



AMERICAN ARBITRATION ASSOCIATION®

INTERNATIONAL CENTRE
FOR DISPUTE RESOLUTION®

April 4, 2019
8:45-10:00

Breakfast with General Counsel – Arbitration from the Client's Perspective

Kevin C. Backus, SVP, General Counsel and Head of Safety, thyssenkrupp North America, Inc.; Chicago, IL

Robert Preston Brown, General Counsel, McKenney's; Atlanta, GA

John P. Carpenter, Chief Legal Officer, Balfour Beatty US; San Francisco, CA

Cara Peterson, Senior Counsel, Adolfson & Peterson Construction; Minneapolis, MN

Facilitator: Giovanni Ruscitti, Berg Hill Greenleaf & Ruscitti LLP; Denver/Boulder, CO

Moderator: Rod Toben, Vice President, Construction Division, American Arbitration Association

Oftentimes, the goals and expectations of the parties that selected arbitration before the AAA are overlooked. In this arm-chair *[Ted-talks/fire-side chat]* style session, in-house counsel from a cross-section of leading construction industry firms will discuss arbitration from the client’s perspective, including arbitrator qualifications (what are they really looking for?), conflicts of interest (how much do they matter?), arbitration forum and style, arbitration costs and stigma, and arbitration process/procedure issues (what concerns them regarding case timelines, in-person conferences, discovery, motion practice, experts, and the award?).

BREAKFAST WITH GENERAL COUNSEL – ARBITRATION FROM THE CLIENT’S PERSPECTIVE

- What is the primary reason you choose arbitration?
- What are the biggest problems you have with arbitration?
- What are some things you have seen arbitrators do that you think arbitrators should not do?



BREAKFAST WITH GENERAL COUNSEL – ARBITRATION FROM THE CLIENT’S PERSPECTIVE

- What are some things arbitrators do that facilitate a successful arbitration?
- If you have a three person arbitration panel in a complex case, would you be comfortable with one of the panel members being a non-lawyer with extensive construction experience?
- As the paying client, do you take can active role in influencing your outside counsels work?





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