

USC Gould Center for Dispute Resolution Fifth Annual Symposium

Bridging the Common and Civil Law Chasm

Three-Part Webinar Series
March – May 2021

USC Gould School of Law and JAMS are pleased
to invite you to our Fifth Annual Symposium.

Co-Chairs – Richard Chernick, Tina Cicchetti, Nathan O'Malley, Steven Sletten

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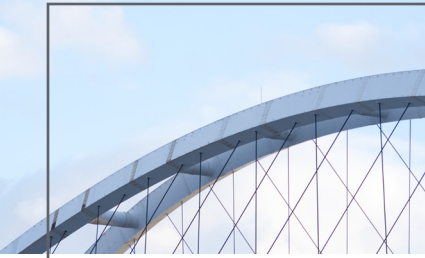
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- USC Gould Center for Transnational Law and Business



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Our Annual International Arbitration Symposium for 2020 was postponed due to the Covid-19 pandemic. We offer, in its place, a series of three webinars featuring world-renowned experts and legal practitioners discussing recent developments in the practice of international commercial arbitration. Each will run about two hours and will be free to attendees. We have added a networking session immediately following each webinar — each panelist will conduct a separate break-out session on a selected topic for approximately 45 minutes following the main program. This is an opportunity to interact in smaller groups with our panelists and other attendees. **California and New York CLE credit will be provided.**

Webinar 1 March 17, 2021

8:00 AM Pacific
11:00 AM Eastern
4:00 PM London
11:00 PM Singapore

Settlement Promotion by International Arbitrators — Convergence of Systems or the Eternal Divide?

Welcome and Opening Remarks

RICHARD CHERNICK *Mediator and Arbitrator, JAMS – Los Angeles, USA*
Symposium Chair, USC Gould Center for Dispute Resolution Advisory Board

Keynote and Second Annual Dorothy Nelson Lecture

This lecture honors Judge Dorothy Nelson, a Senior Judge of the Ninth Circuit Court of Appeals, where she has served since 1979. She is the former dean of the Gould School of Law (1969-1979) and was a professor of law at the law school (1957-1979). Judge Nelson founded the Western Justice Center in 1987 and continues to be instrumental in its growth and considerable success. She is a true pioneer in the field of mediation and ADR.

KLAUS PETER BERGER *Arbitrator & Professor, University of Cologne – Cologne, Germany*

Moderator: **NATHAN O'MALLEY** *Partner & Head of International Litigation and Arbitration, Musick Peeler – Los Angeles, USA*

Panelists: **GRANT KIM** *Partner, LimNexis – San Francisco, USA*
ROGIER SCHELLAARS *Partner, Van Doorne – Amsterdam, Netherlands*
NHU-HOANG TRAN THANG *Senior Associate, Peter & Kim - Geneva, Switzerland*

Webinar 2 April 14, 2021

8:00 AM Pacific
11:00 AM Eastern
4:00 PM London
11:00 PM Singapore

"You've Got to Have (Good) Faith — Or Do You?" The Arbitrator's Approach to Contract Interpretation Issues: Civil vs. Common Law Perspectives

Keynote: **CHIANN BAO** *Arbitrator & Mediator, Arbitration Chambers - Singapore*

Moderator: **MARIA CHEDID** *Partner, Arnold & Porter - San Francisco, USA*

Panelists: **LORRAINE BRENNAN** *Arbitrator & Mediator, JAMS – New York, USA*
KATHLEEN PAISLEY *Partner, Ambos Lawyers - Brussels, Belgium*
LAURENCE SHORE *Partner, Bonelli Erede – Milan, Italy*

Webinar 3 May 19, 2021

5:00 PM Pacific

8:00 PM Eastern

8:00 AM Singapore
(May 20)

International Mediation and the Singapore Convention — The Future of International Mediation

Keynote: TO BE DETERMINED

Moderator: HOWARD B. MILLER *FCIArb, Mediator & Arbitrator, JAMS – Los Angeles, USA*

Panelists: HIRO ARAGAKI, *FCIArb Mediator & Arbitrator, JAMS – Los Angeles, USA*
ADDITIONAL SPEAKERS TO BE DETERMINED

Register Now: <https://bit.ly/3dozWMu>

Program Speakers, Moderators and Panelists: Webinar 1



**Professor Dr. Klaus
Peter Berger, LL.M.**
Keynote Speaker

Klaus Peter Berger is a Professor for Domestic and International Civil and Business Law, Comparative and Private International Law and Director of the Institute for Banking Law and Center for Transnational Law (CENTRAL) at the

University of Cologne in Germany. He has been visiting professor at the Asser Institute, The Hague, University of Virginia Law School, Centre for Energy, Petroleum and Mineral Resources Law and Policy (CEPMLP), University of Dundee and Columbia University Law School, New York.

He is a member of the Council of the ICC Institute for World Business Law, of ICC Germany and the ICC Commission on Arbitration and ADR. He is also the past President of the German Arbitration Institute (DIS), board member DIS, former Board Member of the Arbitration Institute, Stockholm Chamber of Commerce, Member of the London Court of International Arbitration (LCIA), and Co-Editor "Arbitration International."

