15th Annual
Advanced Mediation and Advocacy Skills Institute
October 19-20, 2017 | Malibu, CA

AGENDA

THURSDAY, OCTOBER 19

8:00 a.m.  Registration
           Lobby Level

8:00 a.m.  Continental Breakfast
           Gulls Way Outdoor Dining Area

9:00 a.m.  Welcome and Introductions
           LC 150 Lecture Room

9:10 a.m.  Preparing for Mediation
           LC 150 Lecture Room
           Mediators, corporate counsel, and litigators reveal preparation techniques that
           maximize opportunities for favorable settlements.

           Presenters:
           Peter K. Rosen, Latham & Watkins LLP
           Eleanor Barr, Barr Mediation LLC

10:10 a.m. Break
10:20 a.m.  **Small Group Discussions on Preparing for Mediation**

*Divide into below breakout rooms*

Become immersed in an in-depth discussion about issues such as written submissions, process design, managing client expectations, safety, administrative details, pre-mediation conferencing, and whether to include opening statements in a joint session at the start of the mediation.

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<th>Breakout</th>
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<td>1</td>
<td>Jillisa Brittan, U.S. Court of Appeals for the Seventh Circuit</td>
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<td>Larry W. Bridgesmith, Vanderbilt Law School</td>
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<td>Benjamin G. Davis, Univ of Toledo College of Law</td>
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11:35 a.m.  **Lunch**

*Gulls Way Outdoor Dining Area*

12:15 p.m.  **Keynote: Mediation Strategy and “The Science of Persuasion”: Interdisciplinary Findings for Heightened Influence & Effectiveness**

Speakers:

*Harold Coleman, Jr.*, Esq., Mediator/Educator, AAA-ICDR-Mediation.org

*Debra Dupree*, Psy.D./MFT/Mediator, Relationships at Work

*LC 150 Lecture Room*

Because all conflict resolution involves people responsible for negotiations, problem solving and decision-making, mediation dynamics tend to involve equal parts of both "people and problem." Ignoring the people and focusing only on "the problem" most assuredly works to the detriment of the parties and the process. This keynote applies the research of social psychologist Dr. Robert Cialdini on the “Science of Persuasion” and allows participants to expand their toolbox of mediation practice skills beyond mere content knowledge ("law and facts")/subject matter expertise and into the deeper aspects of persuasion and human behavior...the very epicenters on which all decision making and mediated problem solving occur. Participants will discover the “6 Universal Principles of Persuasion” and begin the process of thinking much more adroitly about the role of ethical persuasion in mediated settlement negotiations.
1:15 p.m.  **Negotiating in the Caucus Stage of Mediation**  
*LC 150 Lecture Room*
Learn how skilled mediators and advocates use the private caucus to probe for information, develop options, refine interests, and conduct reality testing.

**Presenters:**  
Scott R. Ames, The Law Offices of Scott R. Ames  
John L. Barber, Lewis Brisbois  
Ava J. Abramowitz, George Washington University Law School

2:15 p.m.  **Break**

2:30 p.m.  **Small Group Discussions on Negotiating in the Caucus Stage of Mediation**  
*Divide into below breakout rooms*
Examine and explore the techniques expert mediators and advocates use during a private caucus to move toward resolution, and discuss behavioral aspects of decision making.

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<td>John A. Sherrill, American Arbitration Association</td>
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<td>Ava J. Abramowitz, George Washington University Law School</td>
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3:40 p.m. **Break**

3:50 p.m.  **Ethics Forum: Common Ethical Issues Faced by Mediators and Advocates**  
*LC 150 Lecture Room*
Institute faculty members will share advice on how to recognize and solve potential ethical issues in the mediation process.

**Presenter:**  
James J. Alfini, South Texas College of Law Houston  
Myra C. Selby, Ice Miller LLP

5:00 p.m.  **Welcome Reception with Institute Faculty**  
*Gulls Way Outdoor Dining Area*
The faculty will be available to informally discuss questions raised during the first day’s presentations. This social hour is a unique opportunity to take advantage of their experience in the dispute resolution field.
FRIDAY, OCTOBER 20

7:15 a.m.  Continental Breakfast & Networking
Gulls Way Outdoor Dining Area
Choose a networking table during breakfast to share tips on developing and marketing your mediation practice.

8:30 a.m.  Breaking Impasse in Mediation
LC 150 Lecture Room
A skilled mediator, advocate, and in-house counsel will share tips and reveal their strategies to avoid impasse in the first place, and to address apparent impasse.

Presenters:
- Glenn L. Briggs, Kading Briggs LLP
- Steven Rottman, Rottman Law & Mediation
- Debra L. Schroeder, RAND Corporation

9:30 a.m.  Break

9:45 a.m.  Small Group Discussions on Breaking Impasse in Mediation
Divide into below breakout rooms
Participate in a focused examination of the factors causing impasse, and discuss the skills that mediators and advocates should have in their toolkits to get the job done.

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<td>Vikram Jeet Kapoor, Federal Emergency Management Agency</td>
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<td>John A. Sherrill, American Arbitration Association</td>
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10:55 a.m.  Break
11:05 a.m.  **Mediating Complex Cases**  
*LC 150 Lecture Room*

In many mediations there are multiple parties, multiple claims and sometimes parties who are not physically present. These circumstances call for unique strategies and approaches by mediators.

**Presenters:**
- Donald R. Philbin, Jr., Donald R Philbin Jr PC
- Jonathan W. Young, Locke Lord
- Brooks M. Beard, VMware, Inc.

Moderated by Jillisa Brittan, U.S. Court of Appeals for the Seventh Circuit

12:05 p.m.  Lunch  
*Gulls Way Outdoor Dining Area*

12:45 p.m.  **Keynote: Our Mediation Revolution: Where are We, and Where are We Going?**  
**Speaker:**  
Thomas J. Stipanowich, William H. Webster Chair in Dispute Resolution  
Professor of Law & Associate Dean, Straus Institute for Dispute Resolution  
Pepperdine University School of Law  
*LC 150 Lecture Room*

The four decades of the modern era of mediation have brought about dramatic changes in our approaches to conflict and in the practice of law. Drawing on the latest information from the field, Prof. Stipanowich reflects upon key developments, including how mediation and the legal profession have affected each other; forms of interplay between mediation and adjudication ("mixed modes"); the impact of culture and legal tradition; mediation and the rule of law; and the use of mediation skills and insights in relational settings.

1:45 p.m.  **Small Group Discussions on Mediating Complex Cases**  
Participate in an interactive discussion identifying procedures, timing issues, appropriate facilities, technology, interplay between levels of insurance coverage, and matters which could benefit from co-mediation, among other strategies, for mediating complex and multi-party cases.

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3:00 p.m.      Throwing the Perfect Pitch: Marketing for Mediators
                LC 150 Lecture Room
Learn what qualities clients seek when hiring a mediator, get insights into
marketing “dos and don’ts,” effective use of technology and social media, and
learn from others what has worked -- and has not worked -- for them. The
Perfect Pitch session will include significant time for program attendees to ask
questions about marketing as well as any of the other topics covered in the two
days of training.

Presenters:
    Serena K. Lee, American Arbitration Association
    Natasha Moreno, JAMS

4:00 p.m.      Adjourn