

## ADR As A Force for Good: North America [Week 11 – North America]

The Chartered Institute of Arbitrators Young Members Group (YMG) presents an international regional series of webinars which highlight the unique importance and efficiency ADR plays in allowing the world's economy to remain operative during times of great economic uncertainty. Drawing from their intellectual wealth, toolkits and vast networks, the next generation of ADR practitioners frame global crises into an opportunity and have produced twelve international regional conferences under the theme of Arbitration and Mediation as a Global Force for Good covering Asia, Africa, Australia, North America, the Caribbean and Central America, South America, Russia, Europe, India, China, to the Middle East.

### North America

North America, home of three Chartered Institute of Arbitrators Branches: North America, Canada and New York, offers the world an unique glimpse into corporate, judicial and practitioners' views of "Arbitration and Mediation as a Global Force for Good." From natural disaster recovery, to business continuity, alternative dispute resolution continues to play an outsized role in allowing Canada, Mexico and the U.S.A. to function and, indeed, thrive, during times of great uncertainty. Join all three Branches for two webinars which highlight, "ADR as a Global Force for Good."

### North America at a Glance

#### **Panel 1: Arbitration and Mediation as a Global Force for Good – A North America Perspective**

**WHEN:** March 31, 2021, 1:00 p.m. (Eastern Standard Time) (1.5 hours)

**WHERE:** Virtual access provided upon registration

**WHO:** Arbitrators, Attorneys, Academics, In-House Counsel, Business Executives and Those Interested

**COST:** FREE

**LANGUAGE:** English

#### **Panel 2: Arbitration and Mediation as a Global Force for Good – A North America Corporate Counsel Perspective**

**WHEN:** April 1, 2021, 1:00 p.m. (Eastern Standard Time) (1.5 hours)

**WHERE:** Virtual access provided upon registration

**WHO:** Arbitrators, Attorneys, Academics, In-House Counsel, Business Executives and Those Interested

**COST:** FREE

**LANGUAGE:** English

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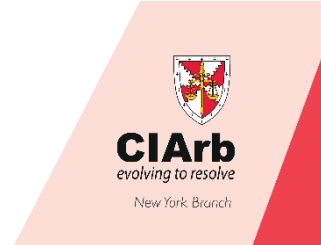
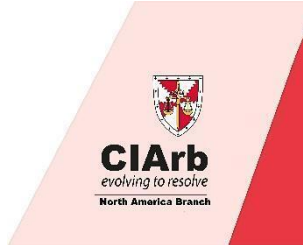
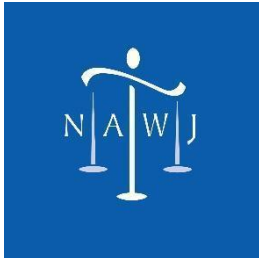
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## **Panel 1: Arbitration and Mediation as a Global Force for Good – A North America Perspective**

### **Cecilia Azar, FCI Arb, Partner, Galicia Abogados (Mexico)**



**Cecilia Azar, FCI Arb**, is a lawyer specialized in arbitration, mediation and judicial procedures related to alternative means of dispute resolution with more than 25 years of experience.

She joined Galicia as a partner in 2018, where she focuses her practice on complex domestic and international commercial disputes. Acting as arbitrator, counsel, mediator or expert, she has developed a broad experience, particularly in cases related to the energy, infrastructure, construction and commercial mediations.

Among its clients are national and foreign companies that have entered into agreements related to energy or construction and infrastructure matters. Her recent cases involve complex disputes arising from PPA and public and private work agreements. She has participated in matters related to distribution agreements, technology transfer and international sales.

Cecilia is recognized for her expertise and record of accomplishment in complex judicial proceedings related to arbitration before Mexican courts, such as set aside and enforcement of awards, interim measures, amongst others. In close collaboration with other practice areas of the Firm, she advises clients in Investor State Dispute Settlement (ISDS) matters, specifically by analyzing investment protection provisions in Investment Treaties to which Mexico is party.

