

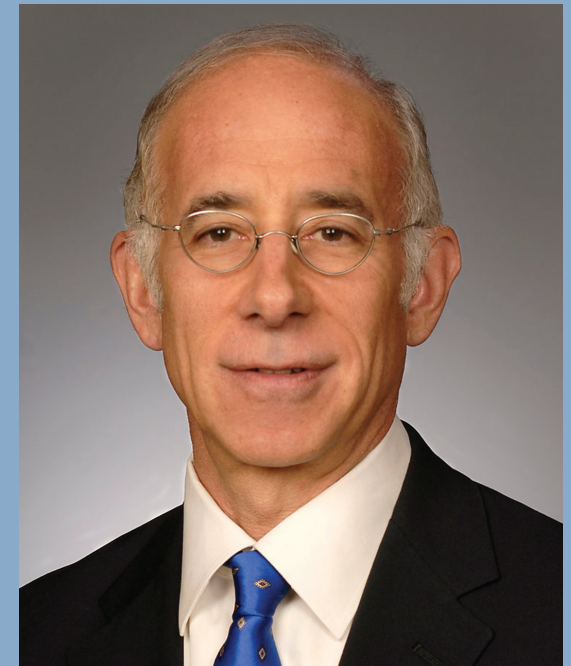


Rising to the Challenge:
The Journey Continues

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A Letter from CPR's President and Chief Executive Officer



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In CPR's 2014/2015 annual review, I described how CPR was calling on the business community to look at commercial disputes differently, to "redefine winning." Implicit in that call to action was an understanding that this collective effort – on the part of CPR and its members and neutrals – would be a sustained one. It would require discipline and tenacity, not unlike like those of Olympic athletes seeking gold, increasingly building muscle and momentum. I explained CPR's vision for winning as something more than being simply the "less bloodied survivor," and I said I looked forward to working alongside our constituency as CPR continued that journey.

Last year, I pledged to develop processes and resources to improve the management of the full range of disputes; provide forums for innovation; and reshape CPR's committee structure to better facilitate dialogue. In these pages, I will provide a progress report, measuring our accomplishments against these goals of growing and supporting dispute resolution.

So what can you expect from CPR going forward?

- We will continue to build on our reputation for thought leadership across the globe; for example, by elevating the debate about arbitration by ensuring a focus on its benefits while condemning its misuse.
- We will provide increasing value to the growing list of CPR members, through tools, training and other benefits, including those achieved from utilizing our distinguished mediators and arbitrators.

- We will continue to provide opportunities to enhance the effectiveness of in-house and outside counsel collaboration to drive effective dispute resolution.
- We will talk more about ourselves, something we haven't historically done. It's great to have the best rules, services and resources, but kind of helpful if people know about it. I no longer want CPR to be the world's best kept secret.

But Part II of the story, and in CPR's view the more important part, is the work of our members and other stakeholders. How did they fare in their efforts to rise to the challenges discussed in last year's review, for example:

- Initiating more thoughtful dispute management and resolution processes and programs
- Expanding awareness of the plethora of benefits that dispute resolution can bring both to their business and industry
- And expanding the "classic" definitions of ADR to encompass a wider range of dispute prevention and resolution options

This is the story I am excited to share with you this year, as we continue to change the dispute resolution landscape – *together*.

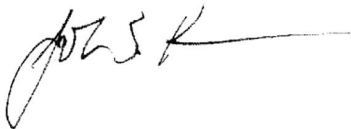


Noah Hanft
President & CEO

“We will continue to build on our reputation for thought leadership, for example by elevating the debate about arbitration by ensuring a focus on its benefits while condemning its misuse.”

NOAH HANFT

A Letter from The CPR Board



John Kiernan
Chair, CPR Board of Directors



Barbara Daniele
Vice-Chair, CPR Board of Directors

As CPR's Board Chair and Vice-Chair, we have witnessed first-hand CPR's ability to take new and exciting shape, while honoring its heritage and maintaining its essential character. Driving this ability is CPR's unique focus on improving the processes for resolution of disputes, and the sophisticated interaction between in-house and outside counsel that informs and enhances its efforts.

2015 was a strong year, surpassing membership growth targets. In the 18 months since President & CEO Noah Hanft took the helm in May 2014, CPR has achieved a remarkable 51% rise in corporate membership. Law firm membership has also grown, with an increase during the same period of 15%. This impressive momentum is a direct result of CPR's continuously expanding value proposition and profile.

CPR has continued this year to enhance and promote its Dispute Resolution Services programs and resources, including both longstanding and newly promulgated Rules, to drive greater usage of panels and services. CPR has also continued to strengthen its focus on international initiatives, which remains an important component of CPR's future growth. CPR's work in Brazil is a wonderful example, enhancing CPR's profile in the global ADR community as a thought leader and bringing us new and engaged members. CPR's European Advisory Board, meanwhile, has continued to expand its reach, and this year created and released a new *European Mediation & ADR Guide* for in-house counsel and the business community, which has met with enthusiastic reviews.

CPR has been committed since its inception to public policy initiatives, as well as to educating people about, and advocating for, ADR. This year CPR stepped up its efforts in these areas as well, particularly with its measured response (reproduced on page 15 of this document) to the *New York Times'* 2015 series on arbitration. CPR has not only an opportunity, but a responsibility, to be a strong voice for dispute resolution, including arbitration, given the strength and integrity of our panels, our processes and our rules. We expect CPR's public policy focus to increase in 2016, beginning with the creation of a new CPR Policy Committee.

We are delighted to announce that six new members joined our Board this year, to participate in guiding CPR's important mission and work: **John Blood, Vice President and General Counsel, North America Zone, Anheuser-Busch InBev**; **Gilberto Giusti, Partner, Pinheiro Neto – Avogados, Brazil**; **Prof. Eric D. Green, Founder, Resolutions, LLC**; **Jean-Claude Najjar, Curtis, Mallet-Prevost, Colt & Mosle LLP**; **Scott Partridge, Vice-President, Global Strategy, Monsanto Company**; and **Kenneth S. Siegel, Chief Administrative Officer and General Counsel, Starwood Hotels & Resorts Worldwide, Inc.** We also have continued to benefit from contributions of time and wisdom by the members of our Advisory Council and the members and chairs of our Committees.

We are honored to lead the CPR Board as this organization continues – thoughtfully, strategically and collaboratively – to pursue improvements in the ways the world resolves conflict.

Click on red type to read more

MEMBERSHIP

The International Institute for Conflict Prevention & Resolution (CPR) is an independent nonprofit organization that, for more than 35 years, has helped global businesses prevent and resolve commercial disputes effectively and efficiently. Our membership consists of top corporations and law firms, academic and government institutions, and leading mediators and arbitrators around the world. CPR is unique as: (1) a thought leader, driving a global dispute resolution culture; (2) a developer of cutting-edge tools and resources, powered by the collective innovation of its membership; and (3) an ADR provider offering innovative, practical arbitration rules, mediation and other dispute resolution procedures, and neutrals worldwide.

CPR's all-in-one approach provides a cost-effective method by which companies of all sizes and outside counsel can obtain up-to-date resources and tools necessary to excel in dispute prevention, mitigation and resolution. Last but certainly not least, CPR offers its members access to a vibrant and collaborative community that is constantly driving new materials, programs, best practices and other innovations that ensure our members are premier dispute resolvers.



51%

INCREASE IN CORPORATE MEMBERS SINCE MAY 2014

For more information or to join CPR, contact Terri Bartlett at tbartlett@cpradr.org or 646-753-8225

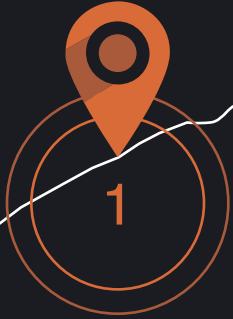
In the past year alone, CPR has been pleased to add a number of new and exciting member benefits, including:

- Discounts for CPR dispute resolution services (for both member and counterparty):
 - CPR's Flat Fee Mediation Program (Member rate: \$2,500, Non-member rate: \$3,500)
 - 15% membership discount on fees for arbitrations and mediations conducted by select CPR distinguished neutrals
- CPR Regional Meetings focused on enhancing the inside-counsel/outside-counsel collaborative relationship

Additional CPR Member Benefits:

- The latest in dispute resolution techniques, best practices, tools and resources
- Access to CPR's innovative model clauses, rules, protocols and guidelines

- Access (with Corporate or Firm Membership) to CPR's full panel of distinguished neutrals
- Members-only CPR Advisory Council and committees to drive and formulate best practices
- Free workshops in negotiating skills and dispute prevention management and resolution strategies led by noted mediators
- CPR Training on Tailoring Early Dispute Resolution to Your Company
- Evaluation of member companies' existing dispute prevention and resolution programs
- Customized arbitration training by CPR and the College of Commercial Arbitrators
- CPR's award-winning newsletter *Alternatives*, via unlimited electronic access, new web app and print
- Research and drafting assistance by CPR staff
- Opportunities for speaking engagements, and to write articles in *Alternatives* and on CPR's blog, *CPR Speaks*
- Discounts for CPR meetings; conferences and publications; select CLE training courses; and hearing and conference space at CPR partners' locations



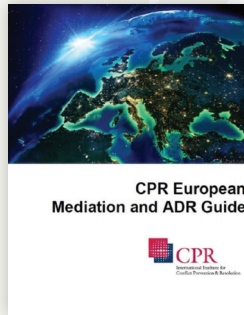
Driving a Global Dispute Prevention & Resolution Culture

In 2015, CPR continued its advocacy and educational initiatives designed to increase understanding and implementation of thoughtful dispute resolution processes and programs.

