

JULY 2022 NEWS AND EVENTS



CI Arb
evolving to resolve
North America Branch

Dear Members,

Summer is upon us and selfishly I will say that San Diego has never looked better! Please note below our NAB member event in April, 2023. We have and will continue to promote with a SAVE THE DATE so everyone is reminded this will be a great opportunity to interact with other NAB members and listen to interesting presentations along with the charm of Santa Fe, New Mexico.

Read about the latest arbitration case from the U.S. Supreme Court, *ZF Automotive US, Inc. v. Luxshare, Ltd.* The Opinion of the Court is [here](#).

Finally, we congratulate five new Featured Members that we are now starting to insert into the newsletter itself rather than just having readers click on a link. We hope this better introduces you to your fellow NAB members.

Happy Fourth of July!

Steven J. Cologne FCI Arb
NAB Newsletter Editor



New Email Address? If your email address changes, please remember to advise memberservices@ciarb.org and communications@ciarbnab.com

Upcoming Events &
Featured Programs



July 14 at 9:00 a.m. PDT/12:00 p.m. EDT, The Young Members Group of CIArb NAB present the webinar “**Voluntary Carbon Markets and International Dispute Resolution.**” The event will be co-sponsored by the IBA, SVAMC and other organizations.

This webinar is a sequel to last year’s series on *Climate Change, Decarbonization, and International Dispute Resolution*, which covered a range of climate-related issues including rules governing carbon markets under Article 6 of the Paris Agreement.

Moderated by Nicola Peart, the panelists Paul Barker from Kirkland & Ellis, San Francisco, Matthew Cranford from Pollination Capital, Washington D.C., Luciana Aquino-Hagedorn, General Counsel at NCX, and Jesse Mosier from Pachama, San Francisco will discuss the evolution of voluntary carbon markets, carbon finance, and the relevance of international dispute resolution from in-house, private practice, and investment advisory perspectives. Registration is now open:

https://us06web.zoom.us/webinar/register/WN_cW1ld4-aS3S4T_eqXeeMcv

In **August 2022**, NAB will begin to present a monthly series “**Ask the Arbitrator.**” Each event will present an hour-long, live interview with a seasoned international arbitrator, conducted by NAB members and law students. Conversations with arbitrators will be both fun and substantive, with a focus on how to break into international arbitration. More information will be coming via NAB’s newsletter, website and social media next month.

August 25 at 10:00 a.m. PDT/1:00 p.m. EDT, CIArb NAB presents Guest speakers, Dana MacGrath, President, ArbitralWomen, and Co-Chair of Arbitration Pledge USA Subcommittee and Jackie van Haersolte-van Hof, the Director General of the London Court of International Arbitration (LCIA).

Introduced by Prof. Susan Franck, WCL American University, and David Wilson, Member, Sherman & Howard, Dana and Jackie will speak regarding the Pledge/US Subcommittee and LCIA. Program will have a Q & A session with both speakers, with live questions from the audience/participants. Registration is now open:

<https://us06web.zoom.us/j/87587575909>

August 29, NAB is supporting the SIAC Symposium in a hybrid format with the in-person site at the Shangri-La Hotel in Singapore. After a keynote by Mr. K. Shanmugam, SC, Minister for Home Affairs and Minister for Law, Singapore, the session will include a panel “**International Arbitration – Charting the Next Lap**”, a panel “**Ethics in International Arbitration: A Legal Quagmire?**”, Lunch conversations titled “**Generations in Arbitration – Observations on Building an Arbitration Practice Then and Now**”, a Townhall on the SIAC Rules Revision, and ArbxBtalks “**The Brave New World: International Arbitration and the Metaverse, Cryptocurrency and NFT Disputes.**” Additional details and registration are available [here](#).

September 30–October 1, the Advanced Route to Fellowship (International Arbitration Assessment Plus Exam). This course will be offered in Washington, D.C. in cooperation with ICC NY. More details will be available in the future.

Planning is underway for an America’s Conference of all CIArb Branches in this hemisphere on **October 7** to be preceded by a Mediation Institute on **October 6**, both in **Miami, Florida**. Watch for more details in the future.

