

# CCA College of Commercial Arbitrators®

## 24<sup>TH</sup> ANNUAL MEETING

*LEARNING FROM ONE ANOTHER: SHARPENING OUR ARBITRAL SKILLS*



**OCTOBER 24-26, 2024**

**PARK HYATT AVIARA RESORT, GOLF CLUB & SPA  
CARLSBAD, CALIFORNIA**

# THURSDAY, OCTOBER 24<sup>TH</sup>

11:00 a.m. – 6:00 p.m.

## Registration Desk Open at the Park Hyatt Aviara Resort

Check in for the Annual Meeting to receive your badge and meeting materials.

12:00 Noon – 1:00 p.m.

## Lunch for Board Meeting Attendees

1:00 p.m. – 3:00 p.m.

## Meeting of CCA Board of Directors

President *Barbara Reeves* and President-Elect *Dana Welch* will preside over the CCA's Board Meeting. The Board and Officers will report on recent developments, address future plans for the CCA, discuss strategic planning initiatives, introduce the incoming Directors, and announce the new members of the Executive Committee and the Standing Committee Chairs and Co-Chairs. All Fellows welcome and encouraged to attend. *Advance RSVP required during registration.*

3:00 p.m. – 5:00 p.m.

## Committee Meetings

3:00 p.m. – 4:00 p.m. | 4:00 p.m. – 5:00 p.m.

Construction		Diversity
Regional Chairs		International
Technology		

(\*Breakout rooms may be available onsite for additional committee meetings.)

5:30 p.m. – 9:00 p.m.

## Welcome Reception & Dinner at the Park Hyatt Aviara Resort, featuring the Introduction of Our New Fellows

Fellows and their registered spouse/guest will have the opportunity to reconnect with colleagues and friends in a relaxed, cordial atmosphere during the opening reception, which will flow into a special dinner, with select wines and entrees. Wine pairings will be described with each course. Catch up with your colleagues and enjoy this magical evening featuring the new Fellows Class of 2024. The dress is resort casual. All Fellows and their registered spouse/guest are invited. **Advance RSVPs are required during registration.**

# FRIDAY, OCTOBER 25<sup>TH</sup>

7:00 a.m. – 5:00 p.m.

## Registration Desk Open

7:30 a.m. – 8:45 a.m.

## Fellows' Breakfast

All Fellows and their registered spouse/guest are invited to breakfast.

7:30 a.m. – 8:45 a.m.

## New CCA Fellows' Orientation Breakfast

All New Fellows are invited to attend this breakfast where the CCA Executive Committee, Membership Committee and select Committee Chairs will provide information about CCA practices, operations and expectations, as well as answer questions. CCA Fellows are welcome and encouraged to attend.

7:45 a.m. – 8:45 a.m.

## Committee Meetings

Education | Website/Social Media

8:45 a.m. – 9:00 a.m.

## Transition Break

9:00 a.m. – 9:15 a.m.

## Welcome & President's Comments

Barbara A. Reeves opens the meeting, welcoming Fellows and offering preliminary comments.

9:15 a.m. – 10:30 a.m.

## Plenary #1 – Learning from Each Other: A Roundtable of Arbitrators to Discuss Key Issues in the Arbitration Process

Since the first CCA Annual Meeting in 2001, the highlight each year for most of us is to be able to share experiences with our Fellow arbitrators and to hear how others have handled the often difficult issues that we confront in large and complex commercial cases. "Best Practices" derives from consensus developed in such exchanges and the Panel will address a tantalizing selection of such issues in this Roundtable, including interaction with all of our Fellows in seeking the elusive "best practices" paradigm.

Moderator: *Richard Chernick*, Los Angeles, CA

Presenters: *Mark A. Kantor*, Washington, DC

*Sandra A. Jeskie*, San Diego, CA

*Adrienne C. Publicover*, San Francisco, CA

*Peter K. Rosen*, Los Angeles, CA

*Giovanni M. Ruscitti*, Denver, CO

10:30 a.m. – 10:45 a.m.

## Break

10:45 a.m. – 12:00 Noon

## Plenary #2 – Due Process in International Arbitration

Arbitrators sitting on international cases are frequently confronted with widely differing concepts and practices which fall within the ambit of due process. Counsel from different jurisdictions, even if holding themselves out to be "internationalists," will bring with them expectations of procedures which accord with their conception of that which is necessary and fair for the presentation of their client's case. Those expectations may well clash with their opponent's views on due process. How are these clashes and flashpoints in the conduct of an international case solved by arbitrators? How do international due process standards and practices compare with those in domestic U.S. cases?