She served as president of the Mexican Institute of Arbitration (Instituto Mexicano de Arbitraje) (IMA) from 2019 to 2020 and she is currently vice-president of the Arbitration Commission of the ICC Mexico. She is appointed as conciliator for Mexico in ICSID proceedings and is a member of the International Arbitration Court of the ICC. Previously, she served as Secretary General and Counsel of the Mexican Arbitration Center (CAM). She also served as a consultant for the Mediation Project in Mexico sponsored by the American Bar Association and USAID.

She regularly publishes and speaks on alternative dispute resolution and teaches arbitration and mediation in undergraduate and graduate courses at UNAM, ITAM and CIDE.

She is recommended by *Who's Who Legal* as both a national and global leader, praised in *Chambers and Partners* for her "analytical skills", and described by *The Legal 500* as a "highly-respected arbitration specialist".

Her native language is Spanish and she is fluent in English and French.

### **Honorable Nannette Jolivette Brown, Chief Judge, United States District Court for the Eastern District of Louisiana (U.S.A.)**



**Chief Judge Nannette Jolivette Brown** was nominated to the United States District Court for the Eastern District of Louisiana by President Barack Obama and after the United States Senate confirmed her nomination by unanimous consent, she began active service on October 5, 2011. She was elevated to Chief Judge on May 25, 2018. Just prior to her appointment to the United States District Court, Judge Brown was Deputy Mayor and City Attorney for the City of New Orleans. Prior to that, she was a Partner with the firm of Chaffe McCall, LLP, where she had a varied practice in

commercial and environmental litigation, as well as in real estate law and other transactional matters. Judge Brown graduated from Tulane Law School with a Juris Doctor. She later served as a teaching fellow at Tulane Law School's Environmental Law Clinic while pursuing an LLM in Energy and Environment. She also served as associate professor at Southern University Law Center and clinical professor at Loyola Law School, where she helped establish the Mediation Section of the Loyola College of Law Clinic & Center for Social Justice. She is currently a member of the Executive Committee of the ABA National Conference of Federal Trial Judges, ABA Ethics Committee Judicial Advisory Committee, the Executive Committee of the Federal Judges Association and the Immediate Past President of the New Orleans Chapter of the Federal Bar Association. She serves on the FBA Diversity & Inclusion Committee and the Sarah T. Hughes Awards Committee and FBA Foundation. She is also a member of the National Bar Association, Louis A. Martinet Society, Tulane Inn of Court and A.P. Toureau Inn of Court. Judge Brown has been honored with the Sarah T. Hughes Civil Rights Award by the National Federal Bar Association and the Ernest Morial Award by the Louis A. Martinet Legal Society. She has also been honored with the National Bar Association's Women Lawyers Division Excellence in the Judiciary Award.

### **Anthony Daimsis, FCI Arb, Professor of Law, University of Ottawa (Canada)**



**Anthony Daimsis, FCI Arb:** Prof. Daimsis has been teaching at the University of Ottawa since 2003 and is the Director of the BiJural (common law/civil law) National Program. He teaches Contracts law, International Sales law, International Commercial Arbitration and coaches the faculty's Jessup, Vis and FDI moot teams. Prof. Daimsis is also Director of Education for the Chartered Institute of Arbitrators, Canadian branch, and an associate Door Tenant at Littleton Chambers (London, England) and member of its international arbitrator group. His experience includes serving as both counsel, arbitrator and as an expert witness on foreign investment disputes, telecommunications and underground resources, in addition to a international commercial contract and construction disputes resolved under the auspices of various international commercial arbitration institutions.