SAVE THE DATES – April 14–16, 2023, for the NAB Members Retreat in Santa Fe, New Mexico

NAB will hold a Members’ Retreat in Santa Fe, New Mexico from **Friday, April 14 – Sunday, April 16, 2023**. The event will take place at the Inn and Spa at Loretto near the Plaza in Santa Fe. Full details are still being planned and will be announced by the Fall of 2022. It will be a chance to meet and network with other NAB members and enjoy the culture and sights of Santa Fe, New Mexico. There will also be some educational opportunities. **PLAN ON BEING IN SANTA FE TO ATTEND APRIL 14–16, 2023!**

New Program Expands Arbitration Training Across Brazil!

Brazil has become one of the most dynamic arbitration markets in the world. CIARB's North America (NAB) and Brazil Branches, and the University of Miami School of Law have joined forces to offer the Capacity Sharing Program (CSP) this year to three Brazilian regions less exposed to alternative dispute resolution mechanisms. The Brazil Arbitration CSP will be held in a hybrid format and will take place in the cities of Manaus-AM (North), Goiania-GO (Center), and João Pessoa-PB (Northeast) during the week of **October 10 to 14, 2022**, just before the Sao Paulo Arbitration Week. This exciting program will cover a range of topics related to arbitration, with a faculty composed of leading figures in the field of international and Brazilian arbitration.

Vice Chairs of the CSP are NAB Fellows **Mauricio Gomm** and **Rose Rameau**.



Prof. Charles T. Kotuby Jr., FCIARB is on the faculty of the Summer Course on International Arbitration at the Durham University in England on **July 11-16**. Details are: [here](#).

Congratulations to **Mark Cymrot FCIARB** who was recently recognized by *Chambers USA*.

Peter K. Rosen FCIARB is continuing as a Lecturer in Law, International Commercial Arbitration and Advocacy at UCLA Law School through Fall 2023 and will again be coaching UCLA's Vis Moot team.

Negotiation Simplified by **Jim Reiman FCIARB** is now available as an audio book for download or streaming on [Amazon.com](#), [Audible](#) and [iTunes](#).

David E. Sharp FCIARB has had "Fifth Circuit Denies Removal for Claims Involving Financing Arranged with Help of the United States International Development Finance Corporation" published in the June issue of the Institute of Energy Law's Oil & Gas E-Report.

Congratulations to **M. Imad Kahn** who was recognized by *The Legal 500*.

You can now invite non-members who might be interested to sign up for the newsletter at [CIARB North American Branch Newsletter](#).

Featured Members. This month's Featured Members are: **Alexander Aizenstatd, David H. Anderson, Jeffery M. Cross, Eoin Moynihan, and Mallory Silberman**. Learn about them below and on the homepage of NAB's website [NAB Website](#).

Alexander Aizenstatd (Guatemala City, Guatemala)

Alexander is an independent arbitrator and counsel based in Guatemala. He holds a master's degree from Yale Law School and is a Fellow of the Chartered Institute of Arbitrators. He is a former Member of the Court of Arbitration of the International Chamber of Commerce



and Director of the Arbitration Center of the Chamber of Industry in Guatemala (CRECIG).

His principal areas of practice include arbitration, corporate law, constitutional law, international law, and international human rights. He has been appointed as arbitrator, president of the arbitral tribunal and sole arbitrator in cases dealing with energy, construction, government contracts, and general corporate matters. He has been retained as expert witness to testify in trial by the U.S. Attorney's Office and the Department of Justice of Canada.

Alexander is admitted to practice in Guatemala and the state of New York. See www.aizenstatd.com for more information.



David H. Anderson (Ridgefield, CT)

David, the principal of Anderson Risk Consultants LLC, has 24 years of experience in the credit insurance and political risk insurance areas as an underwriter, manager, and expert witness. A MCI Arb and certified arbitrator with ARIAS-US, he has provided expert witness services across the London, New York, Singapore, and Hong Kong jurisdictions. He also currently serves as the Head of Political Risk for Starr Insurance Companies in North America.

Previously, he was the global head of Zurich Credit & Political Risk (ZCPR), a market-leading underwriter of credit and political risk insurance, where he launched Australian and Singapore offices.