EUROPE

In addition to rules launch events in Paris, Geneva, London and Madrid, CPR's European Advisory Board (EAB) made significant inroads with the legal and business communities, organizing seminars with several European organizations and producing a practical *European Mediation & ADR Guide* for corporates.

Available on CPR's website, the Guide offers all of the resources needed by in-house counsel to organize a successful mediation and features a collection of case studies from corporations that have effectively utilized mediation to resolve their disputes.



[T]

he dispute was resolved in one day and the business relationship between the parties was restored. Lastly, mediating the dispute allowed for privacy and essential confidentiality because one of the companies involved was publicly traded....

ANONYMOUS CASE STUDY

(involving a pharmaceutical dispute) from the *EAB Mediation & ADR Guide* (2015)

Click on red type to read more

“

With mediation on the rise internationally, CPR's European Advisory Board has produced the definitive guide to mediation and other forms of ADR.

Extremely practical, with access to numerous on-line materials, it is the result of an intense collaborative effort between prominent



in-house counsel and law firm practitioners. This is an invaluable, user-friendly toolkit for every corporate counsel and practitioner wanting to use mediation and other forms of ADR.”

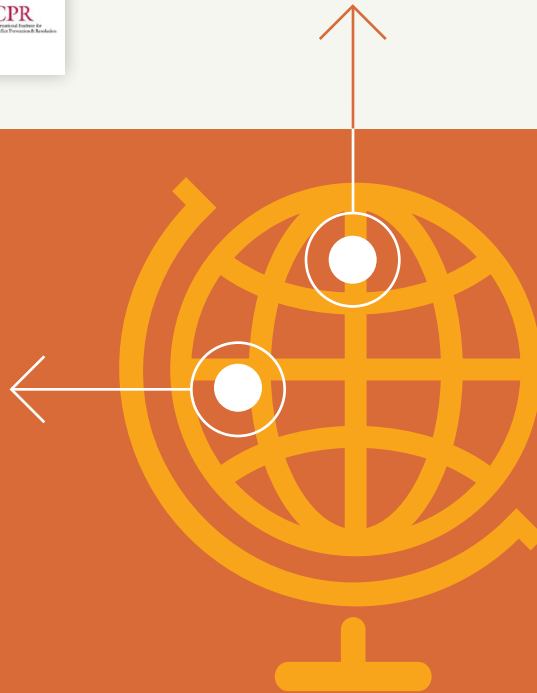
Jean-Claude Najjar

Curtis, Mallet-Prevost
Colt & Mosle LLP

BRAZIL

At our 2015 **Third Business Mediation Congress** in São Paulo (in association with CAMARB and hosted by AMCHAM) CPR renewed a commitment made several years ago in Brazil, perhaps the most litigious country in the world. We welcomed more than 150 attendees, with significant participation from the in-house counsel community representing global companies including HP, Danaher, GE Aviation, Unilever, Pfizer, Google and large Brazilian firms including Cosan, Braskem and Usiminas. Throughout the day, CPR was recognized and credited for **leading efforts to bring a mediation culture and capacity to Brazil.**

The Congress was followed by a successful three-day International Business Mediation Workshop that attracted practitioners from as far away as Mexico, and enhanced the pool of mediators who can be relied on by companies in Brazil to resolve commercial disputes. We are happy to report that CPR gained four Brazilian members last year.



“

Congratulations to CPR for the execution of the Pledge Mutual Recognition Agreement with the Federation of Industries of the State of São Paulo (FIESP/CIESP). This is another extraordinary achievement of CPR this year. ...[I]t is critically important that companies adhere to alternative dispute resolution mechanisms (ADR), notably arbitration and mediation, as the Brazilian Judiciary is laden with a heavy caseload that affects its ability to ensure an expeditious administration of justice. While the use of mediation and arbitration are on the rise as an effective alternative to the drawn-out and excessively burdensome court litigation, these opportunities are undoubtedly followed by significant challenges, all the more so in Brazil, such as preparing the professionals and building a robust ADR culture among legal



practitioners. This is where an organization like CPR can have, and is in fact having, a particular impact. CPR is to be commended for taking the lead on this extremely relevant discussion in our Country.”

Shirley Meschke

Legal Director
Pfizer

The Power of The Pledge

CPR's **Pledge agreements** boost our signatories' global competitive edge by significantly reducing the time and costs associated with litigation. In 2015, CPR expanded its global reach even further with the signing of two additional Pledge Mutual Recognition Agreements:

Brazilian Center for Mediation and Arbitration (CBMA) – In April 2015, CPR signed a mutual pledge recognition agreement with CBMA. Based in Rio de Janeiro, CBMA is a consolidated chamber, founded in 2002 by Commercial Association of Rio de Janeiro (ACRJ), National Federation of Private Insurance and Capitalization Companies (FENASEG) and Federation of Industries of the State of Rio de Janeiro (FIRJAN).

Chamber of Conciliation, Mediation and Arbitration of the Center of Industries of the State of São Paulo/Federation of Industries of the State of São Paulo (CIESP/FIESP) – In October 2015, CPR signed a pledge mutual recognition agreement with CIESP/FIESP. FIESP launched its Mediation Pledge (Pacto de Mediação) – which was inspired by the CPR Pledges – in November 2014; the Pacto de Mediação already has more than 100 signatories.

At an event to celebrate the signing, speakers included Professor Kazuo Watanabe, former Chief Judge of the Superior Court of Appeals of the State of São Paulo; Minister Sydney Sanches, former Chief Justice of the Supreme Court of Brazil; and Letícia Barbosa e Silva Abdalla, the Secretary General of the Chamber of Mediation, Conciliation and Arbitration of CIESP/FIESP (pictured).

These agreements join other international pacts CPR has reached with the Centre de Médiation et d'Arbitrage de Paris (CMAP) (2013), the Irish Commercial Mediation Association (ICMA) (2013), the Milan Chamber of Arbitration (CAM) (2013) and the Centre for Effective Dispute Resolution (CEDR) (2013).



“ This year we had a brewing multi-million dollar commercial dispute with an important business partner. The matter was headed to litigation, until we realized that the counterparty had signed the CPR Pledge and was a member of CPR. We had the “ice-breaker” we needed. We were able to reach an agreement to mediate the dispute, and quickly selected a neutral from the CPR list. Our mediation occurred just six weeks later, and enabled the parties to reach a settlement. The dispute was resolved efficiently, without having to engage outside counsel, and the constructive tone and non-adversarial proceeding also saved the commercial relationship. Without the



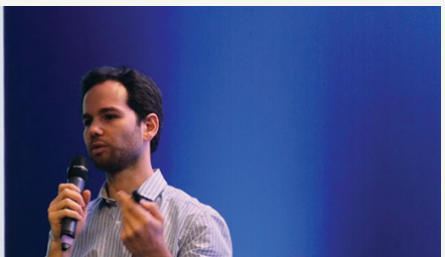
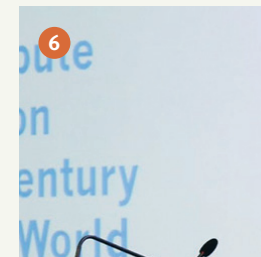
parties' separate, pre-existing connections to CPR, I don't think we would have resolved the case without litigation.”