### **Nancy M. Thevenin, FCI Arb, General Counsel, United States Council for International Business (U.S.A.)**



**Nancy M. Thevenin, FCI Arb,** is an international arbitrator and mediator based in New York City. She is a Fellow of the Chartered Institute of Arbitrators, an adjunct professor of the International Commercial Arbitration course at St. John's University School of Law, a past chair of the New York State Bar Association's International Section, and a Member of the ICSID Panel of Arbitrators. Ms. Thevenin also serves as a general counsel for the United States Council for International Business (USCIB/ICC USA), the U.S. national committee to the ICC International Court of Arbitration® and manages its Arbitration & ADR Committee, which, inter alia, provides assistance in the nomination of U.S. arbitrators, makes referrals to parties seeking arbitration practitioners and arbitrators, and serves as a resource for the U.S. business community about the ICC's dispute resolution services. Aside from general corporate counsel duties, Ms. Thevenin also manages requests for USCIB to participate in amicus brief filings on issues of relevance to USCIB's membership. Ms. Thevenin advises on arbitrations, mediation strategy, dispute boards, expertise proceedings, ad hoc cases and use of emergency arbitrator procedures. Her experience includes arbitrations under various institutional rules, including the ICC, ICDR, and ICSID and advising on early resolution of matters that would otherwise become formal disputes. Ms. Thevenin's experience includes handling disputes for multinational companies and governments in the construction and engineering, financial services, commercial real estate and aviation industries, often involving issues concerning mergers and acquisition, sales, distribution, licensing, technology transfer and leasing agreements. A graduate of Cornell University and Tulane Law School, Ms.



Thevenin started her practice as an international litigation and arbitration practitioner in Miami, Florida, then served as deputy director of arbitration and ADR for North America for the ICC International Court of Arbitration in New York, and thereafter, she was a special counsel in and global coordinator of Baker & McKenzie's International Arbitration Practice Group. Ms. Thevenin works in English, Spanish, French and Haitian Creole.

## **Panel 1 Organizers/Moderators**

### **Bryan J. Branon, ACI Arb, Principal, Branon's ADR (U.S.A.)**



**Bryan J. Branon, ACI Arb, Principal, Branon's ADR**, is an international arbitrator, mediator and business development strategist whose career has focused on the intersection of alternative dispute resolution (ADR) and public policy. A former law clerk on the U.S. Senate Judiciary Committee, U.S. Court of International Trade, and intern in the Irish Parliament, Bryan has worked for the ADR Center, Rome, Italy (JAMS International) where he established the Afghanistan Center for Dispute Resolution (ACDR). As the former Director, International and Regional Liaison at the American Arbitration Association (AAA) and its International Centre for Dispute Resolution (ICDR), Bryan helped establish the Bahrain Chamber for Dispute Resolution (BCDR) and launched the International Mediation Institute (IMI).

In addition to his ADR practice, Bryan serves on the Board of Directors of the Chartered Institute of Arbitrators North America Branch and its Young Members Group Steering Committee, Council on the American Bar Association Section of Dispute Resolution, and Chairs the Federal Bar Association (FBA) ADR Section where he also serves by FBA Presidential appointment on the FBA Diversity & Inclusion Standing Committee.

### **Harout Samra, FCI Arb, Dispute Resolution Specialist, DLA Piper (U.S.A.)**



**Harout J. Samra, FCI Arb**, focuses his practice on international dispute resolution and arbitration matters.

He is a Florida Bar Board Certified International Law specialist and has experience in international arbitrations administered under the International Chamber of Commerce (ICC), International Centre for Dispute Resolution (ICDR), United Nations Commission on International Trade Law (UNCITRAL), and International Centre for Settlement of Investment Disputes (ICSID) arbitration rules. Harout also publishes actively on topics related to international arbitration.

Harout currently serves as the Co-Chair of the American Bar Association Section of Litigation's International Litigation Committee, Co-Chair of the Section of Dispute Resolution's Arbitration Committee, and North America Regional Representative for the London Court of International Arbitration's Young International Arbitration Group. Harout has also remained active at the University of Miami, where he serves as Vice President of the University of Miami School of Law Alumni Association.

Prior to joining DLA Piper LLP, Harout was an associate in the Miami office Squire Sanders. He previously completed internships in the Antitrust Division of the US Department of Justice, serving in the Transportation, Energy and Agriculture Section, and in the US Attorney's office for the Southern District of Florida, Economic & Environmental Crimes Section.

