

MARCH 2023  
NEWS AND EVENTS

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North America  
Branch



Top of the morning to you!

Happy St. Patrick's Day! It's March already. The first quarter of 2023 is almost over. As the Ole' Irish Proverb says: Never iron your four leaf clover because you don't want to press your luck.

We welcome our new NAB Chair **David Sharp's** message this month. Also, we congratulate our full slate of featured members in this month's issue.

Finally, read about a recent decision from the U.S. District Court for the District of Columbia in the case of **Doraleh Container Terminal SA v. Republic of Djibouti**. The Opinion analyzes confirmation/denial of arbitration awards issued by London Court of International Arbitration under the Federal Arbitration Act. In addition, the Court addresses grounds for refusing to enforce an award under Article V of the New York Convention. The Memorandum Opinion can be accessed [here](#). Now off to the pub!

*Steven J. Cologne FCI Arb  
NAB Newsletter Editor  
Vice Chair / Communications*

### A Message from NAB Chair, David E. Sharp FCI Arb



Dear Members, this month, I again want to urge you to consider registering for and attending the First Annual Members' Retreat in Santa Fe on April 14-16. (<https://www.ciarbnab.com/santa-fe-registration>). The event is going to be an exciting opportunity for networking, learning, and enjoying historic and beautiful Santa Fe. A large percentage of the Fellows from the Mexico Chapter are already registered and it will be interesting to see which Chapters will have the highest absolute and percentage numbers attend. Ann Ryan Robertson C.Arb FCI Arb and former CI Arb President is actively engaged in collaborating with Tom Cunningham FCI Arb and Co-Vice Chair/Programs and me on planning various things for the event. I will just say that you will not want to miss the interactive and fun activity that Ann and Cecilia Flores Rueda FCI Arb are creating. You may even win something.

In other news, I have asked the Chapter Chairs to be de facto members of the Programs Committee and come up with at least one event during each year. Each Chapter has a modest budget at its disposal. The Washington DC Chapter has a very good sounding in-person networking event under consideration and, as you may recall, the Rocky Mountain Chapter already held a webinar this year in conjunction with the ICC. If you have ideas for a Chapter event or a NAB event, please contact your Chapter Chair or one of the two Co-Vice Chairs/Programs. Contact information for all of them (and for me) is on the NAB website.

**New Email Address?** If your email address changes, please remember to advise [memberservices@ciarb.org](mailto:memberservices@ciarb.org) and [communications@ciarbnab.com](mailto:communications@ciarbnab.com)

## Upcoming Events & Featured Programs



The March "Ask the Arbitrator" event will be **Wednesday, March 15** at 1:00 p.m. EDT/10:00 a.m. PDT: "Women in ADR: Reflections on Unique Experiences, Perspectives, and Challenges", and will feature **Rose Rameau FCIArb, Nancy Thevenin FCIArb, and Ava Borrasso C.Arb.** The panel will be interviewed/moderated by **Shakhzoda Tuchiaeva, Esq.**, pursuing the Doctor of Juridical Science Degree (S.J.D) at the University of Pittsburgh School of Law. **This program is free.** Register here for the event: [https://us06web.zoom.us/webinar/register/WN\\_dQ2Eibt-RwiuK3\\_DGzXL7A](https://us06web.zoom.us/webinar/register/WN_dQ2Eibt-RwiuK3_DGzXL7A)

California International Arbitration Week (**March 13–17**) – Please join the North America Branch of CIArb (NAB) and other leading arbitration institutions and organizations from around the world in a week-long series of complimentary virtual/in-person programs celebrating international arbitration in California. The California International Arbitration Week (CIAW) is hosted by the CLA Alternative Dispute Resolution Committee's International Arbitration and ADR subcommittee, the CLA Litigation Section, and CalArb. [For full program details and free registration, please click here.](#) On **March 17, 3:10–4:30 p.m. Pacific**, NAB is presenting a program entitled "Never Have I Ever... Overcoming Resistance to Innovation in International Arbitration" as part of the events of the week. The panel for that event includes **Katherine Smith Dedrick FCIArb** and NAB Immediate Past Chair, **Amb. (r.) David Huebner C.Arb, FCIArb** and CIArb's Trustee for the Americas, **Peter Neumann JD, LLM (ICA), FCIArb** and Los Angeles Chapter Chair, and **Peter Rosen FCIArb** and NAB Board Member with moderator **David E. Sharp FCIArb** and NAB's Chair. Other NAB members are presenting on other panels during the week.

