arbitration, 2007-2013
New York Super Lawyers -- Business Litigation, 2007-2013
International Who's Who of Commercial Mediation, 2011 and 2012

Richard H. Silberberg, Esq.
Neutral ID : 108706

The AAA provides arbitrators to parties on cases administered by the AAA under its various Rules, which delegate authority to the AAA on various issues, including arbitrator appointment and challenges, general oversight, and billing. Arbitrations that proceed without AAA administration are not considered "AAA arbitrations," even if the parties were to select an arbitrator who is on the AAA's Roster.

Who's Who in America
Who's Who in American Law
Who's Who in the World

Citizenship
Languages
Locale

United States of America
English
New York, New York, United States of America

Compensation

Hearing:	\$550.00/Hr
Study:	\$550.00/Hr
Travel:	\$0.00/Hr
Cancellation:	\$0.00/Hr
Cancellation Period:	0 Days
Comment:	Requests reimbursement for out-of-town travel expenses.

Richard H. Silberberg, Esq.
Neutral ID : 108706

The AAA provides arbitrators to parties on cases administered by the AAA under its various Rules, which delegate authority to the AAA on various issues, including arbitrator appointment and challenges, general oversight, and billing. Arbitrations that proceed without AAA administration are not considered "AAA arbitrations," even if the parties were to select an arbitrator who is on the AAA's Roster.



Neil Steinkamp, CVA, CCIFP, CCA



Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Education

B.A.
Honors College of
Michigan State
University
(*Magna Cum Laude*)

Professional Designations

Certified Valuation
Analyst

Certified Construction
Industry Financial
Professional

Certified Construction
Auditor

Neil Steinkamp is a Managing Director in the Dispute Advisory & Forensic Services Group and head of the firm's New York office. He has extensive experience providing a broad range of business and financial advice to trial lawyers and in-house counsel. Mr. Steinkamp's experience has covered many industries and matter types resulting in a comprehensive understanding of the application of damages concepts and other economic analyses.

The types of cases in which he has been involved include:

- | | |
|---------------------------------------|------------------------------|
| Breach of Contract | Eminent Domain |
| Tortious Interference | Business Disputes in Divorce |
| Post M&A Disputes | Shareholder Disputes |
| Labor and Economic Disputes | Construction Claims |
| Antitrust Disputes | Warranty and Recall Disputes |
| Disputes in the Context of Bankruptcy | |

Further, Mr. Steinkamp has developed significant industry experience. In addition to his role as co-leader of SRR's Materials practice, Mr. Steinkamp's experience generally encompasses industry segments including, but not limited to:

- | | |
|----------------------|-----------------------------|
| Automotive | Restaurant and Food Service |
| Construction | Manufacturing |
| Healthcare & Fitness | Materials |
| Retailing | |

Mr. Steinkamp has provided testimony in a variety of venues including:

- | | |
|-------------|---------------------------|
| Bench Trial | International Arbitration |
| Jury Trial | Domestic Arbitration |

In addition, Mr. Steinkamp has assisted parties in settlement negotiations, mediation and facilitation.

Mr. Steinkamp has lectured and presented continuing education seminars on an assortment of topics pertaining to the measurement of economic damages, business value, economic and financial causation, bankruptcy preference and other topics. He is currently a member of the American Bar Association (Litigation Sections and Construction Litigation Committee), Construction Financial Management Association, Association of Certified Fraud Examiners, American Bankruptcy Institute, Original Equipment Suppliers Association, and Society of Automotive Analysts. Mr. Steinkamp has also served as a member of the Board of Directors and held other leadership position in various professional and charitable organizations. He also leads SRR's pro-bono practice.

Prior to joining SRR, Mr. Steinkamp was employed in the Forensic, Litigation & Valuation Services practice of UHY and served as Chief Operations Officer of a residential home construction business.