David earned his B.A. in Political Science (magna cum laude) from Amherst College and his M.A. (Latin American Studies) / M.B.A. from University of Texas at Austin. He is fluent in Spanish and has a working knowledge of Portuguese, having lived, studied, or worked in several Latin American countries, including Venezuela, where he was a Fulbright Fellow.



Jeffery M. Cross (Chicago, IL)

Jeff is a Fellow of the Chartered Institute of Arbitrators and a Panel Member of the American Arbitration Association panel of commercial arbitrators. He is currently a partner at Freeborn & Peters LLP in the Chicago office. He has practiced antitrust and commercial litigation for 48 years. His practice includes distribution and marketing law, including franchising, and mergers and acquisitions. Jeff has also taught antitrust law as an Adjunct Professor for 15 years. Late last year, the Federal Judicial Center, which is the educational arm of the federal courts, published his book, *Antitrust Law: Section 1 of the Sherman Act*. The FJC approached Jeff in the Summer of 2016 to write a basic primer on Section 1 for new judges or judges without a great deal of antitrust experience. The Government Printing Office has just released the hard copies of the book and the FJC last week mailed a copy to every federal judge in the country.



Eoin Moynihan (Washington, D.C. and New York)

Eoin is a New York and District of Columbia admitted commercial disputes lawyer, arbitrator and mediator. He has extensive experience of acting as counsel in international and domestic commercial arbitrations, particularly in Asia and the Middle East, across a wide range of industry sectors. He is a member of the Arbitrator and Mediator Panels of the Asian International Arbitration Centre, Chair of the American Bar Association's Dispute Resolution Client Representation - Arbitration sub-committee and Membership Co-chair of the Federal Bar Association's ADR Section. Eoin is a Fellow of the Chartered Institute of Arbitrators, a New York State Courts Part 146 Certified Mediator and an International Mediation Institute Qualified Mediator. He is currently completing a federal judicial clerkship at the U.S. Court of Federal Claims in Washington

DC before returning to private practice in New York.



Mallory Silberman (Washington, D.C.)

Mallory, a partner at Arnold & Porter, is an internationally recognized practitioner with nearly a decade of first-chair experience in high-stakes international arbitrations. At age 37, she “is among the world’s most experienced young practitioners of investment arbitration” (*Who’s Who Legal 2021*), having worked on more than 40 of these high-profile matters.

Across these cases, Mallory has represented not only well-known corporations, but also nearly eight percent of the world’s countries. Her work has been recognized by *Chambers USA*, *Law360*, *Who’s Who Legal*, *Latinvex*, *The Legal 500 Latin America*, *Super Lawyers*, and others.

Mallory is a fellow of the Chartered Institute of Arbitrators; the current chair of the International Dispute Resolution Committee of the DC Bar; and an adjunct professor at the Georgetown University Law Center, where she has taught since 2012.

News About Members

The newsletter has expanded to report news about Members. If you have something to report, please email that information to newsletter@ciarbnab.com. **To ensure the newsletter goes out the first business day of each month, it is requested that information for the August 2022 newsletter be submitted by July 15, 2022.**

When participating in a program or event of another organization, please remember to include in event fliers and publications, if possible, your post-nominal designations such as **FCI Arb**. In addition to showcasing credentials you have earned, doing so helps all members by raising recognition of CI Arb and, by association with you, helping to demonstrate that CI Arb members are highly qualified individuals who have been credentialed by what in our opinion is the world’s leading ADR credentialing organization.

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Get involved with one (or more) of the NAB Committees. Communications (and its social media subcommittee), Programs, and Training would definitely appreciate help. Contact information is on the website or email communications@ciarbnab.com to get directed to the right person(s).

Young Members should become part of the young members group (YMG). If you are not on the YMG’s membership roster, contact Imad Khan at lkhan@winston.com.

Student Members, please share the information about free student memberships with those of your classmates who have not joined. More details are available on our [website](#).

Finally, don’t forget to join, if you have not, the [NAB LinkedIn Group](#). **This group is open to all who may be interested in ADR (not limited to NAB members).** If you have friends who ought to join, let them know about it. There are currently over 280 members, mostly NAB members. There, you can post questions, articles, and anything that might be of interest to members and comment on our monthly “What Do You Think?” feature about ADR.



STEVEN J. COLOGNE
FCI Arb

NAB Newsletter Editor
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