The NAB wants its members to be aware of the ABA Section of Dispute Resolution's upcoming programs below:

[Arbitration Institute](#) | **March 9–10** at Hogan Lovells in New York, NY

This two-day comprehensive training in advanced arbitration skills will be presented by nationally recognized experts. It will feature sessions on every stage of the arbitration process examined from the vantage point of neutrals, advocates, and in-house counsel. Plenary sessions will be coupled with small group break-out discussions to enhance learning and interaction with faculty and colleagues. Register [here](#) using discount code **Partner23** to receive the ABA member rate. When registering, select the cooperating entity (CIARB) from the drop-down menu.

[Spring Conference](#) | **May 10–13** at Caesar's Palace in Las Vegas, NV

Join us as we gather in-person for the first time in three years! The conference will offer attendees over 50 educational programs, separate court administrator and legal educator tracks, nightly networking events including an evening at the UNLV Boyd School of Law, a private tour of the Atomic Museum, and a game/fireworks with the Las Vegas Aviators Triple-A Baseball Team. Anticipated attendance is around 500 mediators, arbitrators, legal educators, ombuds, and practitioners. Register [here](#) using discount **SPECLV23** to receive the ABA member rate. When registering, select the

cooperating entity (CIARB) from the drop-down menu.

**FIRST ANNUAL NAB MEMBERS RETREAT**  
**APRIL 14-16, 2023 IN SANTA FE, NEW MEXICO**



Join other CIARB members in beautiful Santa Fe, New Mexico for networking along with educational programming!

The event will be held at the Inn at Loretto in downtown Santa Fe, just off the historic Plaza which dates from more than 400 years ago.

Click here for event registration: <https://www.ciarbnab.com/santa-fe-registration>.

Registration is \$650 and includes a place for one at the Friday evening dinner along with admission to the Saturday morning session and Sunday morning farewell breakfast. **Hotel costs are extra and to be borne by attendees** See hotel charges below and register for the Inn at Loretto here: [Inn at Loretto](#)

Please note the reservation cut-off date to get a room from the room block set aside at the Inn at Loretto will be: **March 15, 2023**. After that date, any remaining rooms within the block will be released into the hotel's general inventory.

\*\*\*The CIARB NAB base rate is \$269/night plus a resort and amenity fee of approximately \$30/night and taxes.

\*\*\*Spouses or significant others may register for an additional \$250 which covers all of the same events, including Dinner on Friday night.

\*\*\*Registration is open to any CIARB member, regardless of Branch, and their spouse or significant other. **Registration for the Members Retreat does not include the Speakers Dinner at Geronimo which requires separate registration and an additional fee.**

### AGENDA

**Friday, April 14** – 6:00 p.m. – Dinner at the Inn at Loretto, featuring a Key Note by John Garman FCIARB, a former Chair of NAB.

**Saturday, April 15** – 9:00 a.m. – 4:00 p.m. – An informative plenary session featuring presentations from:

- Murray Smith, Q.C., LL.M., FCIARB,
- John McArthur FCIARB and Northern California Chapter Chair,
- Amb. (Ret.) David Huebner FCIARB, CIARB Trustee for the Americas and former Chair of NAB,
- Ann Ryan Robertson C.Arb, FCIARB, former President of CIARB, and
- A distinguished panel of NAB members from Mexico led by Reynaldo Uriaga, Chapter Chair for Mexico.

**Saturday evening, April 15:**

**Option A – SOLD OUT:** 6:00 p.m. – Speakers Dinner at Geronimo Restaurant. If there is sufficient demand by registrants, NAB will attempt to organize an alternative event for Saturday evening.

**Option B is still a great option:** Enjoy a night out on your own or with others in Santa Fe at one of the many gourmet restaurants within a short distance (Make dinner reservations well in advance to avoid any possible complications). Saturday afternoon is free time to enjoy sightseeing and pleasures that Santa Fe has to offer. Check the Santa Fe Visitor's Center website at <https://www.santafe.org> or call the concierge at the Inn at Loretto (505.988.5531).

Additional information will be provided to registrants as appropriate when available. CLE has not yet been obtained, but the plan is to seek it for certain jurisdictions.

The North America Branch of CIArb is pleased to announce the launch of its **Membership Match** program. The program aims to add value to Associates and Members through mentoring with Fellows. Once a match is secured, the goal is to meet virtually for 30 minutes, 10 times per year to address issues unique to the mentees. The match is intended to last one year from inception but may be subject to renewal. Please contact CIArb NAB, Vice Chair of Membership, **Ava Borrasso C.Arb, FCIArb** at [ajb@ajborrassolaw.com](mailto:ajb@ajborrassolaw.com) if you are interested in participating as a mentor or mentee.



**Ann Ryan Robertson C.Arb FCIArb** has authored “Locke Lord QuickStudy: ICDR Publishes Guidelines on the Use of Arbitral Tribunal Secretaries” which is on her firm’s website, [lockelord.com](http://lockelord.com).

