

April 15, 2019

**DANIEL PATRICK MOYNIHAN COURTHOUSE (SDNY)
500 PEARL STREET
NEW YORK, NY 10007**

“Mediation in 2019” (2 CLE Credits)*

May 7, 2019 (6-8 pm) SDNY Ceremonial Courtroom

Agenda

Here is the agenda for our May 7th panel on Mediation.

Greetings from Chief Colleen McMahon (SDNY) and Chief Judge Robert Katzmann. (Almost certainly one or both them will be there.)

Brief remarks from **Esta Bigler (5-10 minutes)** and **Judge Richard Berman (5-10 minutes)**. Ms. Bigler will talk about Cornell ILR courses in mediation. And/or, mediation training in NYC and Ithaca.

Judge Berman will speak about the importance of mediation compared to other forms of ADR such as arbitration and two high profile mediations he undertook involving professional athletes.

Ken Feinberg will be the principal speaker (**15 minutes**) and will discuss the value of mediation, best practices, and the mediation process he has developed (very successfully).

Hon. Barbara Jones will be the second speaker (**15 minutes**). She will discuss her high profile ADR assignments since leaving the bench, including NFL arbitration involving then Baltimore Ravens running back Ray Rice, and SDNY assignments.

Theo Cheng will discuss (**15 minutes**) how to conduct a successful mediation. He will also talk about the SDNY and 2d Circuit mediation programs in which he participates voluntarily.

Ken Feinberg will lead a discussion (**15-20 minutes**) about "Whether and why mediation is the preferred method of dispute resolution?" All panelists will join in that discussion.

1/2 hour of Q and A with the audience.

8:00-8:30 Complimentary Prosecco and Perrier (Courtroom Foyer).

* Mediation is a cooperative, interactive, (usually) voluntary, non-binding process where a neutral third party facilitates the resolution of conflict or dispute through communication and negotiation.

“[M]ediation offers the parties to a dispute the opportunity to participate actively in a cooperative process designed to achieve a resolution to their problem that is not circumscribed by preexisting legal theories or remedies.” Kenneth R. Feinberg, Mediation – A Preferred Method of Dispute Resolution, 16 Pepp. L. Rev. 5, 7 (1989).