Investment
Banking

Valuation
& Financial Opinions

Dispute Advisory
& Forensic Services

Atlanta | Baltimore | Chicago | Cleveland | Dallas | Denver | Detroit
Houston | Los Angeles | New York | Tysons Corner | Washington D.C.

www.SRR.com



Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Neil Steinkamp, CVA, CCIFP, CCA

Testimony Experience:

David A. Becker v. Easylink Services International Corp., and Open Text Corp., International Centre of the Dispute Resolution of the American Arbitration Association, 2014

Sault Ste. Marie Tribe of Chippewa Indians v. Blue Cross Blue Shield of Michigan, State of Michigan, Wayne County Circuit Court, 2014

FJN, L.L.C. v. Vijay Parakh and Charter Township of Harrison, United States District Court, Eastern District of Michigan, 2013

Dewitt Stern Imperatore Ltd. v. Gary Ferrazzano and Hugh Wood, Inc., Superior Court of New Jersey Law Division: Hudson County, 2013

Gateway Care Center, et al. v. John Sung, et al., Superior Court of New Jersey Law Division: Burlington County, 2013

Trelleborg Coated Systems US, Inc., et al. v. Echelon, LLC, International Centre for Dispute Resolution, 2013

Medical Center Pharmacy vs. William Beaumont Hospital, State of Michigan, Circuit Court for the County of Oakland, 2012

Borroughs Corporation, et al. v. Blue Cross and Blue Shield of Michigan, United States District Court, Eastern District of Michigan, 2012

Hi-Lex Controls Incorporated, et al. v. Blue Cross and Blue Shield of Michigan, United States District Court, Eastern District of Michigan, 2012

Norwegian Jake's Mountain Food & Gear, LLC a Michigan Limited Liability Company vs. Big Boy Food Group, LLC, a Michigan Limited Liability Company, State of Michigan, Circuit Court for the County of Macomb, 2011

Auffenberg Chrysler Inc. (dba Auffenberg Chrysler-Jeep) v. Chrysler Group LLC, American Arbitration Association, Illinois, 2010

Orrin B. Hayes Jeep-Eagle v. Chrysler Group LLC, American Arbitration Association, Michigan, 2010

Maurice Schwartz & Sons (dba Schwartz Chrysler) v. Chrysler Group LLC, American Arbitration Association, New Jersey, 2010

Riverside Auto Sales of Marquette, Inc. v. Chrysler Group LLC, American Arbitration Association, Michigan, 2010



Neil Steinkamp, CVA, CCIFP, CCA

Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Testimony Experience:

Giovanni Salvatore, Jr., a/k/a John Salvatore, Jr. v. Mark Salvatore, Henry Salvatore, Jr., and Salvatore Excavating, Inc., a Michigan Corporation, State of Michigan, Circuit Court for the County of Macomb, 2008

American International, Inc. jointly administered with United Equipment Rental, Inc. (Case No. 05-47801), American International Properties, Inc. (Case No. 05-47805), Thomas Goodfellow, Inc. (Case No. 05-47804), and A.I.M., Inc. (Case No. 05-47803) vs. City of Grosse Pointe Farms, U.S. Bankruptcy Court, Eastern District of Michigan, Southern Division, 2008

Gail Duncan and S.K. Paul, as Assignees of Jerome-Duncan, Inc. v. Royal Oak Ford Sales, et al., State of Michigan, Circuit Court for the County of Macomb, 2007

BS2 Multidata, GmbH v. A-Dat Corp. – U.S. District Court, Eastern District of Michigan, Southern Division, 2007

Publications:

“Bankruptcy Court Eschews Reliance on Multi-Factor Test,” *American Bar Association*, November 2014

“A Test of Character: Challenges to Unsecured Claims in the *Mt. Olive* Bankruptcy,” *ABI Committee Newsletter*, November 2014

“Is your Investment Fund a Ponzi Scheme?” *The SRR Journal*, Fall 2014

“Considering a Majority Shareholder’s Wealth in Assessing Solvency”, *American Bankruptcy Institute Journal*, August 2014

“Is Electricity A Good or Service? The Debate Charges On,” *Law 360*, July 2014

“Is Your Investment Fund a Ponzi Scheme?,” *Law360*, July 2014

“The Debate Charges On: Is Electricity a Good or Service?,” *ABI Bankruptcy Litigation Committee*, Spring 2014

“Reasonable Certainty” Remains Uncertain,” *Expert Witnesses, ABA Section of Litigation*, Volume 9, No. 1, January 2014

“A Trade Creditor’s Guide to Defending “Wrong Payor” Fraudulent Transfer Cases,” *Commercial & Business Litigation, ABA Section of Litigation, Volume 15, No. 1*, November 2013 and also republished in December 2013 by Law360

“A Trade Creditor’s Guide to Defending the “Wrong Payor” Fraudulent transfer Case in Bankruptcy,” *The SRR Journal*, Fall 2013