Moderator: *Klaus Reichert*, London, England

Presenters: *Stephanie Cohen*, New York, NY

*Jennifer Kirby*, New York, NY & Paris, France

*Ann Ryan Robertson*, Houston, TX

*Lawrence S. Schaner*, Chicago, IL

*John M. Townsend*, Washington, DC

12:00 Noon – 12:15 p.m. **Transition Break**

12:15 p.m. – 1:45 p.m.

### **Fellows' Luncheon & Presentation – What's New? Annual Arbitration Update with New Fellows**

This year's Annual Arbitration Update will be a facilitated and interactive discussion of important new case law impacting the arbitration world.

Moderator: *Rebecca Callahan*, Newport Beach, CA

Presenters: *Our 2024 New Fellows*

1:45 p.m. – 2:00 p.m.

### **Break**

2:00 p.m. – 3:15 p.m.

### **Plenary #3 – Third-Party Witnesses, Subpoenas and Other Interesting Procedural Complications**

A mock tribunal deliberation over a party's proposed arbitral summons to a witness will examine many of the challenging issues of enforceability and case management that arbitrators face when asked to obtain evidence from a non-party. This session, enlivened by limited oral argument of counsel, will seek to bring clarity to many of the perennial issues involved, based on recent case law and arbitral practice, including the place, timing and format of non-party evidence gathering through oral testimony, the scope of document demands to the non-party, the non-party's observance of the confidentiality of the arbitration, and the relationship between the tribunal's case management role and the potential need for judicial enforcement of the witness summons.

Moderator: *Marc J. Goldstein*, New York, NY

Panelists: *Hon. Faith S. Hochberg (Ret.)*, New York, NY

*D. Brian King*, New York, NY

*Michael Nolan*, New York, NY

3:15 p.m. – 3:30 p.m.

### **Break**

3:30 p.m. – 5:00 p.m.

### **Plenary #4 – Roundtable: From the Providers**

In this illuminating session, representatives from the American Arbitration Association, JAMS, the ICC, and CPR will pull back the curtain on where commercial arbitration is today and where it is going. They'll discuss key criteria they use to vet potential arbitrators for complex commercial cases. They will discuss the latest trends and challenges in the field, including innovations in digital arbitration tools, evolving legal standards, and strategies for managing complex disputes. Most importantly, they will focus on questions the Fellows have submitted in advance.

Moderator: *Dana Welch*, San Francisco, CA

Panelists: *Elizabeth Carter*, JAMS, New York, NY

*Svetlana Gitman*, AAA-ICDR, Chicago, IL

*Marek Krasula*, ICC, New York, NY

*Serena K. Lee*, CPR, New York, NY

5:00 p.m.

### **Sessions Adjourn**

5:00 p.m. – 6:00 p.m.

### **Networking Reception**

6:00 p.m. – 9:00 p.m.

### **Dinners Arranged by Fellows**

Fellows are encouraged to form their own dinner groups and make arrangements or reservations in advance where applicable. In addition to the restaurants onsite, the Park Hyatt Aviara Resort is conveniently located within a short drive of many of Carlsbad's finest restaurants and attractions, including those in Carlsbad Village (7 miles/15 minutes away.) The Resort concierge and Fellows familiar with the area may also provide suitable venue recommendations.

## **SATURDAY, OCTOBER 26<sup>TH</sup>**

7:00 a.m. – 12:30 p.m.

### **Registration Desk Open**

7:30 a.m. – 8:45 a.m.

### **Fellows' Breakfast**

All Fellows and their registered spouse/guest are invited to breakfast.

7:30 a.m. – 8:45 a.m.

### **Diversity Breakfast**

All Fellows are invited to the Diversity Breakfast.

8:45 a.m. – 9:00 a.m.

### **Transition Break**

9:00 a.m. – 10:15 a.m.

### **Plenary #5 – AI – After the Hype, What is Really There?**

A conversation about the challenges of AI for arbitrators, and its effects on arbitration, deep fakes, accuracy of evidence and submissions, management of expert witnesses, decision making, fact and legal analysis, and things we haven't even imagined. The panel will also consider whether current rules, codes and laws are sufficient to respond to these emerging risks or if changes are required.

