

AGENDA



2018 AAA® CONSTRUCTION CONFERENCE
ADAPTING
DISPUTE RESOLUTION STRATEGIES
FOR TODAY'S COMPLEX CONSTRUCTION PROJECTS

FRIDAY, MARCH 23, 2018 | 8:00 AM - 5:00 PM | SANTA MONICA, CA

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The American Institute of Architects
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PROGRAM AGENDA

2018 AAA Construction Conference:
Adapting Dispute Resolution Strategies for Today's Complex Construction Projects
March 23, 2018

CONFERENCE MODERATORS:

James C. Earle, Clark Hill PLC; Los Angeles, CA
Allison J. Snyder, Porter Hedges LLP; Houston, TX

FRIDAY, MARCH 23, 2018

8:00	Continental Breakfast
8:30	Welcome & Introductions Michael R. Powell , Vice President, Construction Division, American Arbitration Association
8:45	How to Maximize Efficiency in a Complex Case Complex construction arbitration cases are never a one-size-fits-all. This session is designed to provide advocates, parties, and arbitrators tips, tools and techniques to provide for effective advocacy and efficient presentation and management of a complex construction arbitration case. FACULTY: * Laura Abrahamson , SVP, Assistant General Counsel, Head of Litigation, AECOM; Los Angeles, CA * Richard H. Lowe , Duane Morris LLP; Philadelphia, PA * Giovanni Ruscitti , Berg Hill Greenleaf & Ruscitti LLP; Boulder, CO * Paul A. Varela , Varela, Lee, Metz & Guarino, LLP; Tysons Corner, VA
10:00	Break
10:15	What Arbitrators Expect from Schedule and Damage Experts This session provides counsel with practical insights from seasoned arbitrators and advocates on the ways in which arbitrators consider and evaluate expert testimony. Issues to be explored include: the influence of expert testimony on arbitrator decision making; how arbitrators resolve competing schedule analyses or methodologies; the ways in which experts influence the evaluation of complex damages issues, such as loss of productivity or constructive acceleration; and presenting expert testimony in the way that is helpful to the decision maker. FACULTY: * Adrian Bastianelli, III , Peckar & Abramson, P.C.; Washington, DC * Albert Bates, Jr. , Pepper Hamilton, LLP; Pittsburgh, PA * Dr. Patricia D. Galloway, PE , Galloway Arbitration, Inc.; Cle Elum, WA * Matthew R. Krafft , FTI Consulting, Inc.; Rockville, MD
11:30	BIM, VDC, VR: What Does it All Mean and How Does it Affect Construction Disputes? Innovative technologies in the construction industry have provided project participants with a vast array of new ways to build and access more data than ever before. With new technology comes new challenges for practitioners in construction arbitrations. This session will focus on how counsel will use these technologies in the dispute resolution process. FACULTY: * Benjamin Crosby, CM-BIM, CM-Lean, CCM, LEED AP , Director of BIM/VDC, Yates Construction; Jackson, MS * Scott P. Fitzsimmons , Watt, Tieder, Hoffar & Fitzgerald, LLP; McLean, VA * Timothy M. Gibbons , Chambliss, Bahner & Stophel, P.C.; Chattanooga, TN * M. Katy Ross , Corporate Counsel, Helix Electric, Inc.; San Diego, CA
12:30	Lunch