Klaus Peter's arbitration practice includes ICC, Swiss Rules, DIS, LCIA, Vienna Rules, UNCITRAL and Ad Hoc arbitrations as sole arbitrator, party-appointed arbitrator and chairman, Member of the Arbitration Law Reform Commission at the German Institution of Arbitration 1992-1996, panel of arbitrators for "China International Economic Trade Arbitration Commission" (CIETAC, Beijing, China), International Centre for Dispute Resolution (ICDR), Dubai International Arbitration Centre (DIAC), Vienna International Arbitration Centre (VIAC), Driver Contract Recognition Board (CRB, Formula 1), and Fédération Internationale de l'Automobile (FIA).

Klaus Peter has published more than two-hundred articles and several books on domestic and international arbitration and ADR, contract law, private international law, M&A, trade law, banking and finance.



**Richard Chernick Chair,
USC Gould Center for Dispute
Resolution Advisory Board**

Richard Chernick is Vice President and Managing Director of JAMS' Arbitration Practice. He has conducted hundreds of complex arbitrations and mediations before major administering institutions, both domestic and international. Chernick is a former Chair

of the Dispute Resolution Section of the American Bar Association and the Founding President of the College of Commercial Arbitrators. He served as the ABA's Advisor to the Revised Uniform Arbitration Act. Chernick teaches arbitration at USC Gould School of Law, and currently serves as Chair of the USC Gould Center for Dispute Resolution Advisory Board.



**Nathan O'Malley
Moderator**

Nathan O'Malley is a partner in the Los Angeles office of Musick Peeler & Garrett and Chair of the firm's International Arbitration and Litigation Practice. He has acted in numerous international arbitrations, and represented clients before arbitral tribunals seated in The Hague, Geneva, Zurich, London, Amsterdam,

Singapore, Abu Dhabi, Frankfurt am Main and in the United States. Nathan also regularly serves as an international and domestic arbitrator, and has been appointed in arbitrations administered by the ICC, AAA/ICDR and the Permanent Court of Arbitration, and in ad hoc arbitrations. In addition to his practice, O'Malley also serves as a Lecturer in Law at USC Gould School of Law, where he teaches the international arbitration course.



Grant Kim Panelist

Grant L. Kim has served as an arbitrator or counsel in numerous international arbitrations administered by the ICDR, ICC, AAA, and Korean Commercial Arbitration Board, venues in Asia, the U.S., and Europe. He is a partner at LimNexus in San Francisco, a diverse minority-owned boutique. He worked for 25 years at Morrison & Foerster in San Francisco and Tokyo and 5 years at Kim & Chang in Seoul. Mr. Kim

is a California lawyer, but has handled numerous cases governed by the civil law of Korea, Switzerland, Germany, and other countries. He has specific expertise with arbitration and litigation of patent and other IP disputes, and substantial experience with disputes involving M&A, distribution agreements, construction, investment treaties, and other matters. He serves on the boards of the Silicon Valley Arbitration and Mediation Center, the North American Branch of the Chartered Institute of Arbitrators, and the California International Arbitration Council.



Rogier Schellaars Panelist

Rogier Schellaars is both civil law (Leyden University) and common law (Queen Mary, London) educated. He acts as counsel on a range of commercial disputes and BIT-investment claims, including M&A, joint venture and finance disputes. Rogier has dealt with most of the leading arbitration institutes' rules and major arbitration laws. In addition, Rogier acts as arbitrator and is a Dutch member of

the ICC's International Court of Arbitration. Rogier regularly publishes and lectures on arbitration and civil procedure as well as, until 2010, on English law. His publications include the 2012-2018 IBA Arbitration Country Guides for the Netherlands and articles on, for example, the IBA Rules on Evidence, the ICC and LCIA Arbitration Rules and challenge and enforcement proceedings. Rogier co-founded the Dutch Arbitration Association and currently sits on the ICC and IBA Arbitration Committees and the NAI's Advisory Board.

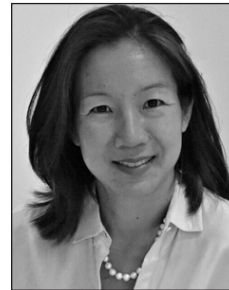


Nhu-Hoang Tran Thang Panelist

Nhu-Hoang Tran Thang is a French-trained lawyer registered with the Paris bar and a Swiss national with a Vietnamese background. She is an associate at Peter & Kim, in Geneva, where she practices both commercial and investment arbitration. Before joining Peter & Kim, Nhu-Hoang practiced international arbitration at

LALIVE and at the office of Professor Pierre Tercier, one of today's worldwide leading arbitrators. Prior to that, she gained experience in the arbitration teams of magic circle firms in Paris and at arbitration boutiques in Geneva and London. She has acted as arbitrator, counsel or assistant to the arbitral tribunal in over thirty arbitrations conducted under a variety of rules (ICSID, ICC, UNCITRAL, SCAI, LCIA, CRCICA, DIS) and related to various industries (including oil & gas, banking & finance, telecommunications, transportation, mining and pharmaceuticals). A current member of the Young ICCA Advisory Board, she regularly speaks and publishes in the field of international arbitration.