Steven Greenspan
United Technologies



2015 Brazil Congress

- 1 Noah Hanft (CPR) making introductory remarks at the 2015 CPR Brazil Business Mediation Congress in São Paulo
- 2 Crina Baltag (Secretary General of the AMCHAM Brazil Arbitration and Mediation Center) making the Welcoming Remarks
- 3 Celso Cintra Mori (Pinheiro Neto), keynote speaker
- 4 **Corporate Conflict Management:** Olivier André (CPR), moderator and Shirley Meschke (Pfizer)
- 5 **Corporate Conflict Management:** Carlos Eduardo Palinkas Neves (Hewlett-Packard); Rodrigo Exman (Johnson & Johnson), speaking; and Joaquim Muniz (Trench, Rossi and Watanabe/Baker & McKenzie)
- 6 **ADR in the 21st Century:** Flavia Foz Mange (Jabardo, Mange & Gabbay) moderator and Daniel Arbix (Google), speaking
- 7 **ADR in the 21st Century:** Daniel Arbix (Google); and André Gomma (Judge, Member of the Steering Committee of CNJ), speaking
- 8 **Developing Mediation in Specific Sectors – Part I:** Robert C. Randolph (Carr, Swanson and Randolph); Patricia Freitas Fuoco (Pacheco Neto); Sanden e Teisseire); Vivien Lys (Porto Ferreira & Fuso); and Gabriela Gabbay (Jabardo, Mange & Gabbay)
- 9 **Dispute Innovation in Brazil – Part II:** Jack Levin (Arbitrator/Mediator), Fernanda Levy (Bayer, Grosman & Levy) and Frank Carr (Carr, Swanson & Randolph)
- 10 **Dispute Innovation in Brazil:** Mariangela Sampaio (Unilever)

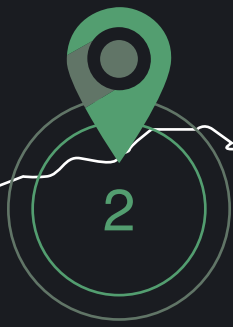


2015 Brazil Congress

- 1 Cristiane Ordonez (CMSO Advocacia Colaborativa), Angelica Walker (CPR) and Helena Tavares Erickson (CPR)
- 2 Fernanda Levy (Bayer, Grosman & Levy) and Alexandre Palermo Simões (Ragazzo, Simões, Spinelli, Lazzareschi e Montoro)
- 3 **Dispute Innovation in Brazil – Part II:** Monica Mendonça Costa (Tozzini Freire), moderator
- 4 Henrique Gomm (Gomm Advogados); Sandra Bayer (Bayer, Grosman & Levy); and Andrea Maia (FindResolution)
- 5 Maurico Gomm (Gomm & Smith); Nathalia Mazzonetto (Muller & Mazzonetto); and Patricia Fuoco (Pacheco Neto, Sanden & Teisseire)
- 6 Gisely Radael (former Campos Fialho); Helena Tavares Erickson (CPR); Felipe Moraes (CAMARB); Felipe S. Caldas Veras (CAMARB); Raquel Marangon (former CAMARB); Juliana Rodrigues (Caminas); and Eduardo Vieira (CACB/CBMAE)
- 7 Cristiane Ordonez (CMSO Advocacia Colaborativa), Ana Beatriz Kopacek (Itkos) and Sandra Assali (Itkos)
- 8 Nathalia Mazzonetto (Muller & Mazzonetto); Renato Grion (Pinheiro Neto); Fernando Bocchio (Danaher); and Caio Campello (Manassero, Campello & Cervone)
- 9 Rodrigo Exman (Johnson & Johnson), Erika Oliveira (Cargill Agricola) and Juliana Ugarelli (Danaher)
- 10 Leticia Abdalla (FIESP/CIESP); Vivien Lys (Porto Ferreira & Fuso); Angelica Walker (CPR); Ana Paula Santos (Assurant); and Prof. Carlos Alberto Carmona (University of São Paulo)



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Dispute Resolution Services

In 2015, DRS focused intently on driving greater usage of our panels and services. A growing number of corporations around the world are using CPR's new administered arbitration rules, and our international cases and venues increased. And CPR is now not only assisting in arbitrations under its non-administered rules, but administering cases as well. This year, we also saw our first class action arbitration filing.

For both members and non-members, CPR's **Dispute Resolution Services** (DRS) improve parties' ability to resolve disputes more effectively and economically, with:

- Access to CPR's innovative model clauses, rules, protocols and guidelines
- Administered or non-administered arbitration
- Assisted arbitration services
- Mediation for cases both large and small
- New Flat Fee Mediation Program

For more information about Rules or CPR's Dispute Resolution Services, call 212-949-6490 or email CPRNeutrals@cpradr.org

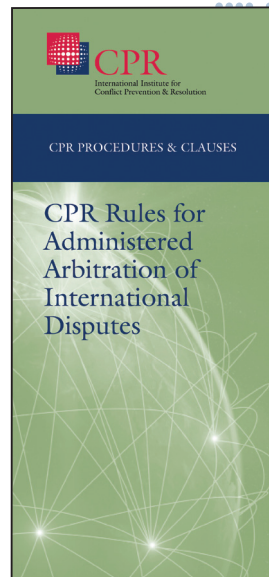
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2015: The Rules Hit The Road

In 2014, following the 2013 release of new domestic rules for administered arbitration, CPR released the **Rules for Administered Arbitration of International Disputes** for use in cross-border business transactions. These rules incorporate CPR innovators' best practices, including the arbitration work of UNCITRAL, and perhaps most importantly provide solutions to critical issues – such as arbitrator impartiality, lengthy time frames to reach resolution, and burdensome and unpredictable administrative costs and requirements.



To celebrate the Rules' release, and introduce their key features, in 2015 CPR organized 10 programs around the world – in New York, Miami, Washington DC, Chicago, Houston, Paris, Geneva, Madrid, London and São Paulo. All were well-attended and well-received.



“With its new Rules for Administered International Arbitration, CPR responded to the needs of its global membership, bolstering its role in pioneering alternatives to handling commercial disputes far beyond the US. The rules’ ‘screened’ selection process, whereby the parties may agree that the party-designated arbitrators be appointed without knowing which party selected them, effectively tackles the issue of arbitrator impartiality that is uniquely controversial internationally. There is a lot the new rules have to offer, which is why I believe it is important for all of us, especially CPR’s global members, collectively to spread the word about the new rules.”



Felix Weinacht
 Member
 CPR European Advisory Board
 Head of Industry Litigation
 Siemens
 Vice Chair, CPR Arbitration Committee

Growing and Promoting Our Neutrals

CPR's global **Panel of Distinguished Neutrals** gets broader and better every year, with users now able to rely on 600 panelists from 21 countries. As of the date of publication, CPR had added 31 new panelists, including seven women and four global neutrals (three from Brazil and one from France).

CPR also drove increases in both panel usage and Dispute Resolution Services by promoting our panels more prominently and providing incentives to our membership to utilize them and our services. For example, in our newly created blog, *CPR Speaks*, we launched a feature called "The Neutral's Notepad," providing members of our esteemed panel a platform to demonstrate their thought leadership on developments and best practices in dispute resolution. With its posts that CPR then promoted broadly, "The Neutral's Notepad" proved to be the blog's most popular feature in 2015.

CPR's Global Panel of Distinguished Neutrals:

600 PANELISTS
31 NEW PANELISTS
21 COUNTRIES

To further promote our panels and their usage, CPR launched two new DRS programs in 2015:

- **CPR's new Flat Fee Mediation Program** – An opportunity for early resolution of cases through mediation by mediators from CPR's panel of distinguished neutrals for a predetermined flat fee (\$3,500 non-member /\$2,500 member) for cases below \$250,000. The Flat Fee Mediation Program, effective July 1, did not replace any of CPR's traditional mediation program offerings, but rather offered an additional option that may be particularly appealing for those seeking highly qualified mediators willing to commit to a maximum daily fee. To date, approximately 200 mediators from CPR's carefully vetted panel are available under this program.
- **15% Member Discount from Participating Neutrals** – Effective October 1, 2015, CPR offered a new benefit in the form of a 15% rate reduction by select distinguished neutrals who had agreed to reduce their fees for CPR members filing cases with CPR. Neutrals who are part of the program are indicated on the candidate slates sent to the parties.

“I created the dispute resolution function for Eversource Energy over 15 years ago and serve as our company's representative on the CPR Advisory Council. Over the years, CPR helped shape how I and, in turn, the legal department and company, approached commercial disputes. We were very early adopters of the stepped dispute resolution process in our commercial agreements and based much of our ADR tools on CPR's resources. We became signatories to the Corporate Pledge and were happy to be among the inaugural group of companies to sign the 21st Century Pledge. Each CPR Annual Meeting or substantive program in which I participate reinforces my belief that there are usually better ways to manage and even avoid disputes in the B2B context than traditional litigation. More important to me, though, was the quality and creativity of CPR's ideas, discourse and membership, providing me with renewed energy and inspiration, prompting our incorporation of the CPR Corporate Policy Statement on Alternatives to Litigation[®] and the CPR Law Firm Policy Statement on Alternatives to Litigation[®] into our outside counsel guidelines, our adoption of a "mediation presumption" in our case management plans for new litigation matters, and our exploration of the standing neutral concept in commercial and project agreements. CPR has been an invaluable business partner providing us with creative, practical and actionable measures to transform

how we approach and manage disputes.”



Duncan Ross MacKay, Esq.

Deputy General Counsel & Chief Compliance Officer
Eversource Energy



Committees and Task Forces: Spearheading Innovation

One of CPR's greatest strengths is the work produced by its industry committees, councils and task forces that are organized around practice areas.

