



The CMBA's ADR & Litigation Sections present

ABCs of ADR: Best Practices Guide for Litigators & Neutrals

Tuesday, October 30, 2018 – Submitted for 6.00 CLE Hours

1375 East Ninth St., CMBA Conference Center, One Cleveland Center, 2nd Level, Cleveland, OH

Registration & Breakfast: 8:30 a.m.

Program: 9:00 a.m. – 4:45 p.m.

- 8:55 a.m. **Welcome & Introductions**
Mark I. Wachter, Wachter Kurant LLC, ADR Section Chair
Christopher D. Caspary, Zashin & Rich Co., L.P.A., Litigation Section Chair
- 9:00 a.m. **Preparing for Mediation**
Preparing the Client; Selecting the Mediator; Pre-mediation submissions and Pre-mediation negotiations
Shawn M. McGraw, Koehler Fitzgerald LLC, prior GC at Tremco
Thomas G. Repicky, Private Mediation Services
Joseph S. Simms, Koehler Fitzgerald LLC
David A. Schaefer, McCarthy, Lebit, Crystal & Liffman Co., LPA, Moderator
- 10:00 a.m. **Making the Most of Mediation**
Opening Statements – Whether and how to do them; Whether and when to make the first move; Caucuses – Best practices; What to disclose and when
J. Philip Calabrese, Porter Wright Morris & Arthur LLP
Raymond Krncevic, **Tucker Ellis LLP**; formerly in house at **University Hospitals**
Deanna Jackson, Mediator – EEOC
Jerome F. Weiss, Mediator, MediationInc
Timothy G. Warner, Huffman, Hunt, Klym & Warner, LLC, Moderator
- 11:00 a.m. Break
- 11:15 a.m. **Help Me, Mediator: Creative Strategies for Getting to Resolution Sooner than Later**
Styles of Mediation; Breaking Impasse, Opening Demands and Offers, Dos and Don'ts
Majeed G. Makhoulf, Berns, Ockner & Greenberger, LLC
Matthew Mennes, Cuyahoga County Court of Common Pleas
Karen E. Ross, Tucker Ellis LLP
Peggy Foley Jones, Giffen & Kaminski, LLC, Moderator
- 12:15 p.m. Lunch (included with program)
- 1:30 p.m. **Getting Off on the Right Foot: Drafting Effective Contract Provisions, Understanding the Statutory Framework, and Selecting the Best Provider**
Aaron S. Evenchik, Hahn Loeser & Parks LLP
Judge Richard M. Markus, Private Judicial Services, Inc.
Susan Grody Ruben, Mediator & Arbitrator, Moderator
- 2:30 p.m. **The Claim has been Filed . . . Now What? – Navigating the ADR Pre-Hearing Process**
Deborah A. Coleman, Coleman Law, LLC
Peggy Foley Jones, Giffen & Kaminski, LLC
Stephanie Dutchesse Trudeau, Ulmer & Berne LLP
Gregory A. Thompson, Hahn Loeser & Parks LLP, Moderator

3:30 p.m. Break

3:45 p.m. **Arbitration: Best Practices for Using your Trial Tools in a Different Setting**
Michael H. Diamant, Taft Stettinius & Hollister LLP
Ian H. Frank, Frantz Ward LLP
Mark I. Wallach, Thacker Robinson Zinz LPA
Mark I. Wachter, Wachter Kurant LLC, Moderator

4:45 p.m. **Adjourn**



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Registration fee (includes lunch):

- \$200 CMBA Members
- \$275 Non-Members
- \$160 Government, Non-Profit and New (<1 year) Attorneys
- \$130 Affiliate Member (non-lawyer, no CLE)
- \$0 CMBA CLE Passport

Registration the day of Seminar: ADD \$15.00 TO REGISTRATION FEE

(Registration must be pre-paid by cash, check or credit card in order to qualify for the early registration)

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Make checks payable to: Cleveland Metropolitan Bar Association. Mail to P.O. Box 931891, Cleveland, Ohio 44193, or fax your reservation form to (216) 696-2129 (fax reservations must include a credit card number, expiration date, and signature). Cancellations must be received in writing three business days prior to the program. Refunds will be charged a \$15 administrative fee. Substitutions or transfers to other programs are permitted with 24 hours written notice. **(Transfer is to a single program and the funds may be transferred only once.)** Persons needing special arrangements to attend this program are asked to contact the CMBA at (216) 696-2404 at least one week prior to the program.