Neil Steinkamp, CVA, CCIFP, CCA

Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Publications:

"Reasonable Uncertainty Remains Uncertain," *Michigan Defense Trial Counsel, Inc., Michigan Defense Quarterly, Volume 20, No. 1*, August 2013

"Understanding Ordinary: A Primer on Financial and Economic Considerations for the Ordinary Course Defenses to Bankruptcy Preference Actions", *American Bankruptcy Institute*, July 2013

"Valuing Forbearance in Fraudulent Transfer Actions: An Introduction," *Commercial Fraud Committee, ABI Committee News, Volume 10, Number 3 / July 2013*

"An Ounce of Preparation: Preparing for an Involuntary Bankruptcy Filing", *Unsecured Trade Creditors Committee Newsletter, Evidence Issue Vol. 11 Number 3*, June 2013

"Two is Better Than One: Even a Simplified Analysis of Ordinary in the Industry is Better", *The SRR Journal, Spring 2013*

"Reasonable Certainty Remains Uncertain", *The SRR Journal, Spring 2013*

"Valuing Forbearance in Fraudulent Transfer Actions", *The SRR Journal, Spring 2013*

"Understanding Ordinary" - *A Primer on Financial & Economic Considerations for the Ordinary Course Defenses to Bankruptcy Preference Actions*", *Credit Research Foundation Inc., Spring 2013*

"Valuing Forbearance in Fraudulent Transfer Actions", *New York Law Journal, December 2012*

"Two Is Better Than One - Even a Simplified Analysis of Ordinary in the Industry Is Better Than None at All," *Unsecured Trade Creditors Committee, ABI Committee News, Volume 10, Number 5 / November 2012*

"Shaky Foundations: Recent Opinions Regarding Expert Reliance on Management Projections," *Bankruptcy Litigation Committee, ABI Committee News, Volume 09, No. 6, November 2012*

"The Presentation of Damages in Arbitration," *The Dispute Resolver, October 2012*

"Rare Earth Risk: How Material Scarcity May Impact Risk in Damages Projections," *The SRR Journal, Fall 2012*

"Bankruptcy Preference Payments: Defining "Ordinary" in the Industry – Beyond Common Research," *The SRR Journal, Spring 2012*

"The Presentation of Damages in Arbitration," *The SRR Journal, Fall 2011*

"Infrequent But Ordinary: Bankruptcy Preference Claims Involving Infrequent Corporate Activities," *American Bankruptcy Institute, Unsecured Trade Creditors Committee, Committee Newsletter, May 2011*



Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Neil Steinkamp, CVA, CCIFP, CCA

Publications:

"Accounting and Reporting," *Financial Management and Accounting for the Construction Industry*, edited by Matthew Bender, New Providence, NJ: Construction Financial Management Association, 2011

"Infrequent But Ordinary: Bankruptcy Preference Claims Involving Infrequent Corporate Activities," *The SRR Journal*, Spring 2011

"A Tale of Three Experts: Expert Admissibility in the Xerox Securities Litigation," *The SRR Journal*, Spring 2011

"Terminators: Critical Financial Clauses in OEM Contracts with Auto Suppliers," *The SRR Journal*, Spring 2011

"CFM or CVM? How Construction Financial Managers are also Construction Value Managers," *TheNACA.org (National Association of Construction Auditors)*, March 2011

"Fundamentally Unsupported by the Facts': Eighth Circuit Affirms Dismissal of financial Expert," *The SRR Journal*, Fall 2010

"Considerations for the 'Ordinary Course' Defense to Preference Claims," *American Bankruptcy Institute, Young and New Members Committee, Committee Newsletter*, June 2010

"Product Warranty and Recall Disputes Amid Complex Supply Chains," *The SRR Journal*, Spring 2010

"Challenges in the Presentation of Evidence in Matters Involving Businesses with Limited Contemporaneous Financial Information," *American Bar Association Section of Litigation, Business Torts Journal, Evidence Issue Vol. 17 Number 3*, Spring 2010

"Contributing author to "A Contractor's Guide to Michigan Construction Law," *Chapter XVII - Accounting, Tax, & Financial Issues*, Fall 2009

"Defining the Ordinary – Considerations for the "Ordinary Course" Defense to Bankruptcy Preference Claims," *The SRR Journal*, Fall 2009

"Distress, Uncertainty, and Consequence – Why Causation is Becoming Center Stage in Damages Assessments," *Michigan Defense Trial Counsel, Inc., Michigan Defense Quarterly*, Volume 26, No. 1, July 2009