“ While transactional lawyers hold the pen that generally determines the ADR provision utilized in contracts, they may mistakenly see CPR and the ADR space as belonging to the litigation departments of their corporations or firms because arbitration is a corollary of litigation and mediation is often viewed as a litigation-related exercise. That's why we created the 'Transactional Dispute Prevention & Solutions' committee, a new and vibrant committee of transactional lawyers including both in-house commercial lawyers and outside transactional attorneys to help address the oft-heard complaint that dispute resolution clauses tend to be thrown in late during negotiation with insufficient forethought and limited collaboration between litigators and transactional lawyers. Equally important, and we think a compelling way to engage the transactional lawyers within companies, is to focus efforts on how dispute resolution can be utilized as part of 'preventative lawyering.'”

Noah Hanft
CPR President & CEO

CPR'S Advisory Council

For decades, CPR has been the only organization where in-house counsel, law firms, academics and neutrals come together to drive cutting-edge innovation in commercial conflict management. With the 2015 formation of its new **CPR Advisory Council**, CPR kicked this up a notch further.

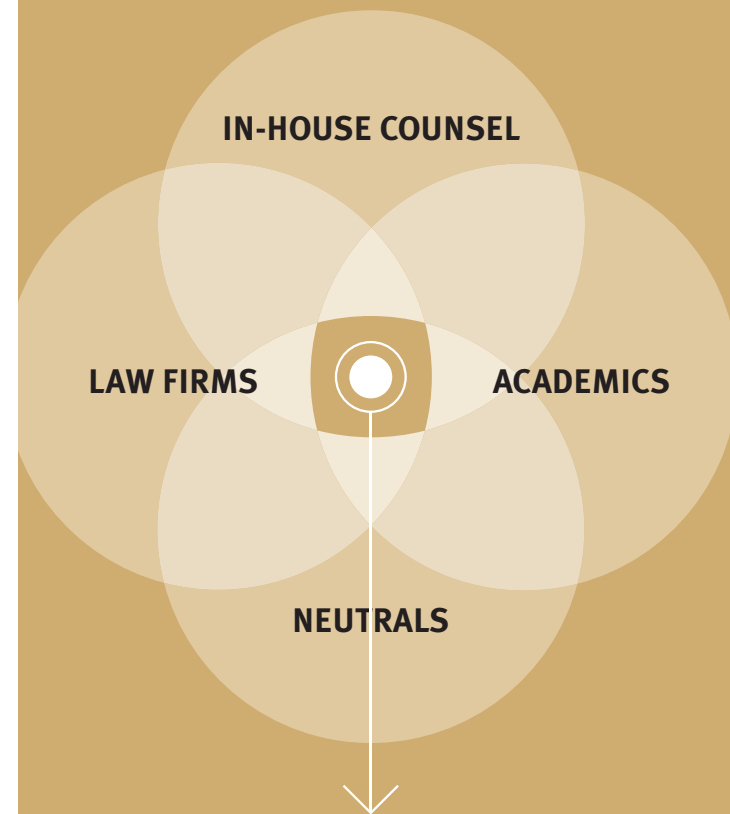
The CPR Advisory Council includes representatives from virtually every CPR member-company, as well as leading law firms, academic institutions, and arbitrators and mediators. Its mission is to serve as an incubator for the identification and initial development of work tailored to addressing issues faced by companies seeking to enhance their ability to implement a more thoughtful approach to all forms of dispute resolution. Potential work spans all levels, from general support for first-time implementation of dispute resolution solutions, to targeted subject matter and industry-specific projects designed to address more advanced and/or specialized needs.

The Advisory Council began its first year of work with a focus on identifying issues and regions of the world that are at the top of in-house counsel's list for developing better understanding of and support for thoughtful dispute resolution. Building on this understanding, at its November 2015 meeting, the Advisory Council took up a topic that recent survey results revealed to be extremely important to CPR members – Early Dispute Resolution (EDR). Debra Clements of Milliken & Company, Brennan Terregrossa of GlaxoSmithKline, David McClean from Latham & Watkins, Kurt Hanson from Paul Hastings and CPR's Beth Trent presented – and Council members discussed – what led GE, GSK and other leading

companies to think about implementing EDR, its key drivers and challenges, as well as practical advice on implementing this effective approach within different corporate cultures.

As an integral part of its work, CPR's Advisory Council will intersect with the CPR standing committees that engage all business sectors – most notably, the Arbitration Committee, Mediation Committee, Employment Disputes Committee, Intellectual Property Disputes Committee, Y-ADR and the National Task Force on Diversity in ADR – and will work with those committees to enhance CPR's ability to develop valuable new programs and tools. The current Co-Chairs of the CPR Advisory Council are **Debra Clements**, Vice President, Senior General Counsel and Corporate Secretary, Milliken & Company, and **David McLean**, Partner, Latham & Watkins.

A complete list of CPR Advisory Council members appears on page 36.



CPR'S ADVISORY COUNCIL

REPRESENTATIVE COMPANIES INCLUDE:

- Akzo Nobel Inc. • Amgen Inc.
- DuPont • GlaxoSmithKline
- Hewlett-Packard Company
- Liberty Mutual Group
- MasterCard Worldwide
- Microsoft Corporation
- Milliken & Company
- Monsanto Company • Pfizer Inc.
- Raytheon Company • Siemens AG
- United Technologies Corporation
- Visa Inc. • Walgreen Company

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CPR's Committees

CPR's subject matter and industry-specific **committees** analyze dispute resolution challenges, recommend global best practices and publish materials on issues at the forefront of legal debate. These committees' balanced interests provide a unique platform for analyzing the latest developments, both legal and practical, in all manner of dispute resolution. Committees meet regularly to draft rules and propose industry protocols used around the world. Most recently, CPR announced the formation of a new committee, the "Transactional Dispute Prevention and Solutions" Committee, created with a view toward expanding effective utilization of dispute resolution amongst organizations.

Following are just two examples of CPR's exciting and interactive Committee 2015 programming:

1 The **CPR Banking & Financial Services Committee** presented "Municipal Bankruptcies: Lessons Learned," featuring Chief Judge Gerald Rosen, United States District Court for the Eastern District of Michigan; Judge Victoria Roberts, United States District Court for the Eastern District of Michigan; and Eugene Driker, Baris, Scott, Denn, Driker PLLC. Judge Rosen was the chief mediator in the Detroit Bankruptcy aided by, among others, Judge Roberts and Mr. Driker.

2 While CPR has organized many webinars in the past, co-hosted by generous law firm sponsors, this year CPR produced its first successful in-house webinar, from CPR's offices in New York, the **CPR Construction Committee's** "How to Deal with the Insurer in the Arbitration and Mediation Process."

“CPR attracts the best and the brightest in the ADR world – so my membership in CPR's Advisory Council and CPR's Arbitration Committee has exposed me to cutting-edge thinking about ADR-related issues that I would not otherwise have learned about.”

Richard F. Ziegler
Partner,
Jenner & Block
& Former General
Counsel,
3M Company



Committees and Task Forces

-  **Advisory Council**
-  **Construction Advisory Committee**
-  **Environmental Committee**
-  **Mediation Committee**
-  **Arbitration Committee**
-  **European Advisory Board**
-  **Healthcare and Life Sciences Committee**
-  **National Task Force on Diversity in ADR**
-  **Banking and Financial Services Committee**
-  **Employment Disputes Committee**
-  **Intellectual Property Disputes Committee**
-  **NEW Transactional Dispute Prevention and Solutions Committee**
-  **Brazil Advisory Board**
-  **Energy, Oil & Gas Committee**
-  **Liability Insurance Committee**
-  **Y-ADR Steering Committee**



Joseph Fields, Sarah Biser and Robert Rubin of McCarter & English, hosts of the CPR's 2015 Construction Committee's 2015 Webinar, "How to Deal with the Insurer in the Arbitration and Mediation Process."

A NEW SCARLET “A” FOR ARBITRATION?

Not so Fast!

By Noah Hanft, CPR

DEFENDING DISPUTE RESOLUTION FROM ATTACK

Defending mediation and arbitration – both so often misunderstood – from attack was one of the objectives we set forth in last year’s annual report. We believe CPR has a responsibility to be a strong advocate for thoughtful dispute resolution approaches. We also sit in the right position to do so, as our arbitration rules are designed to avoid many of the concerns and potential abuses that are frequently raised about arbitration.

When the *New York Times* ran a series of articles on arbitration in October 2015 that we felt failed to tell the whole story, we responded immediately, penning the following response, which was published in Law360 (circ. 500,000).

There is no doubt that mandatory arbitration procedures are sometimes used to stack the deck in favor of companies over individuals. But some recent news coverage has gone one step further, raising the question of whether there is something inherently wrong with arbitration that gives rise to an unfair result.

