

## *Obstacles or Opportunities?* *Successful Techniques in Resolving Disputes* *When Negotiating, Mediating, Arbitrating or Litigating*

### **Agenda & Registration Information (In-Person or Webcast Attendance Options)**

6.0 hours of CLE/CDRE (f/n/a CME) Credit which includes 1.0 Hours of Ethics (pending approval in Kansas and Missouri)

Please join Associates in Dispute Resolution, LLC, for our annual CLE/CDRE event scheduled for Friday, November 10, 2023. This training will be available as a Hybrid Zoom Webinar to make sure everyone has the opportunity to get their required CLE/CDRE credits completed. Attend in person or via Zoom. You will enjoy this practical, advanced-level program which will provide an in-depth look at the following topics:

### **MORNING SCHEDULE**

8:15 am to 8:50 am **REGISTRATIONS**

8:50 am to 9:00 am **INTRODUCTIONS**

9:00 am to 9:50 am **NEGOTIATION ETHICS DILEMMAS**

We will examine common scenarios that highlight attorney/mediator ethical dilemmas. We will also review ethical issues that may arise for attorney litigators in negotiation.

***Adina F. Morse** is a partner with Associates in Dispute Resolution, LLC. Adina also currently works for Kansas Applesseed as a Child Welfare Advocate. As an attorney, mediator, conciliator, trained collaborative law professional, family law arbitrator, and now as an advocate, Adina works on behalf of children through connecting professionals and impacted individuals, creative problem solving, making connections between people and organizations to generate positive change, legislative engagement, and if necessary, litigation. Prior to joining Applesseed, Adina worked in the areas of family planning, adolescent psychiatric care, education, and most recently had her own law firm with a focus on domestic litigation and mediation.*

***Larry R. Rute** has mediated more than 4,500 matters involving commercial law, corporate dissolution, consumer protection, domestic relations/division of assets, employment law, FLSA, insurance bad faith, personal injury, toxic torts and other complex high-profile employee discrimination cases, including class and collective actions. Licensed in Missouri and Kansas. He is immediate past-Chair of the Supreme Court's Dispute Resolution Council. He serves as an Arbitrator for the American Arbitration Association, National Arbitration & Mediation, FINRA Dispute Resolution, and Associates in Dispute Resolution LLC. Larry is a Distinguished Fellow with the International Academy of Mediators.*

9:50 am to 10:40 am **DISPUTE RESOLUTION DESIGN: *Dispute Settlements in the Corporate Arena***

Review of the dispute resolution programs and approaches that are commonly used by companies, corporations, and government agencies to resolve disputes. We will examine the pros and cons to each approach and how these can be structured or combined to improve the likelihood of resolution and avoid litigation.

***Marvin Motley** is an experienced legal professional and business executive. He began his career in private practice before serving as in-house counsel and AVP Human Resources at Sprint Corporation. He is a member of both the Kansas and Missouri Bars and Approved Mediator in the State of Kansas. He provides mediation services in employment and commercial cases in state and federal court in Kansas and Missouri. Marvin received his B.A., J.D., and Master of Public Administration from the University of Kansas.*

10:40 am to 10:50 am **BREAK (10 minutes)**

10:50 am to 11:40 pm **AN OVERVIEW OF THE REVISED MAP MEDIATION PROCESS IN THE WESTERN DISTRICT OF MISSOURI**

In March of 2023, the Court en banc for the United States District Court for the Western District of Missouri adopted an Amendment to the Mediation and Assessment Program's (MAP) General Order effective August 1, 2023. Laurel Stevenson will discuss the Amendment and other developments in MAP, including the use of multiple forms of ADR and new opportunities for neutrals and participants.

***Laurel Stevenson**. After more than two decades as a litigator, Laurel became the Director of the Mediation and Assessment Program (known as MAP) for the United States District Court, Western District of Missouri in 2020. She has conducted hundreds of mediations, including more than 250 Zoom mediations. She has also served as an arbitrator, provided neutral evaluations, and been involved in summary jury trials and mini trials. Laurel is currently a Fellow with the ABA's Section of Dispute Resolution and serves as co-chair of the Section's Court ADR Committee (as of 08-01-23).*

11:40 am to 12:30 pm **LUNCH** (go grab a snack or lunch if you are attending via webinar and join us back here at 12:30 for more sessions).

## AFTERNOON SCHEDULE

### 12:30 pm to 1:20 pm **MEDIATION PREPARATION: PROCESS CONSIDERATIONS**

This panel will explore mediation preparation from distinct perspectives on the preparation process. Join Steve, Orit, and Alicia as they delve into their mediation styles, practice areas, and process design considerations. Explore strategies for managing high-stakes cases, complex issues, cultural nuances, and emotional dynamics. Participate in a Q&A session for practical insights.