Presenters: *Hon. Bridget M. McCormack*, President & CEO,

AAA-ICDR, New York NY

*Mark C. Morril*, New York, NY

*Kathleen D. Paisley*, Brussels, Belgium & Miami, FL

*Chris K. Poole*, CEO Emeritus, JAMS, Los Angeles, CA

10:15 a.m. – 10:30 a.m.

### **Break**

10:30 a.m. – 12:00 Noon

### **Plenary #6 – ADR Ethics Practicum (1.50 hours ethics)**

The interactive Practicum is back again for its 14th year to consider sophisticated and difficult arbitration problems dealing with ethical issues. Materials will be submitted in advance that describe the real life scenarios from actual cases that have come before our Fellows. Each small group will determine resolution of these problems and explain their analyses. These resolutions will then be discussed by all Fellows in a group session.

Facilitator: *Eugene I. Farber*, White Plains, NY

12:00 Noon

### **Sessions Adjourn**

12:30 p.m. – 5:00 p.m.

### **Pick Your Pleasure - Afternoon Activities for All**

Since promoting fellowship is a priority of the College, we have arranged for a variety of group leisure activities for this afternoon. *Availability is limited and group minimums or maximums may apply. Register ASAP to reserve your spot!*

#### **\*Pre-Purchase a Box Lunch-To-Go**

In a hurry? Grab a quick bite before your afternoon event begins.

**Cost is \$40 per person. Available for pickup beginning at 12:00 Noon. Please pre-purchase your box lunch on the registration form.**

### **SATURDAY, OCTOBER 26 – 12:30 p.m. – 5:15 p.m.**

#### **Bus Transportation to the USS Midway Museum**

*(Optional Ticketed Event)*



This ticket/fee covers the bus transportation to and from the USS Midway Museum only. *You must purchase a separate entrance ticket to the museum upon arrival (\$34 per adult.)*

The museum ticket includes an

audio player and entrance into all the exhibits. One exhibit on your “must-do” list is the docent-led ‘Ship’s Island/Bridge’ tour exploring the recently renovated command center where the ship’s Captain and crew steer the ship and oversee flight operations. You can even enjoy a special tour up serpentine ladders through the ship’s navigation and flight control sections, led by one of Midway’s world-class volunteer docents. There can be a line so we recommend you visit this exhibit first. Other flight deck, hangar deck and below deck exhibits feature pilot and squadron ready rooms, flight



simulators, the command information center, engine room, admiral and sailors’ quarters, and an aircraft gallery with over 30 restored aircraft. Choose among nearly 10 acres of exhibits!



Meet in the Resort lobby at 12:25 p.m. The bus will depart at 12:30 p.m. for the ~45 minute ride to the museum. The return bus will depart the museum at 4:30 p.m. to return to the hotel by 5:15 p.m. **Cost is \$30 per person and covers the bus transportation only.** *(The group maximum for the bus is 50. Tickets are limited and sold on a first-come, first-served basis.) Lunch is on your own so please consider pre-purchasing the separate box lunch-to-go. Advance registration is required on the registration form.*



### **SATURDAY, OCTOBER 26 – 12:40 p.m. – 5:00 p.m.**

#### **Golf Tournament** *(Consecutive Tee Times)*

*(Optional Ticketed Event)*

The golf tournament will be held at the Aviara Golf Club (7447 Batiquitos Dr., Carlsbad, CA 92011; (760) 603-6900 - a 15-minute walk / 5-minute drive from hotel) with consecutive tee times starting at 12:42 p.m. Transportation will be provided by hotel shuttle. Players