"Amara's Law: How BIM's Future Benefits Can Be Measured Today," *Journal of Building Information Modeling*, Spring 2009

"Where is the Green Grass? The Cash Cow's Search for Greener Pastures - Opportunities for Strength and Transition Can Be Found in Other Industries: A Review of the Automotive and Construction Industries," *Institute of Management Accountants - Detroit Chapter Newsletter*, February 2009



Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Neil Steinkamp, CVA, CCIFP, CCA

Publications:

"Putting a Caliper on Automotive Disputes – Assessing Economic Damages in a Troubled Industry," *Member Publications, WorldServicesGroup.com, January 2009*

"Looking Outside The Box -- One Industry's Strength Is Another's Potential," *Featured Article, Manufacturing.Net, November 2008*

"Weathering the Economic Storm," *Dealer Digest Daily, November 2008*

"Hoping for the Best but Preparing for the Worst: Using Financial Experts to Resolve Construction Disputes Early," *The SRR Journal, Fall 2008*

"Beyond the Bubble – How the Subprime Lending Crisis is Impacting Corporate America," *The SRR Journal, Fall 2008*

"Amidst Credit Crisis, Planning and Risk Mitigation a Must for Dealerships," *Industry Whitepaper, AutomotiveDigest.com, November 2008*

"Building on the Horizon: Challenges and Opportunities Facing the Construction Industry - A Perspective on the Future of Building Information Modeling," *CenterForBIM.com in coordination with Metro Detroit Construction Specifications Institute, October 2008*

"Mitigation in Civil Disputes – A Business and Economic Perspective," *Detroit Metropolitan Bar Association, Detroit Lawyer, September / October 2008*

"The Fifth Dimension of BIM," *Construction Financial Management Association, CFMA Building Profits, July / August 2008*

"The Litigation Possibility & The Latest Targets of E-Discovery," *Bears Hubbard PLC Newsletter, July 2008*

"Half Time Adjustments – The Impact of Findings of Liability and Causation on Damage Awards," *Michigan Defense Trial Counsel, Inc., Michigan Defense Quarterly, Volume 25, No. 1, July 2008*

"No Harm, No Foul? The Need and Reasonableness of Businesses' Obligation to Mitigate," *The SRR Journal, Spring 2008*

"A Contractor's Primer on SFAS 157 & SFAS 159," *Construction Financial Management Association, CFMA Building Profits, January/February 2008*

"Challenges for Industry Decision Makers," *Automotive Design and Production, February 2008*

"The Future of BIM: Building Information Modeling," *CAM Magazine, Construction Association of Michigan, January 2008, pages 54-61*



Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Neil Steinkamp, CVA, CCIFP, CCA

Publications:

"The Impact of the Gray Market to Your Business is Not Black & White," *The SRR Journal, Fall 2007*

"How to Become an Expert Witness," *Expert Alert – American Bar Association, Section of Litigation, Volume IV, #1, Summer/Fall 2007*

Contributing editor to: *Business Valuation: A Primer for the Legal Professional*; by Jeffrey M. Risius; Chicago: ABA Publishing, American Bar Association Section of Business Law, 2007

"Setting the Cornerstone – Owner Preparation for Construction Claims," *The SRR Journal, Spring 2007*

"Intellectual Property Valuations in the Construction Industry – Trade Secrets, Copyrights, Patents & Other Intangible Assets," *Construction Financial Management Association, CFMA Building Profits, January/February 2007*

"Do Your Employees Know More About Your Data Than You? The Litigation Possibility & The Latest Targets of E-Discovery," *The SRR Journal, Fall 2006*

"Tortious Interference," *Value Added, April 2001*

Speeches and Seminars:

"Valuable and Cost Effective Approaches to Bankruptcy Preference Analyses – Ordinary Course Defenses," Bankruptcy Bar Association for the District of Maryland - Baltimore Chapter, March 2015

"Report on Automotive Warranty Claims and OEM Recalls," Society of Automotive Analysts, February 2015

"Show Me the Money....How Damages are Determined in Arbitration," New York State Bar Association, Annual Meeting, January 2015

"Damages in Restrictive Covenants and Theft of Trade Secrets Matters," Meritas Law Firms Worldwide – U.S./Canada Litigation and Labor & Employment Group Meeting, October 2014