Extreme positions create the risk that very real benefits can be lost through overreactions to anecdotes. Who could fail to see the benefit, at least in certain matters, for an expert in a given field to evaluate cases quickly and efficiently in contrast to a judge swamped with a crowded and congested court calendar?

Arbitration is inherently no less fair or less favorable to individuals than trial. Let’s not forget that arbitration has a deep and respected heritage that is embedded in the fabric of American jurisprudence. George Washington included an arbitration provision in his will and Abraham Lincoln himself acted as an arbitrator. Those who denigrate arbitration outright and in all forms are missing both the boat and the opportunity to help the very people and issues they purport to care most about.

“Arbitration is inherently no less fair or less favorable to individuals than trial.”

Often lost, in examples of bad conduct and statistics that claim that consumers get the short end of the deal in arbitration, is the fact that many disputes that make it to arbitration have a long history behind them. As part of effective customer services approaches, many companies have incorporated alternative dispute resolution. So when faced with an

issue with their credit card or cell or cable provider, many consumers call customer service and have their problem resolved.

Many companies also have Ombuds, hotlines or other internal dispute resolution mechanisms that resolve their disputes pre-arbitration. As a result, standalone mandatory pre-dispute arbitration programs are not at all common in the workplace environment. Employee dispute resolution programs generally have a stepped process where an employee goes to mediation before arbitration. Often claims are resolved in these processes before an arbitration is even filed. So where a comprehensive dispute resolution process is in place, it is not surprising that cases that are adjudicated are often those that have the least merit.

Since its inception more than 35 years ago, my organization, the International Institute for Conflict Prevention & Resolution (CPR), has been about providing alternatives to traditional litigation and choice to parties. CPR operates primarily in the business-to-business context; however, under CPR’s employment arbitration procedures CPR insists upon certain due process protections for employees, related to costs, fairness in the selection process and access to relevant information. We encourage all companies to adopt these procedures in their own employment ADR programs.

More broadly, our rules in all contexts address the possibility of conflict of interest, “repeat player” and other fairness issues described in the recent NYT series. CPR has always required under its rules that all arbitrators be independent and impartial, and that awards issued by them include a reasoned explanation. I mention CPR’s procedures not only to highlight

“Despite the sometimes negative publicity that certain forms of dispute resolution have gotten lately, the promise of ADR remains – a faster, less expensive and less arbitrary way to settle disputes. And in my experience this has served all sides well. We need to continue to break through the noise and anecdotal nature of reporting to tell the story of ADR. Through its academic rigor and real world experience, CPR has always been able to demonstrate ways in which ADR can work, and as importantly when it won’t. As one of the oldest



scholarly organizations solely dedicated to finding and advocating for alternatives to the court system, CPR needs to be that voice.”

Tom Sabatino
Hertz

that fair arbitration programs are available but to make it clear that arbitration itself can be a process that is fair to all sides and, if properly administered, can produce speedy and evenhanded results at far less expense to both sides.

In 2002, the CPR-Georgetown Commission on Ethics and Standards of Practice in ADR developed both “Principles for ADR Provider Organizations” and the “Model Rule for the Lawyer as Third Party Neutral,” which, taken together, serve as a powerful statement of both the obligations of provider organizations and a guide to ethical business conduct in arbitration. They remain as relevant today as they were then and,

“CPR’s rules address the possibility of conflict of interest, ‘repeat player’ and other fairness issues described in the recent *New York Times* series of articles on arbitration.”

if rigorously applied, would ensure due process and justice in the spirit of the FAA and the nation’s recognition of the value and benefits of alternative dispute resolution.

CPR maintained its focus on both encouraging arbitration availability but also fairness. In 2009, we submitted comments to proposed amendments to the Federal Arbitration Act (FAA) under the Arbitration Fairness Act stressing that both individuals and businesses disfavor resolving disputes in heavily congested courts; that procedural due process protocols would fully address the concerns underlying the amendments; and that the proposed amendments would unreasonably interfere with court safeguards of the individuals’ rights to arbitrate. We concluded by saying that “If Congress is to play a constructive role in the protection of individual rights and society’s goal of a just, efficient and less expensive dispute resolution, it could focus on encompassing in a new Chapter 4 of the FAA provisions embodying a national procedural due process protocol which require fairness through procedural safeguards for individuals in arbitration, including adequate notice, an equal voice in the selection of neutral and impartial arbitrators, responsibility for limited and reasonable costs of the arbitration, an arbitral forum near the individual’s home town and reasonable pre-hearing disclosure of information supporting a claim or defense.”

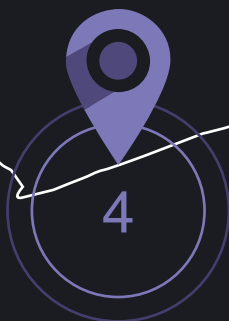
We stand by these statements with regard to the current reintroductions of the Arbitration Fairness Act.

“We call upon other ADR providers, the business community and consumer groups to join us in implementing the procedures and safeguards CPR has long advocated – and to be very clear in setting out best, and calling out unacceptable, practices – in order to allow arbitration to realize its full potential as a fair and thoughtful alternative to litigation.”

We also call upon other ADR providers, the business community and consumer groups to join us in implementing the procedures and safeguards CPR has long advocated – and to be very clear in setting out best, and calling out unacceptable, practices – in order to allow arbitration to realize its full potential as a fair and thoughtful alternative to litigation.

The unfortunate reality is that any system can be adversely impacted by the wrong motivation. Arbitration is susceptible to misuse and abuse and some of the examples are troubling and inexcusable. But when it comes to being prone to abuse, litigation (and certainly class action litigation) takes no back seat to arbitration. And those that condemn arbitration often are driven by incentives that are adverse to the individual consumer. Anyone who has received pennies from a class action settlement where legal fee awards are in the many millions of dollars can attest to these examples.

Arbitration was conceived to create a level playing field, and nothing about it precludes that from being the case so long as it is utilized properly. We can not only save the baby here, but cleanse the bath water as well.



The Message Gains Momentum

Last year, we spoke of our collective challenge to spread the message and educate about the plethora of benefits dispute prevention and resolution can bring, as well as to promote CPR's neutrals, unique resources and other offerings. In this document, we will briefly recap some of CPR's 2015 efforts and successes in this regard, before turning to what we view as most important: the shared successes of some of our members.



One thing that we at General Dynamics have done that has improved our internal approach significantly is to take a critical look at all of our ADR clauses and develop a system of customizing them for the specific issue at hand. Taking a purely default, 'form' approach, and pulling in any old ADR clause from some other contract at the last minute, can have the unintended consequences of making people wonder if ADR is such a great idea when the clause doesn't really fit. We believe in taking a more careful and analytical approach to drafting, and are not only doing so internally, but are also working with outside and deal counsel to make sure they follow

suit. We've already seen this approach paying off, and have been quite pleased with the results."



Greg Gallopoulos
General Counsel
General Dynamics

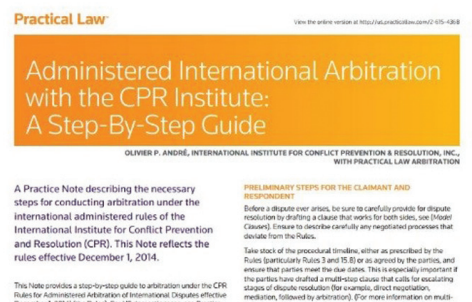
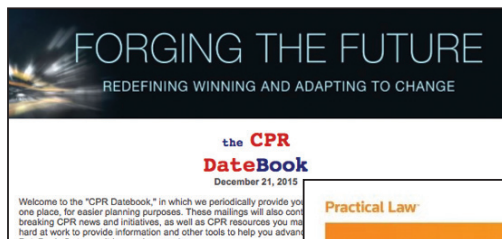
Successful New CPR Communications Strategies

News & Events

In 2015, CPR launched a new weekly newsletter, **THE CPR DATEBOOK**, with the aim of sending fewer emails that were simultaneously more targeted and had greater impact, keeping members up to date on not only all upcoming events, but also new CPR news and initiatives to help them. If you are not currently on CPR's mailing list, but would like to get a sense of what the *DateBook* is all about, please contact marketing@cpradr.org.

Social Media

We embarked upon a **SOCIAL MEDIA** initiative to promote our new CPR (DRS) products, classic CPR resources, our panel of neutrals, our pledges and Alternatives. If you are not already doing so, please follow us on Facebook, Twitter (@CPR_Institute) and LinkedIn.



Blog

CPR's new blog, **CPR SPEAKS**, presents updates on ADR trends and developments, and also offers such features as "The Neutral's Notepad" and "ADR Around the World," which this year gave readers an overview of ADR issues in developing locales such as Colombia, Mexico and Turkey. If you have not already done so, we invite you to explore this new CPR resource at <http://blog.cpradr.org>.