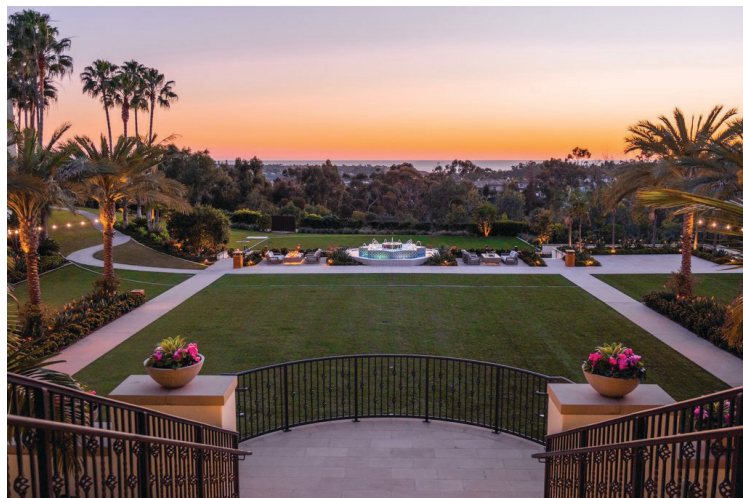
will be assigned to foursomes and the pairings will be communicated prior to the event. Fellows and their registered spouse/guest are welcome to play in this golf tournament. **The fee is \$280 per golfer and includes green fees, cart and balls. Lunch is on your own. Advance registration is required on the registration form.**



### **SATURDAY, OCTOBER 26 – 1:30 p.m. – 3:30 p.m.**

#### **Pickleball Tournament** *(Optional Ticketed Event)*

The tournament will be held at the Aviara Tennis Club (7210 Blue Heron Pl, Carlsbad, CA 92011 - a .4 mile/7-minute walk from hotel.) **Cost is \$30 per person. Lunch is on your own. Advance registration is required on the registration form.**



### **SATURDAY, OCTOBER 28 – 6:00 p.m. – 9:00 p.m.**

#### **Cocktail Reception and Closing Dinner**

Close out the meeting with a relaxing evening at the Park Hyatt Aviara Resort featuring a 6:00 p.m. cocktail reception on the patio and a 7:00 p.m. dinner. All Fellows and their registered spouse/guest are invited to attend. Dress is resort casual attire. **Advance RSVPs are required during registration.**

## SPOUSE/GUEST PROGRAM & OPTIONAL ACTIVITIES

**FRIDAY, OCTOBER 25 – 7:30 a.m. – 8:45 a.m.**

**Registered Spouses & Guests Enjoy Breakfast with the Fellows**

**SATURDAY, OCTOBER 26 – 7:30 a.m. – 8:45 a.m.**

**Registered Spouses & Guests Enjoy Breakfast with the Fellows**

*Registered Spouses/Guests may also register for these optional ticketed activities on Friday:*

**FRIDAY, OCTOBER 25 – 9:00 a.m. – 10:30 a.m.**

**Rise & Shine Yoga (Optional Ticketed Event)**

Start your day with an inspiring yoga practice to prepare your body and mind for awareness in all that you do. **Cost is \$40 per person. Advance registration is required. (Group minimum may apply.) Please purchase your ticket on the registration form.**

**FRIDAY, OCTOBER 25 – 2:00 p.m. – 4:00 p.m.**

**Gratitude Hike at Batiquitos Lagoon (Optional Ticketed Event)**



This guided trail walk around the Lagoon will incorporate intention setting, gratitude, and breathwork. **Cost is \$45 per person. Advance registration is required. (Group minimum may apply.) Please purchase your ticket on the registration form.**

*Fellows, spouses and guests may also be interested in exploring these activities or destinations at their own pace during their time in Carlsbad:*

**Miraval Life in Balance Spa @ Park Hyatt Aviara Resort**

Indulge in globally inspired services, and award-winning wellness experiences designed to help you rejuvenate your spirit and renew your soul at the Resort's own luxury spa.

<https://parkhyattaviara.com/miravalspa/>

**Carlsbad Village (~7 miles/15 minutes away)**

A relaxed beach town atmosphere with a diverse array of shops and dining experiences, alongside family-friendly attractions.

<https://www.carlsbad-village.com/explore>

**Carlsbad Premium Outlets (~3.5 miles/10 minutes away)**

One of San Diego's premier shopping destinations. Shop more than 84 designer and name-brand outlet stores.

<https://www.premiumoutlets.com/outlet/carlsbad>

**LEGOLAND® California (~4.5 miles/15 minutes away)**

Featuring more than 60 rides, shows and attractions. Conquer dragons, battle pirates and discover ancient treasures at the Resort, also home to LEGOLAND Water Park, and SEA LIFE® Aquarium.