"Successful and Creative Tips in the Cross Examination of Expert Witnesses," Meritas Law Firms Worldwide – U.S./Canada Litigation and Labor & Employment Group Meeting, October 2014

"The Efficient Use of Experts in Litigation," Suffolk County Bar Association, September 2014

"Re-Structure, Re-Lease, Re-Invent? Challenges & Opportunities of Retail's Changing Landscape," American Bar Association, Webinar, August 2014



Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Neil Steinkamp, CVA, CCIFP, CCA

Speeches and Seminars:

"Bankruptcy Considerations for the Oil & Gas Industry," American Bar Association, Webinar, June 2014

"Report on Automotive Warranty Claims and OEM Recalls," Society of Automotive Analysts, March 2014

"Hot Topics in Bankruptcy," American Bar Association, Webinar, October 2013

"The Walking Dead: A Guide to Financially Distressed Zombies on a Construction Project," National Association of Construction Auditors, Annual Conference, September 2013

"Effective Presentation of Damages in Litigation," American Bar Association, Annual Meeting, August 2013

"The Use of Experts in Pro Bono Engagements," The American Bar Association's Standing Committee on Pro Bono and Public Service and the National Legal Aid and Public Defender Association, Annual Conference, May 2013

"New Developments and Strategies in Bankruptcy Preference Defense," American Bar Association, Webinar, February 2012

"Construction Industry Contract Disputes & Lost Profits." National Association of Construction Auditors, Annual Conference, September 2011

"Use of Interest in Litigation Damages," Moderator, Michigan Association of Certified Public Accountants (MACPA) Litigation and Business Valuation Conference, June 2011

"Retaining, Defending and Cross-Examining Damages Experts," Panelist, Michigan Defense Trial Counsel (MDTC) Winter Meeting – Defending Damages in 2010 - Emerging Issues & Effective Techniques, November 2010

"So You Want to Be an Arbitrator / Mediator... What You Can Expect," Michigan Association of CPA's, Panelist, September 2010

"Preferences in the Construction Industry: What's Ordinary?," Columbus Bar Association, Construction Committee, March 2010

"Overview of Factors Associated with Federal Contracting – Resources and Topics for Michigan Contractors," AGC of Michigan, Webinar, Moderator and Presenter, June 2009

"The ACG Cup: The Premier MBA Competition," Finalist Judge, Association of Corporate Growth – Detroit Chapter, February 2009

"Building Information Modeling – Theory and Practice: Past, Present, Future and the Role of the Specifier," Construction Specifications Institute – Metro New York City Chapter, November 2008



Managing Director
Direct +1.646.807.4229
Mobile +1.646.455.9430
nsteinkamp@srr.com

Neil Steinkamp, CVA, CCIFP, CCA

Speeches and Seminars:

“Introduction to BIM: The Role and Importance of Specifiers,” Construction Specifications Institute, November 2008

“Compliance Strategies for Contractors – Perspectives from the Industry: Contractors in Serious Trouble – False Claims, Fringe Funds, Subcontracting & Diversity Issues,” Panelist, Associated General Contractors of America, Michigan Chapter, Fall 2008

“Fraud and Forensic Services in the Accounting Profession – An Overview,” Guest Lecturer, Walsh College Master of Accountancy Program, Fall 2008

“What to do When Construction Projects Go Bad in Michigan – Response to a Claim Dispute,” Lorman Education Services, April 2008

“Construction Claims and Financial Damages,” Guest Lecturer, Lawrence Technological University, Risk and Claims Management Course, April 2008

“Economic Damage Experts,” Washtenaw County Bar Association, March 2008

“Identification and Measurement of Intellectual Property Damages and Essential Processes to Yield a Favorable Result,” Intellectual Property Issues for Business Leaders Conference, Winter 2007

“Effectively Utilizing Financial and Forensic Experts,” Michigan Defense Trial Counsel, Civil Defense Basic Training Series, Fall 2007

“Financial Experts, Economic Damages and the Role of Accounting Information,” Guest Lecturer, Walsh College Master of Accountancy Program, Fall 2007

“Financial Experts and Measures of Economic Damages,” Guest Lecturer, Walsh College Master of Accountancy Program, Summer 2006



AMERICAN ARBITRATION ASSOCIATION®

[Click here to go to the Commercial Arbitration Rules](#)

[Click here to go to the Commercial Arbitration Rules](#)
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](#)