Public & Media Relations Efforts

In 2015, CPR made significant inroads with a number of new audiences and outlets, such as Covington's new ADR app, and *Thomson Reuters Practical Law* (which published CPR-authored guides to the Rules). We also launched a formal **CPR Webinar Series**, kicking things off with a talk, co-hosted by Jenner & Block, on Business Mediation Challenges and Multiparty Techniques, part of ABA Mediation Week 2015.

"CPR Presents"

In 2015, President & CEO Noah Hanft spoke at a number of high-level conferences, and at other events, around the world, including:

- 2015 Association of Corporate Counsel Europe Annual Conference, Munich
- Fourteenth International Online Dispute Resolution Forum at PACE Law School, White Plains, NY (Keynote opening address)
- "To Litigate or Not to Litigate" (Thomson Reuters West LegalEdcenter webinar)
- 19th Annual Anderson Kill Policyholder Advisory Conference, NY
- Managing Conflict 4.0: A New Wave of Opportunities for Businesses Around the Globe, Pepperdine University, Malibu, CA

"CPR in the News"

This year, CPR significantly expanded its presence in the media – an important part of highlighting our thought leadership. Several new international media outlets, such as *Iberian Lawyer*, covered our rules and pledge-signing events. CPR also published a six-article series on dispute resolution topics in *InsideCounsel*. A sampling of some of our 2015 coverage is below (and is linked/accessible online, if you access this annual review on CPR's website, www.cpradr.org).



CPR SPEAKS

The Blog of The CPR Institute

METROPOLITAN
**CORPORATE
COUNSEL**
quotes Noah Hanft, Ank
Santens and Charles Beach
in "Next-Generation Rules
for International Arbitration"

Noah Hanft publishes
"Ten Arbitration Myths &
Realities" in
**IC Inside
Counsel**

**IBERIAN
LAWYER**
publishes "New Rules 'Help
Parties Choose Best Dispute
Resolution Method"

Noah Hanft published
"A Winning Strategy,
Redefine the Term" in
LAW360

Helena Tavares Erickson
publishes "Cutting Edge
Companies: Using Dispute
Resolution Techniques to
Address Workplace Conflict"
**IC Inside
Counsel**

**IBERIAN
LAWYER**
reports on our EAB mini
conference and quotes Noah
Hanft in "In-house Lawyers
'Must Educate CEOs' About
Importance of ADR"

**IC Inside
Counsel**
publishes "Important Trends
in Int'l Dispute Resolution"
by CPR's Beth Trent

Noah Hanft & Beth Trent
quoted in "Have a
Dispute to Resolve?
We'll See You Online" in
CORPORATE COUNSEL
(subscription)

**IC Inside
Counsel**
publishes "Incentives for
Outside Counsel to Embrace
Dispute Resolution Options"
by White & Case's Jennifer
Glasser

Practical Law A THOMSON REUTERS
LEGAL SOLUTION
publishes "Administered
International Arbitration
with the CPR Institute: A
Step-by-Step Guide" by
Olivier André

Practical Law A THOMSON REUTERS
LEGAL SOLUTION
publishes "Administered US
Domestic Arbitration with
the CPR Institute: A Step-
by-Step Guide" by Mara
Weinstein

LAW360
publishes "Selecting Party-
Appointed Arbitrators Through
a Screened Selection Process:
The Best of Both Worlds" by
CPR's Olivier André and White
& Case's Charles B. Rosenberg

**IC Inside
Counsel**
publishes "Steering from
Your Chair: Why In-House
Counsel are Uniquely
Positioned to Drive ADR
Solutions" by CPR's
David Burt

METROPOLITAN
**CORPORATE
COUNSEL**
covers CPR's new flat fee
mediation program in "AFA
for ADR"

CDR
Commercial Dispute Resolution
covers the launch of CPR's
new Flat Fee Mediation
Program in "Mediation" No
Hidden Cost" (subscription)

**IC Inside
Counsel**
publishes "Online Dispute
Resolution and the Future
of the Law" by Beth Trent
and Colin Rule

CDR
Commercial Dispute Resolution
mentions CPR's new Flat
Fee Mediation Program in
"Immediate Action"

IFLR
INTERNATIONAL FINANCIAL LAW REVIEW
publishes an extensive
interview with Noah in
"Redefining Winning"

Noah Hanft Discusses
"Planning Your [GC]
Legacy" with
CORPORATE COUNSEL
Magazine

LAW360
publishes Noah Hanft's op-
ed, "A New Scarlet 'A?' Not
so Fast!"



Meetings and Events – Dispute Resolution’s Most Engaged and Collaborative Community

Nothing better demonstrates the power of the CPR approach to dispute resolution than the extraordinary in-person exchanges that take place at CPR’s events. At its annual meetings, specialized trainings with leading neutrals and Y-ADR events, CPR convenes skilled and experienced counsel from leading companies and law firms, neutrals, academics and judges to address changes and challenges in dispute resolution, and exchange perspectives and best practices. Presentations and discussions are always interesting, often challenging and highly interactive.

CPR's Annual Meeting



CPR's **2015 Annual Meeting, "Forging the Future: Redefining Winning and Adapting to Change,"** which took place Feb. 19-21 at The Lodge at Torrey Pines, La Jolla, California, was a rousing success. The event was attended by 200 practitioners and thought leaders, including an elite group of corporate executives, top law firm counsel, leading neutrals, and esteemed judges and academics.

We kicked off the proceedings with a moving (and simultaneously entertaining) keynote address by



Senator George Mitchell (pictured below). The recipient of such honors as the Presidential Medal of Freedom & Liberty Medal, the Truman Institute Peace Prize and the UN (UNESCO) Peace Prize for his work, Senator Mitchell addressed the state of current conflicts around the world, underlying issues that drive global conflict and potential pathways to resolution.

Day 2 began with a keynote address by **Lord Peter Goldsmith**, former UK Attorney General and London co-managing Partner, and Chair of European and Asian Litigation at Debevoise & Plimpton LLP, who discussed the importance of the rule of law in government and society, as well as challenges that arise when dealing with global conflict.

“ This is just a quick “thank you” note for the terrific work you did to make the 2015 CPR Annual Meeting in San Diego a tremendous success. From my perspective as an attendee, the programs were terrific (as usual), and all of the logistics (meetings, meals, accommodations, etc.) functioned very smoothly indeed. Every detail was anticipated and addressed, and the entire conference was thoroughly enjoyable.



Thanks to each of you for all the effort you made to make this another memorable CPR event.”

Raymond G. Bender
Arbitrator and Mediator

Panels at the annual meeting included:

- A panel highlighting the shift towards Stage III Mediation
- “Leveraging Diversity to Enhance Dispute Resolution”
- CPR's Business Roundtable
- CPR's Ethics Panel
- Everything You Wanted to Know from Corporate Counsel but were Afraid to Ask”
- “News from the Front” – Two panels discussing dispute resolution issues in the context of recent survey results from the 2013 College of Commercial Arbitrators – Strauss Institute Survey on Arbitration Practice
- “ODR – The Reality”
- “Fundamentals of Arbitration for In-house Counsel”

Annual Meeting

- 1 John Armijo, University of California, San Diego; Johnston Barkat, United Nations; and Tom Kosakowski, UCLA Office of Ombuds Service, Los Angeles
- 2 Vanessa Alarcon Duvanel, White & Case LLP; Dana C. MacGrath, Sidley Austin LLP; and David H. Burt, CPR
- 3 John Kiernan, Debevoise & Plimpton LLP; Hon. Charles Renfrew; and Hon. William Webster
- 4 Kathryn Richter, Schnader Harrison Segal & Lewis LLP, and William McFarlene
- 5 Kristofor Henning, Hewlett-Packard Company; Cynthia Bright, Hewlett-Packard Co.; and Robert Particelli, Hewlett Packard Co.
- 6 Barbara E. Daniele, CPR Board; and Prof. Thomas J. Stipanowich, Straus Institute for Dispute Resolution, Pepperdine University School of Law
- 7 Zela “Zee” G. Claiborne, JAMS; Natalie Reid, Debevoise & Plimpton LLP; Lord Peter Goldsmith, Debevoise & Plimpton LLP (keynote); and Lady Goldsmith
- 8 Jayne Risk, DLA Piper; Todd C. Toral, DLA Piper; and David Bernstein, Debevoise & Plimpton
- 9 José I. Astigarraga, Astigarraga Davis Mullins & Grossman, P.A.
- 10 Noah Hanft, CPR



Annual Meeting

- 1 Eugene Farber, Farber, Pappalardo & Carbonari
- 2 Mary Beth Cantrell, Amgen Inc.; and José A. Lau, Semptra Energy
- 3 John Pinney, Graydon, Head & Ritchey; Lyn Marsteller; and Peter Strotz, King & Spalding
- 4 Noah Hanft, CPR; Scott Partridge, Monsanto Co.; Peter J. Rees QC, Thirty Nine Essex Street Chambers
- 5 Carmen Reiss, Resolutions LLC; Steve Comen, Goodwin Procter LLP; Prof. Eric Green, Resolutions, LLC; Hon. Charles Renfrew; Barbara Renfrew; and E. Norman Veasey, Gordon, Fournaris & Mammarella, P.A.
- 6 Donald Philbin, Donald R. Philbin, Jr. P.C.; Erin Gleason Alvarez, AIG; and Andrew J. Olejnik, Jenner & Block LLP
- 7 Conna A. Weiner, Independent Mediator and Arbitrator; unknown; Harrie Samaras, Law Office of Harrie Samaras; Susan Nycum, Technology Disputes Resolution Services; and Kirke Hasson, Pillsbury Winthrop Shaw Pittman LLP
- 8 Prof. Thomas J. Stipanowich, Straus Institute for Dispute Resolution, Pepperdine University School of Law; and Noah Hanft, CPR
- 9 Evans Garage, San Diego
- 10 Lillian Stenfeldt, Sedgwick LLP; and Steven J. Antunes, AEGIS Insurance Services, Inc.



