



Handling Your First (or Next) Arbitration

Presented by the ADR Committee

Thursday, June 6, 2019

The Buffalo Club, 388 Delaware Avenue, Buffalo, NY

Thank you for accommodating the dress code at the venue, which requires business wear. Men must wear a jacket (no tie required).

Denim is not permitted.

6.5 CLE credits: 2.5 Areas of Professional Practice, 1.0 Ethics, 3.0 Skills (approved for all attorneys)

8:45 a.m.	Welcoming Remarks <ul style="list-style-type: none"> ▪ Arbitration is based on agreement ▪ Where we find arbitration Bridget M. O'Connell, Esq., Chair, ADR Committee, VP, BAEC	12:05 p.m.	Lunch
9:00 a.m.	Pre-Filing Issues <ul style="list-style-type: none"> ▪ Arbitration v. Litigation ▪ Drafting ADR Clauses ▪ Comparison of Administered v. Non-Administered ▪ Arbitral Rules Krista Gottlieb, Esq., Krista Gottlieb ADR Center & Law Office	1:00 p.m.	The Arbitration Hearing <ul style="list-style-type: none"> • Types of Hearings • Efficient Case Presentation • Common Mistakes by Advocates • Testimonial Evidence • Examination of Witnesses • Exhibits • Affidavits • Expert Testimony • Post-Hearing Submissions Michael A. Brady, Esq., Hagerty & Brady Kevin J. English, Esq., Phillips Lytle LLP
9:50 a.m.	Commencing a Case <ul style="list-style-type: none"> ▪ Pleadings ▪ Motions to Compel/Stay Randolph C. Oppenheimer, Esq., Barclay Damon LLP	2:15 p.m.	The Award <ul style="list-style-type: none"> • The Timing of the Award • Form of the Award – Standard, Reasoned, Conclusions of Fact and Law • Interim Awards • Modification of the Award • Court Review of the Award Amber E. Storr, Esq., Hurwitz & Fine, PC
10:15 a.m.	The Preliminary Conference <ul style="list-style-type: none"> ▪ Role of the Arbitrator ▪ Agenda ▪ Continuances Carol E. Heckman, Esq., Lippes Mathias Wexler Friedman LLP	2:40 p.m.	Break
10:40 a.m.	Break	3:00 p.m.	Panel Discussion <ul style="list-style-type: none"> • Personal Injury Arbitration • Trends in Arbitration • Arbitration v. Litigation • Muscular Management of the Process • Best Practices Protocols Lynn D. Gates, Esq., Smith, Murphy & Schoepperle, LLP Carol E. Heckman, Esq., Lippes Mathias Wexler Friedman LLP Randolph C. Oppenheimer, Esq., Barclay Damon LLP Sharon M. Porcellio, Esq., Bond, Schoeneck & King PLLC
10:50 a.m.	Case Management <ul style="list-style-type: none"> ▪ Role of Arbitrator ▪ Pre-Hearing Exchange of Witness and Exhibit Lists and Briefs ▪ Discovery/Subpoenas ▪ Dispositive Motions Laurie Styka Bloom, Esq., Nixon Peabody LLP		
11:15 a.m.	Ethical Issues in Arbitration <ul style="list-style-type: none"> ▪ Disclosure Requirements ▪ Confidentiality v. Privacy in Arbitration ▪ Party-Appointed Arbitrators ▪ Ex-Parte Contacts Vincent E. Doyle III, Esq., Connors LLP	4:00 p.m.	Q&A/Adjourn

Erie Institute of Law Registration Form –

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Mail or Scan to: Erie Institute of Law, 438 Main Street, Sixth Floor, Buffalo, New York 14202, (716) 852-8687, Scan, cwalsh@eriebar.org. You can also register online at www.eriebar.org. Tuition Assistance available. Call to request application.