## **Panel 2: Arbitration and Mediation as a Global Force for Good – A North America Corporate Counsel Perspective**

### **Panelists:**

#### **Blanca del Carmen Martinez Mendoza, ACI Arb, National Agency for Safety, Energy and Environment (Mexico)**



**Blanca Martínez, ACI Arb**, is a Mexican lawyer specializing in international arbitration, international trade law, public international law, as well as constitutional and administrative law.

Her experience includes investment arbitrations representing Mexico and participation in the negotiation processes of international agreements as a former member of the Legal Counsel Office at the Ministry of Economy in Mexico.

Her practice has also been focused on domestic administrative and constitutional proceedings and tax law.

She is a lecturer at the National Autonomous University (UNAM) in Mexico.

#### **Effie Silva, FCI Arb, Vice President & Associate General Counsel, Cargill (U.S.A.)**



**Effie Silva, FCI Arb**, is an accomplished arbitrator and Fellow of the Chartered Institute of Arbitrators (FCI Arb), with corporate legal executive experience at Fortune 100 public and private global corporations and nearly two decades of private practice experience at top global law firms. Before going in-house with Tyson Foods, Inc. and later with Cargill, Inc., served as Partner at Duane Morris and McDermott Will & Emery, and as a Senior Attorney at Baker & McKenzie, representing parties in international and domestic arbitration and litigation disputes involving manufacturing, supply chain and distribution agreements, financial services, fraud and corruption, business torts, energy, construction and real property disputes. Board Certified in

International Litigation and Arbitration with extensive cross-border experience advising and strategizing multi-jurisdictional disputes across venues, both nationally and internationally, and leading global investigations involving corporate fraud, FCPA and regulatory compliance. Qualified Arbitrator for the American Arbitration Association (AAA), Conflict Prevention Resolution (CPR), and Financial Industry Regulatory Authority (FINRA).

As Vice President and Associate General Counsel at Tyson Foods, Inc. responsible for all legal matters impacting \$10B Prepared Foods' business unit and Sustainability department, including safety and quality assurance and environmental. General-counsel responsibility of legal, business and operational matters, including strategic guidance on contracts and commercial agreements, dispute resolution proceedings, government investigations and regulatory compliance, real estate, intellectual property, employment, governance, marketing and advertising claims, M&A, data privacy/cyberbreach matters, compliance and investigations. As the Group Ethics and Compliance Director for Protein NA and Salt at Cargill, Inc. serve as an independent, objective, and strategic ethics and compliance advisor on behalf of the business groups and as a fiduciary to the audit committee of the board through Cargill Global Ethics & Compliance office. Execute the strategy through influence and leadership support, engaging and educating the broader organization, and exercising direction and oversight of compliance risk and investigations. Accountable for

assessing the groups' compliance risks, setting its priorities and overseeing the integration of compliance risk domains into a cohesive and effective group wide compliance system.

Effie is Listed in U.S. News Best Lawyers \\\"The Best Lawyers in America,\\\" Commercial Litigation, 2017-Present; Top 100 Lawyers in Florida, Super Lawyers, 2018; Top 50 Women Lawyers in Florida and Top 100 Lawyers in Miami, Super Lawyers, 2014-2018; AV® Preeminent™ Peer Review Rated by Martindale-Hubbell; Florida Legal Elite, Florida Trends magazine, 2006-2018; Top Lawyer, South Florida Legal Guide, 2009-2018; Florida Top Rated Lawyer in Litigation, Alternative Dispute Resolution and Products Liability, Fortune Magazine ALM Legal Leaders, 2012-2018.

**Leon Skornicki, Legal Counsel, VISA (U.S.A. (Latin America facing))**



Leon C. Skornicki is Senior Legal Counsel at Visa Inc., where he manages all legal affairs of two business units, including YellowPepper, a recently-acquired, Miami-headquartered fintech start-up. Before Visa, during eight years, Leon practiced at global law firms, focusing on commercial and investment arbitration – acting on behalf of both claimants and defendants. He has defended or brought claims against seven states, involving disputes in various industries, and has managed disputes under the rules of multiple institutions, including ICSID, HKIAC, LCIA, ICDR, ICC and JAMS. Leon graduated from Georgetown Law and, cum laude, from Princeton University. He is a proud father of two sons.