AWARDS FOR OUTSTANDING SCHOLARSHIP IN ADR

At the 2015 Annual Meeting, CPR presented its 32nd Annual Awards for Outstanding Scholarship in ADR, recognizing stellar scholarship in this field. Award criteria focuses on processes, techniques, systems, commitment and scholarship, which address the resolution, prevention or creative management of major disputes. This year, four individuals were awarded CPR Academic Awards for their outstanding work.



S.I. Strong, right, along with White & Case's Ank Stevens

Outstanding Professional Articles

The Award for Outstanding Professional Article recognizes articles published by academics and other professionals that advance understanding in the field of ADR. This year, the award was granted to:

- **S.I. Strong**, Contractual Waivers of Investment Arbitration: Wa(i)ve of the Future?, 29 ICSID Review-Foreign Investment Law Journal 690 (2014)
- **Michael Polkinghorne** and **Charles B. Rosenberg**, The Role of the Tribunal Secretary in International Arbitration: A Call for a Uniform Standard, 8 Dispute Resolution International 2 (2014)

Joseph T. McLaughlin Original Student Article Award

The Joseph T. McLaughlin Student Article Award, endowed through the year 2021 in honor of Joseph T. McLaughlin – a former CPR Board member, long-time CPR supporter, and prolific advocate for effective conflict resolution practices as a practitioner, academic, writer and speaker – recognizes an article or paper written by a student that was focused on events or issues in the field of ADR. This year's award was presented to:



Caley Turner, Pepperdine Law School

- **Caley Turner**, “Old White Male”: Increasing Gender Diversity in Arbitration Panels, Student paper from Pepperdine Law School (2014)

REGIONAL MEETINGS

CPR launched a program of regional events designed to enlarge opportunities to experience first-hand the exceptional nature of CPR meetings, which combine dynamic and engaging panels with an unmatched opportunity for exchanging knowledge and experiences with counsel, neutrals and others at the forefront of advancing dispute resolution issues. The inaugural CPR Regional Meeting was hosted by Anheuser-Busch InBev in St. Louis. Attendees included virtually all CPR member companies and law firms in the city.

TRAININGS

Throughout the year, CPR offers a number of **trainings** at the CPR Institute or in conjunction with other events or organizations. They are led by acknowledged subject-matter experts, employ an interactive format, and provide practical understanding and application of ADR tactics.

2015 was a particularly strong training year for CPR, beginning with a three-day mediation in São Paulo, Brazil in April, through which we trained 21 mediators, including two from Mexico.

In May, CPR held trainings on master negotiation and mediation with **Layn Phillips** in Los Angeles and **Prof. Eric Green** in Boston.

Finally, CPR developed and presented custom training designed to address specific business needs to multiple corporate members.

Y-ADR

Through [Y-ADR](#) (for young attorneys in international dispute resolution), CPR is committed to the development of younger or less experienced ADR lawyers, in order to help grow the ranks of dispute resolution practitioners.

In 2015 the Y-ADR Steering Committee, the leadership group of Y-ADR, worked on a number of projects and organized seminars in Washington, DC, New York, London and Chicago.



Olivier André, CPR; Hannah Ruehlman Blase, Zurich North America; Michael Freeman, Walgreen Company; Douglas R. Stevens, Aon; Chris Stathopoulos, Grant Thornton LLP; Winston Collier, AIG; Brett Stacey, Walgreen Company; and Dana MacGrath, Sidley Austin LLP, Chair of Y-ADR at an event on choosing arbitration versus litigation, hosted at Sidley Austin in Chicago

2015 CORPORATE LEADERSHIP AWARD DINNER

Each year, CPR honors a corporation that has demonstrated leadership in the field of conflict management and has institutionalized ADR, embedding it into their corporate culture. [The Award](#) is presented at a black tie event that draws approximately 500 attendees representing the general counsel from Fortune 200 corporations, partners from leading law firms, and industry experts and scholars who come together to demonstrate the importance of ADR. Since inception, the event has raised more than \$8 million for CPR’s public policy research and programs as well as our initiatives internationally. Past honorees have included United Technologies, Johnson & Johnson, General Electric, Ernst & Young, ConocoPhillips, Microsoft, DuPont, Pfizer Inc., Amgen Inc., FMC Technologies, Inc., GlaxoSmithKline, Royal Dutch Shell plc and Hewlett-Packard Company.

At the 2015 Corporate Leadership Award Dinner in New York, CPR and distinguished guests comprising general counsel from Fortune 200 corporations, partners from leading law firms, industry experts and scholars honored 3M and Ivan K. Fong, the company’s SVP, Legal Affairs & General Counsel.

2015 CORPORATE LEADERSHIP AWARD DINNER COMMITTEE

Chair: Charles R. Morgan
The Morgan Group

Oliver J. Armas
Partner, Hogan Lovells US LLP

Ian C. Ballon
Shareholder, Greenberg Traurig, LLP

William A. Brewer III
Partner,
Brewer, Attorneys & Counselors

Mary Beth Cantrell
Senior Associate General Counsel,
Amgen Inc.

Cedric C. Chao
Partner, Co-Head, International
Arbitration Practice, DLA Piper LLP

Senator Norm Coleman
Of Counsel, Washington, D.C.,
Minneapolis, Hogan Lovells US LLP

Julia A. Hatcher
Partner, Latham & Watkins LLP

Ronn B. Kreps
Partner, Norton Rose Fulbright US
LLP

Lewis J. Liman
Partner, Cleary Gottlieb Steen &
Hamilton LLP

James R. Murray
Partner, Dickstein Shapiro
LLP

Joseph H. Otterstetter
Managing Counsel and Associate
General Counsel, 3M Company