<https://www.legoland.com/california/>

## SPECIAL THANKS TO OUR 2024 CONFERENCE SPONSORS:



## GENERAL INFORMATION

**Hotel:** For the convenience of conference registrants, a block of rooms has been reserved at the Park Hyatt Aviara Resort & Spa, 7100 Aviara Resort Drive, Carlsbad, CA 92011. Please reserve your room by calling Park Hyatt Aviara at +1 (760) 448-1234 and asking for the College of Commercial Arbitrators group code G-COMA or visit <https://tinyurl.com/CCA24Hotel> to book your reservation online. **To ensure availability please make your reservation as soon as possible. The reservation deadline is September 20, 2024. After that date, or when the room block is exhausted, the hotel will assign rooms on a space and rate available basis only.** The conference rates are \$395.00 plus tax for a standard single/double. The \$45/night resort fee is discounted to \$15/night for attendees booking in the CCA room block and covers internet access in guest rooms, nightly turndown with bottled water, unlimited local telephone calls from your room, 24-hour fitness center and game room/pool/hot tub access, golf bag storage, shuttle service to Carlsbad Premium Outlets and more. A one-night deposit is required at the time of reservation. Please note in the event of room cancellation, the deposit is refundable if notice is received by the hotel at least 72 hours prior to arrival. Cancellations within 72 hours of arrival will incur a cancellation fee of one night's room and tax.

**Airport & Transportation:** The closest airport is the San Diego International Airport (SAN), about 32 miles (45-minute drive) from the Park Hyatt Aviara Resort. Rideshares are estimated at \$65 each way and taxi fare at ~\$100 each way. Private shuttle service and rental car services are also available at the airport. The Orange County/John Wayne International Airport (SNA) is the next closest at 60 miles (~70 minutes) away.

**Parking:** Valet parking fees for hotel guests will be charged at the posted rate at the time of stay. Current valet rates are set at \$55.00 for Day Parking and \$65.00 Overnight with in & out privileges.

**Activities:** For information on activities or attractions available in and around Carlsbad, CA and the Park Hyatt Aviara Resort visit <https://visitcarlsbad.com> or <https://parkhyattaviara.com/>.

**MCLE Credit:** This program has been approved for 8.75 hours of MCLE credit (1.50 hours ethics) in the State of Texas. Applications have been filed and are pending in other select states. Approved credit hours may vary by state. Full MCLE information will be available at registration.

# ABOUT THE COLLEGE OF COMMERCIAL ARBITRATORS

Established in 2001, the College of Commercial Arbitrators is a national organization of commercial arbitrators providing a meaningful contribution to the profession, the public and the businesses and lawyers who depend on commercial arbitration as a primary means of dispute resolution.

The CCA promotes the highest standards of conduct, professionalism and ethical practice, develops “best practices,” and provides peer training and professional development.

The CCA provides interaction and communication in the profession, and offers an easy means to identify those individuals whose professional training and experience qualify them to undertake the most complex and difficult arbitration assignments.



## 2024 Officers

President: Barbara A. Reeves  
President-Elect: Dana Welch  
Vice President: Stephen S. Strick  
Secretary/Treasurer: Allison J. Snyder

## Board of Directors

John M. Barkett (2025)  
Trey Bergman (2026)  
John K. Boyce III (2025)  
Steven A. Certilman (2024)  
Roy L. De Barbieri (2025)  
Neal M. Eiseman (Immediate Past President)  
Jonathan W. Fitch (2026)  
Angela Foster (2025)  
Stephen P. Gilbert (2026)  
Sally A. Harpole (2025)  
David Huebner (2025)  
Alan M. Kanter (2025)  
Laura A. Kaster (2024)  
Paul B. Klaas (2024)  
John (Jay) McCauley (2026)  
Jose Antonio Rodriguez Marquez (2024)  
Gerald G. Saltarelli (2024)  
Mark A. Shank (2026)  
David C. Singer (2024)  
Gilda R. Turitz (2024)

**24<sup>th</sup> Annual Meeting Chair:** Barbara A. Reeves, President

**Program Committee:** Rebecca Callahan, Sandra A. Jeskie, Adrienne C. Publicover, Peter K. Rosen, Giovanni M. Ruscitti

**CCA Staff Liaisons:** Donna J. Passons (Executive Director), Bill Seward (Assistant Director)

## Carlsbad, California

Located just 45-minutes north of San Diego, Carlsbad embodies the Southern California lifestyle. This charming “village by the sea” has beautiful sandy beaches, three natural lagoons, outstanding shopping and dining options, and world-class golf. It also boasts the LEGOLAND® theme park and the Flower Fields of Carlsbad Ranch. Our host hotel, the Park Hyatt Aviara Resort is a AAA Five-Diamond resort nestled within 250 acres of vibrant greenery and panoramic views, and ideally located within easy reach of all San Diego’s best offerings. The Resort has been recognized as one of the Top Resorts in Southern California by *Condé Nast Traveler*.