NAB Members: Don’t miss an opportunity to promote yourself by publishing in Lexology! Lexology has a broad reach. If you wrote something that you are legally allowed to have published without copyright or other legal restrictions, send it to our Lexology contact, **Ava Borrasso C.Arb, FCIArb** at [Ajb@ajborrassolaw.com](mailto:Ajb@ajborrassolaw.com).

**John McArthur FCIArb** and Northern California Chapter Chair has written a new, scholarly book, *The Reasoned Arbitration Award in the United States: Its Promise, Problems, Preparation, and Preservation*. Receive a 10% discount on online orders by using the code **NABCIARB**. Learn about the book and order here: <https://arbitrationlaw.com/books/reasoned-arbitration-award-united-states-its-promise-problems-preparation-and-preservation>. John’s book explains his view that that “silent” awards are not less prone to challenge and not necessarily cheaper to prepare than reasoned awards, criticizes six ways awards often fail to give meaningful reasons, and argues that U.S. courts have improperly tended to uphold such awards as “reasoned.” The work has John’s extensive analysis of each ground of vacatur and its success rate based on his study of vacatur opinions in Westlaw for 2010–2017 with a link to appendices with synopses of the vacatur opinions for exceeding powers, manifest disregard, violating public policy, and evident partiality. It also has appendices for awards he treats as well reasoned and for those he views as not so. John will be speaking on awards at the upcoming NAB Members Retreat in Santa Fe in April.

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

**CIArb dues for 2023.** A reminder, dues for 2023 should be paid if you have not already done so. You should have received an email with a dues invoice in December 2022. Check your spam folder if you have not received one. If you have not received an email from CIArb with your dues invoice, please contact [memberservices@ciarb.org](mailto:memberservices@ciarb.org).

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**Featured Members.** This month’s Featured Members are: **Angela Eastman, Carlos Leal-Isla Garza, Minwoo Kim, Frank Lattal, Scott D. Marrs, Larry J. Saylor, and Richard J. Tyler.** Learn about them below and on the homepage of NAB’s website [NAB Website](#).

**Angela Eastman (Boulder, CO)**

**Angela Eastman, JD, LLM, FCIArb** is employed as in-house



counsel for a large health corporation and as an adjunct professor at Pepperdine University Caruso School of Law (the Straus Institute for Dispute Resolution). Prior to her current employment, Angela worked for a health system as Associate General Counsel, provided legal counsel and regulatory compliance services to health and insurance organizations in private practice, and served as a mediator in civil litigation matters. Angela also co-founded Cardinal Opportunities, Inc., a 501(c)(3) non-profit organization

promoting long-term success and sustainability through workforce readiness, financial literacy, and effective communication and advocacy education and training. Angela is the Vice Chair of the Federal Bar Association (FBA) Health Law Section and the Immediate Past Chair of the FBA Alternative Dispute Resolution Section. She earned her BA from McGill University, JD from Vermont Law School, and LLM from Pepperdine University Caruso School of Law. In her free time, Angela enjoys gardening, traveling, and supporting nonprofits with missions focused on self-sufficiency, education, and mental health.



#### **Carlos Leal-Isla Garza (Monterrey, MX)**

**Carlos Leal-Isla Garza FCIArb**, is a partner at Leal Isla & Horváth, S.C., based in Monterrey, Mexico. He is also a professor of arbitration and international contracts in the LLM of Corporate Law at the University of Monterrey. His practice focuses in international commercial arbitration and employment law, where he has acted as attorney and arbitrator. He currently chairs the Nuevo León Arbitration Committee of ICC Mexico. He also chaired the Nuevo

León Chapter of the Mexican Bar Association. He holds an LLM in international private law and commercial law, as well as a Ph.D. from the University of Paris-Panthéon-Assas, and an LLM in international dispute resolution from Fordham Law School, in New York. He attended law school at the University of Monterrey.



#### **Minwoo Kim (Washington, D.C.)**

**Minwoo Kim** is a senior associate at Covington & Burling. As a member of the firm's International Arbitration and Trade Groups, Minwoo specializes in public international law disputes, international treaty-based and commercial arbitrations, as well as helps corporate and government clients interpret and assess foreign regulatory practices under international trade agreements. On the arbitration side, Minwoo advises and represents clients in investment treaty and complex international commercial cases, including under the ICC and UNCITRAL rules, as well as in proceedings before the International Court of Justice and UNCLOS

Annex VII tribunals. He is a Professorial Lecturer in Law at George Washington Law School (Arbitration). A Korean native, Minwoo speaks fluent Korean and English. Minwoo received his BA at Seoul National University, and his JD at Harvard Law School.