Alan Charles Raul
Partner, Sidley Austin LLP

Steven A. Rosenblum
Partner, Wachtell, Lipton, Rosen &
Katz

Eric Rucker
Senior Counsel, 3M Company

John F. Savarese
Partner, Wachtell, Lipton, Rosen &
Katz

Cliff Sloan
Partner, Skadden, Arps, Slate,
Meagher & Flom LLP & Affiliates

Jeffrey E. Stone
Partner, McDermott Will & Emery LLP

Robert N. Weiner
Partner, Arnold & Porter LLP

Bruce E. Yannett
Partner, Debevoise & Plimpton LLP

Richard F. Ziegler
New York Managing Partner, Jenner
& Block

2015 Corporate Leadership Award Dinner

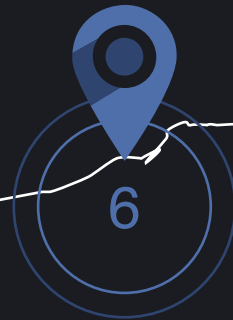


- 1 The Milstein Hall of Ocean Life.
- 2 Charles R. Morgan, The Morgan Group; Ivan Fong, 3M Company; John Kiernan, Debevoise & Plimpton LLP; and Noah Hanft, CPR
- 3 Erik Drange, 3M Company; Isabel Gomes, 3M Company; Joseph H. Otterstetter, 3M Company; Ivan Fong, 3M Company; Anne Marie Hanrahan, 3M Company; John Kiernan, Debevoise & Plimpton LLP; Kevin Rhodes, 3M Company; Dawn Hiniker, 3M Company; and Eric Rucker, 3M Company
- 4 James R. Murray, Dickstein Shapiro LLP; Ivan Fong, 3M Company; and Hon. William H. Webster
- 5 David McClean, Latham & Watkins LLP; Beth Corman, CPR; and Hon. William H. Webster
- 6 Kevin Rhodes, 3M Company; Ivan Fong, 3M Company; Arlene Chow, Hogan Lovells LLP; and Seth Waxman, WilmerHale LLP
- 7 Gilberto Giusti, Pinheiro Neto - Advogados, BRAZIL; Elenice Giusti, Ivan Fong, 3M Company; and Isabel Gomes, 3M Company
- 8 Cedric Chao, DLA Piper LLP; Andrew G. Humphrey, Fagre Baker Daniels LLP; Henry Walker, Kilpatrick Townsend & Stockton LLP; and Charles Morgan, The Morgan Group
- 9 Pamela Corrie, Epiq Systems; Ivan Fong, 3M Company; Barbara Daniele, GE Capital, Americas; and Olivier André, CPR
- 10 Lewis J. Liman, Cleary Gottlieb Steen & Hamilton LLP; Ivan Fong, 3M Company; Christopher Austin, Cleary Gottlieb Steen & Hamilton LLP; and Arminda B. Bepko, Cleary Gottlieb Steen & Hamilton LLP
- 11 Wendy Wildung, Fagre Baker Daniels LLP; Andrew Humphrey, Fagre Baker Daniels LLP; and Dara Mann, Dentons
- 12 Christopher Healy, Reed Smith, LLP; John Martini, Reed Smith, LLP; Thomas J. Sabatino, Jr, Hertz Corporation; and Mark Melodia, Reed Smith, LLP.
- 13 Ivan Fong, 3M Company.
- 14 Bernadette W. Catalana, Lavin, O'Neil, Cedrone & DiSipio; Jennifer Ziegenhorn, Husch Blackwell LLP; and Pamela Corrie, Epiq Systems, Inc.
- 15 The Theodore Roosevelt Memorial Hall Rotunda



Alternatives

Alternatives to the High Cost of Litigation, co-published by the CPR Institute with John Wiley & Sons, kept its 2015 focus on the most important issues in commercial mediation and arbitration throughout the year, analyzing the top news stories and providing Alternatives' traditional cutting-edge view of how practice needs to adjust.



Alternatives’ new takes on mediation basics like assessing cases for ADR, mediation productivity techniques, and changes in requirements for producing lasting settlement agreements were driven by analysis of, among other things, the first mediation case considered by the U.S. Supreme Court. Each issue, Robert A. Creo, our Master Mediator columnist, provided mediation room practice essentials that are easily integrated into case management plans to help both neutrals and advocates reach settlement faster.

On arbitration, **Alternatives** devoted substantial coverage to the Consumer Financial Protection Bureau’s moves to regulate the practice. Our in-house analysis of the CFPB proposals included point/counterpoints by leading national figures representing management and consumer arbitration advocates. Alternatives also dissected the latest decisions and cert grants

on arbitration by the U.S. Supreme Court, as well as other significant arbitration judicial opinions, including preemption and ADR under Dodd-Frank.

This news analysis complemented a wealth of arbitration practice information, all focused on addressing arbitration efficiency. Our articles included ensuring finality in arbitration and appellate processes, limits on discovery, and do’s and don’ts for international arbitration practice.

Alternatives continued to look abroad, with heavy coverage of ADR trends overseas. Included were comprehensive analysis pieces on the latest in ADR practices in Brazil, Germany and Russia, among others.

Alternatives’ excellence has not gone unnoticed, as the newsletter was recognized with two first-place awards during the 38th Annual Specialized Information Publishers Association Annual Conference in Washington, D.C. on June 4. The “SIP Awards” competition honors excellence in business editorial and marketing.

Alternatives won Best Legal/Regulatory/Energy/Environment Newsletter or Ezine (non-daily). In addition, M. Scott Donahey, a Palo Alto, Calif., arbitrator and mediator who has been a regular contributor to Alternatives, won first prize for the category of Best Interpretative or Analytical Reporting in the same newsletter category for his article, “Get Back – Return Arbitration to Its ADR Roots.” It is the third time the SIP Awards has recognized Alternatives for excellence in writing and reporting.

“This past year, and inspired by CPR’s newly formed Transactional Dispute Prevention and Solutions Committee, I have been re-enforcing with my business colleagues the importance of appropriate dispute resolution approaches in our contracts. We, as knowledgeable in-house counsel, have an obligation to educate our colleagues on the benefit of being thoughtful about dispute resolution provisions instead of defaulting to the routine clauses they have been utilizing for years out of habit. As a result, we can gain more control over the alternative dispute resolution process.

My colleagues routinely seek input from me, and my litigation colleagues, with regard to our preference on

provisions dealing with jurisdiction, choice of law and ADR in our contracts. We always seek to include an ADR provision designating “CPR.” Whether for an acquisition agreement, licensing arrangement or other business partnership, I convey to my transactional colleagues the benefits of CPR, including having a choice of administered or non-administered rules, control over discovery which can greatly reduce costs and generally having more control and involvement in the alternative dispute resolution process. Additionally, access to the CPR panels is worth the cost of membership as CPR has some of the highest quality neutrals who are vetted through a very thoughtful process analyzing the panelist’s background, experience and knowledge depending on the specialization of the panel.

My message seems to be getting through and we are finding that many of our potential business partners are also members of CPR which is extremely helpful as they also know the benefits that can be gained from utilizing CPR. These efforts may not add value tomorrow but, in the long term, will make our dispute resolution efforts more efficient, cost effective and productive in the future.”



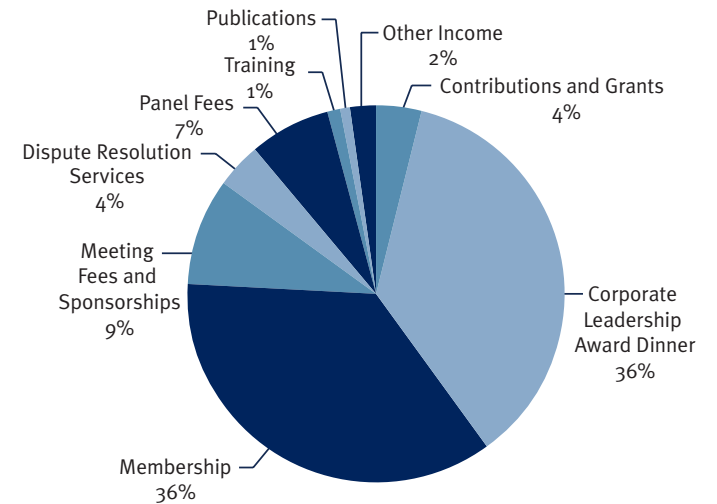
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A Letter from the Chairman of CPR's Finance Budget & Audit Committee



I'm pleased to report that fiscal year 2015 (7/1/14-6/30/15) was an extraordinary year for CPR, culminating in with strong financial results with an increase in CPR's net assets of over 19% from the same period last year. These financial results have allowed CPR to have an even greater impact in the legal community. International activities have surpassed any prior time in its history, and dispute resolution services have been expanded to include administered arbitration. With efforts focused on the value proposition for members, development of products and services and building brand recognition, CPR realized a 6% growth in membership revenues and welcomed 43 new members. The Committee is gratified that that grants and contributions beyond membership or special events increased 63% this year.

At the mid-point of the current fiscal year, CPR is on track to continue the momentum in membership as we welcome even more corporations and law firms to our community. The Corporate Leadership Award Dinner honoring 3M Company and its General Counsel, Ivan Fong raised significant funds to support CPR's programs and attracted nearly 400 people to the American Museum of Natural History in New York. The Annual Meeting in New Orleans promises to be one of the best yet financially and will include the inaugural presentation of the Inspiring Innovation Award to Monsanto Corporation and Vice President, Global Strategy, Scott Partridge. The Brazil Initiative continues in its fourth year and almost doubled its program budget with a new grant from Assurant, Inc. to complement the work being supported by GlaxoSmithKline and the Sondheimer Family Charitable Foundation. Other international efforts in Europe are also realizing great results with an active European Advisory Board and many new European members.



CPR will be investing in capital improvements in 2016 as it moves to new offices in New York City and improves its systems and website. These investments will enable the organization to continue to provide cutting-edge tools and relevant and meaningful resources to its members and to the ever-evolving and always interesting legal and business community.

The Committee greatly appreciates the financial contributions, leadership and service of CPR's donors. With the donors continued support, the Committee looks forward to sustained growth and even greater impact in the future.

Sincerely,

Dale L. Matschullat

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CPR Finance Budget & Audit Committee

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Noah J. Hanft

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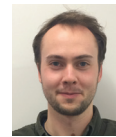
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“ Teradata is a signatory to the CPR 21st Century Pledge and Diversity Commitment. We deem these pledges and public acknowledgements of them in our 2015 Corporate Social Responsibility Report to reflect innovation and thought-leadership by Teradata and CPR. Another leading practice that Noah shared from a fellow CPR Advisory Committee member is to include a similar commitment and expectation of outside counsel in corporate engagement letter terms. Teradata began implementing that practice in 2015 as well.”

Todd Carver

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