This venue, combined with top-notch educational programming and diverse networking opportunities, ensures that the CCA 2024 Annual Meeting will be one you don’t want to miss!

# College of Commercial Arbitrators 24<sup>th</sup> Annual Meeting

October 24-26, 2024 ♦ Carlsbad, CA

## MEETING REGISTRATION

Please submit your meeting registration and payment by September 20, 2024. Please see below for the cancellation policy. Hotel reservation information can be found in the brochure under "General Information."

Register online at [www.CCArbitrators.org](http://www.CCArbitrators.org) or by sending the completed registration form & payment to:

CCA 24<sup>th</sup> Annual Meeting  
P.O. Box 4646  
Austin, TX 78765

Phone: (512) 372-8350  
Fax: (512) 451-2911  
Email: [info@CCArbitrators.org](mailto:info@CCArbitrators.org)

- Fellows Regular Registration** (received by September 20, 2024) ..... \$1,095.00
- Fellows Late Registration** (received after September 20, 2024 and by October 11, 2024)..... \$1,145.00
- Fellows Door Registration** (received after October 11, 2024 or at the door)..... \$1,195.00
- Conference Materials:** Materials on USB drive are included with your conference registration.  
You may purchase the printed binder of conference materials for an additional \$50.00..... \$ \_\_\_\_\_

- Spouse/Guest Registration\*:** *Print Name:* \_\_\_\_\_ \$495.00  
(\*Includes Thursday Reception & Dinner, Saturday Reception & Dinner, and Friday and Saturday Breakfasts.)

➤ *RSVPs and Optional Events must be reserved in advance and may be subject to group minimums and/or maximums.*

---RSVPs---

- THU: CCA Board Lunch:** *Advance RSVP Required*
- THU: CCA Board Meeting:** *Advance RSVP Required*
- Fellow RSVP for Thursday Night Dinner**
  - Spouse/Guest RSVP for **Thursday Night Dinner**
- Fellow RSVP for Saturday Night Dinner**
  - Spouse/Guest RSVP for **Saturday Night Dinner**

Optional Events

- FRI: Rise & Shine Yoga** \$40 x \_\_\_\_\_ = \$ \_\_\_\_\_
- FRI: Batiquitos Lagoon Hike** \$45 x \_\_\_\_\_ = \$ \_\_\_\_\_
- 
- SAT: Pre-Purchase Box Lunch** \$40 x \_\_\_\_\_ = \$ \_\_\_\_\_
- SAT: Golf Tournament** \$280 x \_\_\_\_\_ = \$ \_\_\_\_\_
- SAT: Pickleball Tournament** \$30 x \_\_\_\_\_ = \$ \_\_\_\_\_
- SAT: Bus to USS Midway** \$30 x \_\_\_\_\_ = \$ \_\_\_\_\_

*I cannot attend the annual meeting. I would like to purchase the following:*

- Written Meeting Materials. *Select one:*  Binder  USB Drive.....\$ 50.00

**Total Enclosed**..... \$ \_\_\_\_\_

Name: \_\_\_\_\_

Company/Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip/Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

*Please List Any Special Needs/Dietary Requests:* \_\_\_\_\_

**PAYMENT INFORMATION:** Please make your check payable to *College of Commercial Arbitrators*

*Please charge my:*  Visa  MasterCard  American Express

Credit Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_ Security Code \_\_\_\_\_

Name on Card \_\_\_\_\_

Billing Address (Street+C/S/Z) \_\_\_\_\_

**Refunds less a \$50 processing fee will be granted to registrants who cancel on or before 30 days prior to the first day of the meeting. If notice is received after that time and before 7 days prior to the first day of the meeting, refunds will be granted less a \$150 processing fee. No refunds will be granted thereafter.**