

Never Would I Ever...Overcoming resistance to innovation in international arbitration



Ciarb North America Branch (Ciarb NAB) presents a moderated discussion by leading international arbitrators about the challenges faced in promoting innovation, as well as various innovative ideas or proposals that may or may not be considered favorable. Moderated by current Ciarb NAB Chair, David Sharp FCI Arb, speakers Amb. (r.) David Huebner, Katherine Smith Dedrick, Peter K. Rosen, and Peter Neumann, will discuss the following topics:

Topic 1. Overcoming Obstacles to Innovation (Lead: Amb. (r.) David Huebner C.Ar Arb FCI Arb) – A discussion regarding the extent to which there are institutional or non-institutional barriers to innovation in arbitration, whether beneficial or detrimental, and whether practitioners should be thinking about and proposing changes.

Topic 2. Arbitration in Dealing with Natural Disasters (Lead: Katherine Smith Dedrick FCI Arb) – A discussion regarding creation of specialized tribunals and processes as a recourse in mitigating delayed resolutions of disputes and claims arising from consequences of natural disasters.

Topic 3. Artificial Intelligence in Arbitration (Lead: Peter Rosen FCI Arb and Peter Neumann FCI Arb) – A discussion as to whether there should be limits to the expansion of AI in arbitration, and the needed safeguards.

Topic 4. “Robo Arbitrators” for Retail-Level Cryptocurrency Disputes (Lead: Peter Neumann FCI Arb) – A discussion on whether disputes between retail investors in crypto assets (cryptocurrencies and NFTs) should be subject to mandatory arbitration by an AI “Robo Arbitrator”, subject to opt-out by the investor.

Register here for the event:

https://us06web.zoom.us/webinar/register/WN_FaRTMP8hRYysguhFAqZ9aw

Bios



Amb. (r.) David Huebner has handled more than 300 arbitrations in three dozen jurisdictions around the world. He was based for extended periods in Tokyo, Shanghai, and New York, and now practices from Los Angeles. He has particular expertise in the technology, life sciences, new energy, and media/entertainment sectors, and the Silicon Valley Arbitration & Mediation Center has regularly named him to its “Tech List” of the “world’s most accomplished technology neutrals.”

A graduate of Princeton University (summa cum laude) and Yale Law School, Amb. Huebner is a licensed solicitor in England & Wales, member of the Bars of California, New York, and DC, Fellow of the College of Commercial Arbitrators, Chartered Arbitrator and Fellow of the Chartered Institute of Arbitrators, and life member of the Council on Foreign Relations. He is deputy chair of the Chartered Institute of Arbitrators’ global board of trustees and vice chair of the California Law Revision Commission. He spent 4 years in diplomatic service in New Zealand and Samoa during the Obama Administration.



Katherine Smith Dedrick is an experienced commercial litigator, arbitrator and the co-founder of a domestic and international disaster and insurance consulting company based in the U.S. and Asia Pacific (Sold in 2016). She has handled hundreds of complex commercial matters in the U.S. and other countries (both common and civil law). Her experience includes commercial contracts, business disputes, insurance coverage (all lines), reinsurance, construction, and bad faith.

Katherine has significant arbitration experience both as a party representative and neutral. As a party representative, she was lead counsel on complex insurance, reinsurance, environmental, and other contract matters. As a neutral she has been a panel member in complex commercial financial disputes, and a sole arbitrator in property insurance, commercial business, and consumer matters.

Katherine is an arbitrator with the AAA and FINRA, and a Fellow and immediate past Chair of the North America Branch (NAB) of the Chartered Institute of Arbitrators (Ciarb). As Chair of NAB, Katherine oversaw the education and training of the NAB's members in international arbitration and she is an instructor of international arbitration for NAB's Accelerated Route to Fellowship course.

In addition to her law degree, Katherine earned an MBA from The University of Chicago Booth School of Business studying in the U.S., Spain, and Singapore. Currently the Managing Member of KSD Law LLC, Katherine was an equity partner at a large U.S. law firm where she served on its management committee and as chair of numerous other committees. She is also an independent trustee for an asset management company. Katherine spent considerable time living and working in the Asia Pacific with Australian joint venture partners, prior to the sale of the consulting company.



Peter K. Rosen Esq. joined JAMS in January 2019 following his prestigious legal career handling high-profile insurance matters covering a wide range of commercial issues and policies, including directors and officers (D&O) liability, general liability, property, cyber, employment, professional liability, construction, fidelity, environmental, representations and warranties insurance, and reinsurance. Mr. Rosen has deep expertise in handling coverage issues arising out of mass disasters.

His role in the World Trade Center insurance coverage litigation gained him worldwide recognition. He received accolades from The Legal 500 and Chambers USA, which noted, "He is recognized for his 'wealth of expertise' and is described as 'someone you would bring in as a big hitter.'"

Throughout the course of his career, Mr. Rosen has driven hundreds of matters to a mediated resolution and has been involved in numerous high-stakes domestic and international arbitrations.



Peter Neumann brings over 25 years of international corporate and business law experience to his practice as an international arbitrator and mediator.

He has practiced law in Greater China for over 20 years, honing Chinese language and cross-cultural skills essential to effectively and efficiently resolving complex cross-border disputes.

His expertise encompasses M&A, FDI, corporate law and governance, PE/VC, compliance and international trade and procurement in the general manufacturing, technology, chemicals, software, and hospitality industries.

Mr. Neumann is a panel arbitrator of the HKIAC (List), KCAB International, SHIAC, CIETAC, SCIA, HIAC, FINRA, and LACBA ACMAS, and is the CIARB NAB Los Angeles Chapter Chair. He is an Adjunct Professor of Law at the Pepperdine Caruso School of Law, Straus Institute for Dispute Resolution, and an Adjunct Research Fellow at the Arbitration Institute of CUPL in China.



David Sharp is the Chair of the North America Branch of Ciarb. He graduated from Stanford University, with distinction, in 1977, and from Harvard Law School, magna cum laude, in 1980. After a clerkship for a federal district judge in San Francisco, David became a trial lawyer in Houston, Texas, in late 1981.

Over his career, David has represented clients in a wide variety of matters in state and federal courts and in arbitrations. He has represented plaintiffs and defendants, tried jury trials to verdict and arbitrations to award, appeared as appellate counsel (including in the U.S. Supreme Court), and been counsel in arbitrations filed with the ICC, AAA, MSRB, and NASD/FINRA as well as ad hoc arbitrations. David has experience with international and civil law issues, including drafting common law jury instructions in a case governed by the substantive law of a civil law country. David is on arbitrator rosters of the AAA, CPR, and FINRA.

David is a member of the bars of Texas and Kansas, the U.S. Supreme Court, and several U.S. Courts of Appeals and U.S. District Courts.