



MAKING IT COUNT: Practical Steps for Successful Mediation in an International Environment

Budapest, Hungary
24–26 September 2014

PREREQUISITES FOR MEDIATION

ROLE AND FUNCTION

PROCESSES AND MECHANICS

GETTING FROM NO TO YES



Kenneth R. Feinberg has been key to resolving many of the United States' most challenging and widely known disputes.

What is the course about?

Led by one of the premier mediators practicing today, Kenneth Feinberg, the course is a unique opportunity to learn from one of the best on when and how to use mediation effectively, receive training on the components of a successful mediation and address how to use mediation to its best advantage in an international environment.

Why is it relevant for you?

While mediation is a proven tool for alternative dispute resolution, there is limited trust in the effectiveness and reliability of mediation in international settings. This course aims to be a stepping-stone in helping multinationals overcome this challenge and acquire the skill and knowledge to facilitate effective mediations.

With the price of litigating continuing to increase, mediation offers a unique opportunity to overcome many challenges in an international setting, particularly in cases when operating in an unfamiliar legal environment. The question is in knowing when and how the Alternative Dispute Resolution (ADR) process can be effective. For example, one critical factor in ensuring a successful mediation is understanding how cultural dynamics will influence the proceedings.

The two-day course will afford participants a major opportunity not only to study the subject of mediation but also for corporate executives and outside counsels to exchange notes and develop and foster business relationships.

What will
the course
cover?

1. **General prerequisites for mediation**—establishing the foundation for a successful and sustainable resolution (e.g. how to work across cultural differences, defining neutrality)
2. **The role and function of mediation within the ADR process**—looking at the multiple options for ADR and when they are appropriate based on the types of disputes (e.g. standards of employment in third and second world companies and how mediation can help issues between governments and companies). This includes examining the natural progression of mediation to arbitration to litigation and how these should be incorporated in contracts.

3. Training on the clinical processes and mechanics of mediation:

- Choosing an effective mediator
- Getting to yes
- Who should participate
- Should the parties be briefed beforehand or should it be done in person?
- How long should a mediation be?

An updated program will be sent to participants in advance of the course.

Why Budapest
and Central
European
University?

As a city, Budapest is very much a nexus point—it is at a crossroads between East and West. It represents a place where many cultures combine and is a dynamic meeting point for engaging in the study of mediation in an international setting. Central European University is a uniquely global, graduate institution focused on the social sciences, law, humanities and business and will serve as the home for the course.

Who is
participating?

The course will bring together counsel for multinational companies, headquartered in Europe and the United States, as well as major international law firms from around the region. Aimed at a targeted audience, the goal of the course is to have in-depth, high-level discussions on these topics where participants not only have a chance to work directly with Ken Feinberg but also to share their experiences and learn from one another through hands-on exercises and discussions.

CEU will afford participants opportunities for networking and will provide the venue to do so.

By when
do I have to
register?

To register, please fill out the online form at

<http://spp.ceu.hu/feinberg>

or contact Ms Ilona Ilyes at ilyesi@ceu.hu.

REGISTRATION DEADLINE IS 2 June 2014.

What does
it cost?

Please be in touch with us regarding the costs of this course.



Kenneth Feinberg

Kenneth R. Feinberg has been key to resolving many of the United States' most challenging and widely known disputes. He is best known for serving as the Special Master of the Federal September 11th Victim Compensation Fund of 2001. He was also appointed by President Obama and BP to design, implement and administer a compensation program to pay the victims of the Deepwater Horizon Oil Rig explosion in the Gulf of Mexico.

Mr Feinberg had a distinguished teaching career as a lecturer at Harvard Law School's negotiation and mediation clinical program, and as Adjunct Professor of Law at Georgetown University, the University of Pennsylvania, Columbia University, New York University, and the University of Virginia.

Ken has served as Fund Administrator for the Hokie Spirit Memorial Fund following the tragic shootings at Virginia Tech and was appointed Special Master in Agent Orange, asbestos personal injury, wrongful death claims, Dalkon Shield, and DES (pregnancy medication) cases.

Ken founded Feinberg Rozen, LLP in 1992 which has become the foremost law firm in the United States specializing in the negotiated resolution of complex legal disputes. It has played a leading role in major class actions, bankruptcies, and private commercial disputes, resolving thousands of disputes involving a wide range of interests and clients. In the commercial sector, Mr. Feinberg designed, implemented and administered an ADR settlement Program involving Liberty Mutual Insurance Company, Zurich N.A. Insurance Company and Hurricane Katrina and other Gulf hurricane claimants.

Ken Feinberg shared the extraordinary experience of compensating the victims of 9/11 in his book *What Is Life Worth?* (Public Affairs Press, 2005). In 2004, he was named "Lawyer of the Year" by the *National Law Journal*, which has also repeatedly named him one of "The 100 Most Influential Lawyers in America".

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Central European University is a graduate-level "crossroads" university where faculty and students from over one hundred countries engage in interdisciplinary education, pursue advanced scholarship, and address some of society's most vexing problems.

A global conveyor, CEU organized more than 400 conferences in 2013, attracting international authorities on major issues of contemporary scholarship. Through exchange agreements and training networks with over 100 universities around the world, CEU creates outstanding opportunities to study.

The newly launched **CEU School of Public Policy** brings together academics, policy makers and business leaders to bridge the gap between academic and practice, looking to find practical solutions to global policy questions. For more information visit www.spp.ceu.hu.

The **CEU Business School** is a standout in the region and beyond and brings business best practice with an understanding for the region that makes it a hands-on and relevant training institute for tomorrow's future business leaders.