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1:30	<p>Lawyer Ethics: What Clients Need and Want in Construction Arbitration</p> <p>Construction arbitration is fundamentally different from litigation because it is a choice-based process supervised by expert decision makers in a private setting. However, many clients don't receive the benefits of arbitration because some lawyers treat the process just like litigation and don't emphasize the opportunities for choice. In an innovative and challenging program, our panel makes the case that when it comes to ethical responsibilities regarding arbitration and private dispute resolution, the <i>Rules of Professional Conduct</i> need to be read in light of the special characteristics of arbitration and ADR—creating standards that reflect the best current practice and are more likely to provide satisfactory experiences for clients.</p> <p>FACULTY:</p> <ul style="list-style-type: none">* Peter Dessau, Miller Morton Caillat & Nevis, LLP; San Jose/Newport Beach, CA* Marilyn Klinger, SMTD Law LLP, Salamirad • Morrow • Timpane • Dunn; Los Angeles, CA* Thomas J. Stipanowich, Professor of Law, Pepperdine University; Dean, Straus Institute for Dispute Resolution Pepperdine University School of Law; Malibu, CA* Michael Subak, Pepper Hamilton LLP; Philadelphia, PA
2:45	Break
3:00	<p>Construction of Alternative Energy Projects: Global Challenges</p> <p>Large, alternative, renewable or "green" energy projects often require the collaboration of internationally operating suppliers, engineering firms and contractors and may involve governmental entities as well. The complex contractual relationships between these various participants and the cross-border nature of their collaboration often presents considerable challenges to developing effective dispute resolution mechanisms. Speakers in this session will consider the methods typically used to resolve the often complex disputes in this context and also discuss emerging trends in the field.</p> <p>FACULTY:</p> <ul style="list-style-type: none">* Maria Chedid, Baker McKenzie; San Francisco, CA* Joseph F. Moore, P.E., Hanson Bridgett LLP; San Francisco, CA* Nathan D. O'Malley, Musick, Peeler & Garrett LLP; Los Angeles, CA* Bruce Van Malkenhorst, Corporate Counsel, Thompson Pipe Group; Rialto, CA
4:00	<p>Job Site Emails, Critical Path Updates, Change Orders: How to Effectively Manage Documents, Evidence and Electronic Discovery in Construction Arbitration</p> <p>Construction projects and disputes are both fact and document intensive. Effective information management can be critical not only to the success of the project, but also the success of the litigants in construction arbitration and dispute resolution. This panel will discuss strategies for effective information management during the project and during the dispute resolution process, as well as how to effectively manage, produce and present electronic and documentary evidence at the arbitration hearing.</p> <p>FACULTY:</p> <ul style="list-style-type: none">* Todd Bressler, General Counsel, West Region, Suffolk Construction Company, Inc.; Los Angeles, CA* L. Tyrone Holt, The Holt Group LLC; Denver, CO* Wendy K. Venoit, Hinckley Allen; Boston, MA* Christopher C. Whitney, Pierce Atwood LLP; Providence, RI
5:00	<p>Closing Remarks</p> <p>Michael A. Marra, Vice President, Construction Division, American Arbitration Association</p>
5:15	Cocktail Reception

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REGISTRATION INFORMATION

To register online, visit www.adreducation.org.

Registration Fee

General: \$450

Early bird registration (through February 23, 2018): \$395

Full payment must be received in order to process registration. Conference registration fees include admission to all seminars, course materials, luncheon, breaks, and cocktail receptions as outlined in the program agenda.

Cancellation Policy. Should you need to cancel your registration, send your written request via email to AAAEducation@adr.org or fax at 972.490.9008 by March 9, 2018 to AAA Education Services for a refund of 50% of your registration fee. We regret that no refunds can be made after that date. Substitution of attendees can be made at any time. Please do not make any travel arrangements until you receive a confirmation email.

Materials. Materials will be available at the conference and on the conference website.

CLE INFORMATION

West LegalEdcenter is procuring continuing legal education (CLE) credits on behalf of American Arbitration Association. This program is currently available for CLE credits in California, New Jersey, New York, Pennsylvania, and Texas. Credit amounts vary by attendance verification and jurisdictional rules. For jurisdictions not listed, or for other professional organizations, a Certificate of Attendance can be provided to confirm attendance credit.

VENUE

DoubleTree Suites by Hilton Santa Monica

1707 Fourth Street
Santa Monica, CA 90401

HOTEL RESERVATION INFORMATION

Use the online registration link below to register or call 1.800.222.8733.

Online Reservations: <http://www.hilton.com/en/dt/groups/personalized/S/SMOPCDT-AAS-20180322/index.jhtml>

Group Name: American Arbitration Association

Group Code: AAS

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HOW TO REGISTER

4 Ways to Register for the Conference:

ONLINE: At www.adreducation.org.

EMAIL: Details to AAAEducation@adr.org.

FAX: Complete the form below and send to 972.490.9008—Attn: AAA Education Services.

MAIL: Complete the form below and send to—
AAA Education Services
American Arbitration Association
13727 Noel Road, Suite 700
Dallas, TX 75240 USA

REGISTRATION FORM

Please type or print.

___ Mr. ___ Ms. ___ Mrs. ___ Dr.

Name: _____

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___ USD Fee to be charged to the card

___ Visa ___ MasterCard ___ American Express

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Billing Address if different from above:

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**Questions? Please contact Michael Marra at
MarraM@adr.org or 215-731-6136.**

Program # - ED2218001O