#### **Frank Lattal (New York, Philadelphia, Washington D.C., Palm Beach, London)**

**Frank Lattal FCIArb** acts as an independent arbitrator and mediator addressing commercial, tort, and insurance-related disputes around the world. Frank's experience resolving conflict has been unique and substantial. He spent 14 years in private practice followed by 21 years as operating company general counsel and then as Chief Claims Officer for Chubb, the world's

largest publicly traded Property & Casualty Insurance Company. He has accumulated an abundance of experience resolving disputes in many civil and common law countries involving commercial, construction, cross-border investment, employment, D&O, toxic tort, and insurance coverage related disputes. Frank is a member of the CPR Panel of Distinguished Neutrals and is certified by FINRA. He is a member of Arbitra International and admitted to practice law in New York and New Jersey. He is the co-



**Scott D. Marrs (Houston, TX)**

**Scott Marrs FCIArb**, has over 30 years of experience as an advocate and arbitrator with domestic/international tribunals including AAA, CPR, ICDR, ICC, DIAC, LCIA, HKIAC, and UNCITRAL. He is Houston Managing Partner for Akerman, LLP (AmLaw 100 firm), and focuses on energy, construction, employment, IP, real estate, and complex domestic, cross border, international disputes. Honors include Best Lawyers in America, Thomson Reuters Stand–Out Lawyer, Top Rated Lawyer in ADR, Texas' "Top Rated Lawyer" (Martindale); "Texas Super Lawyer" (Corporate Counsel), "Houston's Top Lawyers" (H Texas Magazine). His greatest honor: being father to two grown daughters, two dogs, and two cats. He is on the board of the Texas General Counsel Forum (Houston), American Board of Trial Advocates (ABOTA), and Institute for Energy Law (IEL). He is an author/lecturer on arbitration issues and has been a guest on CNN and CourtTV.



**Larry J. Saylor (Detroit, MI)**

**Larry Saylor FCIArb**, is an experienced arbitrator focusing on complex commercial disputes. Larry serves on the American Arbitration Association's commercial, large complex case, and appellate panels, and writes and speaks regularly on arbitration topics. He also has more than 40 years' experience resolving business disputes as an advocate. Larry serves on the Council of the ADR Section of the State Bar of Michigan, and as a case evaluator for the Wayne County and Oakland County Circuit Courts. He formerly served as an adjunct professor at University of Detroit Mercy School of Law, and as Chair of the State Bar Antitrust, Franchising and Trade Regulation Section. Larry received his JD, magna cum laude, from the University of Michigan, and clerked for Hon. George E. MacKinnon, U.S. Court of Appeals for the D.C. Circuit. He is a senior counsel in the Detroit office of Miller Canfield.



**Richard J. Tyler (New Orleans, LA)**

**Richard Tyler FCIArb**, is a lawyer, arbitrator, and mediator with nearly four decades of experience with high–stakes construction disputes, both cross–border and domestic. He has been recognized by *Chambers USA*, *Legal 500*, *Best Lawyers in America*, *Louisiana Super Lawyers*, and *International Who's Who of Construction Lawyers*. Rich is a Fellow of the Chartered Institute of Arbitrators, the American College of Construction Lawyers, and the Litigation Counsel of America. He is a member of the American Arbitration Association Commercial, Construction, and International panels, serves on the AAA–ICDR Council, and is co–chair of AAA's National Construction Dispute Resolution Committee. Rich is a past member of ABA Forum on Construction Law Governing Committee, and is a frequent writer and speaker on construction and ADR topics. He earned his undergraduate and law degrees from Georgetown University.

**News About Members**

This newsletter has expanded to report news about Members. If you have something to report, please email that information to [newsletter@ciarbnab.com](mailto:newsletter@ciarbnab.com). To ensure the newsletter goes out the first business day of each month, it is requested that information for the April 2023 newsletter be submitted by March 17, 2023.

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 FCIArb. In addition to showcasing credentials you have earned, doing so helps all members by raising recognition of CIArb and, by association with you, helping to

demonstrate that CIArb 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](mailto: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](mailto: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](#).

**Facebook** – Follow and like NAB's Facebook Page: [Chartered Institute of Arbitrators North America Branch - Home | Facebook](#). Interact with posts and comment on our monthly “What Do You Think?” feature about developments in ADR.

**Twitter** – Follow and interact with [NAB's Twitter account](#).

**Instagram** – Follow [NAB on Instagram](#) and help grow our presence on Instagram.

Finally, don't forget to join NAB's members only [LinkedIn Group](#). It is open to all CIArb 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. Also, check out NAB's public LinkedIn page: [Chartered Institute of Arbitrators - NAB | LinkedIn](#)



**STEVEN J. COLOGNE**  
FCIArb

NAB Vice Chair /  
Communications



**JULIA SULLIVAN**  
FCIArb

Vice Chair / Social  
Media Subcommittee

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