Webinar 2



Chiann Bao Keynote Speaker

With almost 20 years of experience working in Hong Kong, New York and London, Chiann Bao practices exclusively as an arbitrator and mediator and is a member of Arbitration Chambers. Chiann is listed on the panel of the major arbitration institutions and has served as tribunal chair, co-arbitrator and sole arbitrator in ad hoc and institutional arbitrations under the ICC, UNCITRAL, SIAC, HKIAC, KCAB, CIETAC,

and SCIA rules. She is a fellow of the Chartered Institute of Arbitrators and a CEDR-accredited mediator. Chiann currently serves as a vice president of the ICC Court of Arbitration and is the chair of the ICC Commission task force on arbitration and ADR. She is also a member of the ICC Belt and Road Initiative Commission. From 2010 to 2016 she served as the secretary general of the Hong Kong International Arbitration Centre where she managed hundreds of arbitrations before tribunals in Asia.



Maria Chedid Panelist

Maria Chedid sits as an arbitrator and regularly serves as lead counsel in commercial and investment arbitrations. In a recent arbitration, Ms. Chedid co-lead a successful representation obtaining a USD 800 million arbitration award in favor of her client. One of California's Top 100 Women Lawyers, Ms. Chedid has been recognized as a leading international arbitration practitioner by legal publications

such as Chambers Global and Chambers USA. She is one of only two U.S. representatives appointed to the ICC International Court of Arbitration; Co-Chair of the ICDR California Advisory Committee; a member of the National Committee for the SIAC Users Council; the founding President and Co-Chair of CIAC; and an adjunct professor at the Straus Institute for Dispute Resolution. Ms. Chedid also has consistently been named to the annual SVAMC "Tech List" of the World's Leading Technology Arbitrators, and is the co-author of a textbook chapter entitled "International Arbitration of Intellectual Property Disputes."



Lorraine Brennan Panelist

Lorraine Brennan is an accomplished national and international dispute resolution professional at JAMS. She has served as a distinguished global member of law school faculties from the United States and China, and has a broad range of experience involving complex commercial litigation along with domestic and international arbitration and mediation. She maintains leadership roles

in ArbitralWomen, the International and Dispute Resolution Sections of the American Bar Association and the Institute for Transnational Arbitration (Advisory Board Member). Ms. Brennan is also one of only eight members appointed by the U.S. State Department to serve on the NAFTA 2022 Advisory Committee on Private Commercial Disputes, and teaches International Commercial Arbitration at the Georgetown University Law Center.



Kathleen Paisley, FCI Arb Panelist

Kathleen Paisley is an international arbitrator with more than 30 years of experience in the United States, Europe, Latin America, Asia, Africa and the Middle East as arbitrator, counsel, and expert. She is triple qualified with degrees from Yale Law School, an MBA in finance and has passed the CPA exam. She

has extensive experience under both the common and civil law as a member of the New York and D.C. bars and has worked under laws of California, European Union, England and Wales, Belgium and other civil jurisdictions, and public international law. While she has acted in a broad cross section of international disputes, she is specialized in artificial intelligence, biotech, cybersecurity, data protection, energy, pharmaceuticals, semiconductors, and technology. She is co-chair of the ICCA-IBA Joint Task Force on Data Protection in Arbitration and is a member of the ICCA task forces on cybersecurity and damages (quantification), and the Sedona Conference Drafting Committee on arbitration and the IMI/CCA/Straus Mixed Mode International Task Force (enforcement).



Laurence Shore Panelist

Laurence Shore is a partner in BonelliErede's Milan office. He leads the firm's International Arbitration Focus Team. Laurence previously practiced law in New York City, London, and Washington, D.C., has been counsel in many international cases, and also sits as an arbitrator. He is a member of the New York, Virginia, and District of Columbia Bars, and is a solicitor of the Senior Courts of England and

Wales. Laurence's law degree is from Emory University; he earned a Ph.D. in History from Johns Hopkins University. Laurence has taught international commercial arbitration courses at NYU Law School and the Washington College of Law, American University. His publications on arbitration issues include (as a co-author), "International Investment Arbitration: Substantive Principles" (OUP, second edition, 2017), a leading text on treaty arbitration.

Webinar 3



Howard Miller, FIC Arb Moderator

Howard B. Miller is a mediator and arbitrator at JAMS, and a founder and co-chair of the California International Arbitration Council. He is a past President of the State Bar of California, and was for many years a Professor of Law at the USC Gould School of Law.



Hiro Aragaki, FCI Arb Panelist

Hiro Aragaki is a distinguished neutral at JAMS with more than 20 years of experience, including almost a decade of full-time law practice at global law firms and services as a neutral since 2001. He is an internationally recognized expert in arbitration and mediation who has trained judges and lawyers and is

frequently called upon to consult on alternative dispute resolution (ADR) reform projects around the world. He is also a professor at Loyola Law School and a professional research associate at SOAS Law School in London.