**Michelle Taylor, Vice President, Legal Services and Corporate Secretary, Canadian Commercial Corporation**



Michelle Taylor is the Vice-President, Legal Services, General Counsel and Corporate Secretary for the Canadian Commercial Corporation, Canada's international contracting agency, mandated to facilitate international trade on behalf of Canadian industry, with a focus on government-to-government contracting. Michelle obtained her JD from Western University in 1999. She has had broad based experience in areas related to corporate social responsibility acquired through her working for an internationally focussed law firm and through her work for a major multinational in the mining sector. She also has a masters in law from Osgoode Hall which focused on corporate law and governance.

**Panel 2 Organizers/Moderators**

**Ross Kartez, Associate Attorney, Ruskin Moscou Faltischek, P.C. (U.S.A.)**



**Ross Kartez's** practice focuses primarily on complex commercial litigation in matters involving breach of contract claims, insurance coverage issues, real estate disputes, lender recourse, secured claims, enforcing guarantees, securities matters, shareholder and partnership claims, business torts, employment disputes, alternative dispute resolution and other business-related issues.

A large portion of Ross' practice involves claims related to professional liability, and errors and omissions. This includes defending and pursuing claims against attorneys, stockbrokers, broker-dealers, investment advisers, accountants, architects, engineers, directors, officers, insurance agents/brokers, and members of the real estate industry. Ross regularly advises insurers, insureds, policyholders, and other parties related to claims and defenses in complex insurance coverage and other insurance-related matters.

Ross' recognition as a leader in the alternative dispute resolution field resulted in his invitation to join the American Arbitration Association's prestigious Panel of Commercial Arbitrators. While at St. John's University School of Law, Ross served as an executive board member of the Dispute Resolution Society and participated in the prestigious International Chamber of Commerce Mediation Competition in Paris, France, as well as the FINRA Securities Dispute Triathlon in New York City. While in law school, he gained experience representing clients as an intern for the St. John's University Securities Arbitration Clinic.

Ross' success as a lawyer has led to his inclusion in the Long Island Business News' 40 Under 40 List and the Long Island Herald's Inaugural Top Lawyers of Long Island. Ross was only one of two litigation attorneys named a Top Lawyer of Long Island.

Ross represents clients in Federal Court, State Court, and all arbitration forums (including AAA, JAMS, FINRA, ICC, CPR, and NAM). Ross is admitted to practice law in the State of New York, the State of New Jersey, and the U.S. District Courts for the Southern, Eastern, Northern, and Western Districts of New York.

### **M. Imad Khan, ACI Arb, International Dispute Resolution Specialist, Winston & Strawn (U.S.A.)**



**Imad Khan, ACI Arb**, is an international disputes lawyer with particular experience in investment treaty arbitration – having represented foreign investors and host States in over a dozen ICSID/UNCITRAL arbitrations – and commercial arbitration under rules of the ICC, ICDR, HKIAC, LCIA, and DIFC-LCIA. Imad is also experienced in cross-border white collar/investigation and U.S. litigation matters, including litigating in U.S. courts in aid of arbitration.

He advises companies across diverse economic sectors, including energy, oil and gas, electricity, renewables, waste management, mining, and pharmaceuticals. Having served as lead associate on several high-profile and global cases, Imad has a wide variety of experience representing and advising sovereigns, multinational companies, state-owned entities, and intergovernmental organizations through all aspects of dispute resolution. Best Lawyers recognized Imad as "Ones to Watch" for both international arbitration and U.S. commercial litigation.

Imad teaches a course in international law and arbitration at Washington University School of Law and chairs the law school's International Arbitration & Dispute Resolution Symposium. He also serves as Chair of CI Arb North America Branch's Young Members Group; Steering Committee Member of CI Arb Global Young Members Group; and Executive Board Member of ICDR Young & International.