**Steve Paul, Esq., Los Angeles, California.** is a full-time Mediator based in Los Angeles, California, primarily mediating labor and employment disputes including discrimination, wrongful termination, harassment and wage and hour, and class-action claims. Steve is a Distinguished Fellow and Immediate Past-President of the International Academy of Mediators and has been an Adjunct Professor at the Straus Institute for Dispute Resolution for the past several years.

**Alicia Kuhn, ADR Chambers and Conflict Management, Toronto, Canada,** is a Mediator and Conflict Management Practitioner for the Director General Alternative Dispute Resolution with the Canadian Federal Government. She has facilitated 800 plus process-inclusive of complex multi-party human rights, Indigenous Government, Workplace, Commercial and Academic Conflicts. Alicia has considerable international mediation experience. She is a Distinguished Fellow with the International Academy of Mediators.

**Orit Asnin, of Orit Asnin Mediation & Conflict Management, Tel Aviv,** has been a full-time mediator for more than two decades. Previously a commercial attorney—she has vast experience in mediating conflicts that are emotionally loaded with extreme cross-cultural differences. She mediates in Israel and Internationally. She is a Distinguished Fellow with the International Academy of Mediators.

### 1:20 pm to 2:10 pm **TO EXPEDITE THE DISPUTE OR NOT? DETERMINING WHEN EXPEDITED ARBITRATION MAKES THE MOST SENSE FOR YOUR CLIENT**

This presentation will cover arbitration generally, including its advantages and disadvantages over court litigation, with a particular emphasis on Expedited Procedures under the AAA Commercial Rules and circumstances when Expedited Arbitration may make the most sense for your clients.

**Angela Gupta is a partner in Associates in Dispute Resolution LLC,** and brings over 30 years of legal experience to her work as a mediator, arbitrator, and independent investigator. Angela previously practiced commercial, employment, and bankruptcy law in two Kansas City law firms and in the U.S. Attorney's Office and served as chambers counsel to Judge Kathryn H. Vratil in the District of Kansas federal court. Angela is an Approved Mediator in Kansas and Missouri federal and state courts and serves as an Arbitrator and Mediator for the American Arbitration Association (AAA) on commercial, employment, and consumer cases.

### 2:10 p.m. to 2:20 p.m. **BREAK (10 minutes)**

### 2:20 p.m. to 3:10 p.m. **AN UPDATE ON TORT AND BAD FAITH LAW IN MISSOURI AND KANSAS**

This discussion will provide information on recent cases and trends of tort and bad faith law in Kansas and Missouri.

**Blake Heath, Esq.,** operates a personal injury practice in Kansas City, Missouri. He has dedicated his career to representing individuals injured by others' negligence. He has experience helping clients in complex personal injury suits, product liability claims, medical malpractice lawsuits, insurance coverage disputes, and class action litigation. Blake has authored several articles and presented on the issues of uninsured and underinsured motorist coverage, litigation around § 537.065, and other insurance disputes. He currently serves on the executive committee for the Missouri Association of Trial Attorneys. When not at work, Blake enjoys spending time with his wife Sakinah, and their three children, Elizabeth, Brooke, and Asher.

**John Cusick** graduated from the University of Missouri-Kansas City School of Law in 2000. John has devoted his entire legal career to litigation and representing injured people and their families. He has focused his practice in the areas of personal injury and employment law. John is licensed to practice law in the states of Missouri and Kansas and is also admitted to practice before the United States District Court-Western District of Missouri and the District Court of Kansas.

### 3:10 p.m. **ADJOURNMENT**

# Registration Information for *Obstacles or Opportunities?*

Friday, November 10, 2023

## In-Person Attendee Options

- \_\_\_\_\_ SAVE \$20.00! Early-Bird In-Person Rate, \$245.00 (postmarked on or before Friday, October 27, 2023). Lunch is on us, and you will receive and electronic version of materials prior to the seminar date. No printed materials.
- \_\_\_\_\_ Regular Rate In-Person Rate, \$275.00 (after October 27, 2023). Lunch is on us, and you will receive and electronic version of materials prior to the seminar date. No printed materials.

## Webinar Attendee Options

- \_\_\_\_\_ SAVE \$20.00! Early-Bird Webinar Rate, \$235.00 postmarked on or before Friday, October 27, 2023). You will receive and electronic version of materials prior to the seminar date. No printed materials.
- \_\_\_\_\_ Regular Webinar Rate, \$265.00 (postmarked on or before Friday, October 27, 2023). You will receive an electronic version of materials prior to the seminar date. No printed materials.

Please use the QR Code below for credit card payments or complete form below and fax, mail or e-mail the registration to: (785) 357-0002 or info@adrmediate.com. Our mailing address is 212 SW 8<sup>th</sup> Ave., Suite 207, Topeka, KS 66603-3937. Please contact us at 785-357-1800 with any questions.

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## CANCELLATION POLICY

**Cancellation policy: In the event you register and are unable to attend, we offer a full refund up to and including November 4, 2023. After November 4, 2023, 80% of registration fees will be refunded for cancellations. Thank you.**