

INSIDE STRAUS

Translating Theory into Practice

2015



A YEAR IN THE LIFE OF Straus

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Directors
Peter Robinson and
Thomas Stipanowich

Directors’ Column

This has been an amazing year at the Straus Institute for Dispute Resolution. To tell the story of this year, we have decided to list activities in which Straus participated during each of the last 15 months. These activities range from writing law review articles based on three extensive empirical studies to serving over 550 LLM, MDR, and Certificate students and hosting more than 975 MCLE program participants. The month-by-month narrative you are about to read will speak for itself: it’s been a very exciting, productive, and exhausting year.

We know that such an ambitious agenda would not be possible without the capabilities and commitment of a talented team. It is difficult to express our appreciation for Straus’s full-time staff members.

Shellee Warnes supervises the day-to-day operations with wisdom and grace.

Stephanie Blondell does an amazing job advising almost 200 students who earned a Master’s Degree or Certificate in Dispute Resolution along with their JD degree.

Tim Pownall does a great job mentoring and teaching the negotiation course for about 60 undergraduate students who earned a Certificate in Conflict Management in partnership with Pepperdine’s Seaver College, as well as advising the non-JD and non-lawyer students earning a Master’s in Dispute Resolution.

Sarah Gonzales is relentless and tenacious in recruiting international and domestic students.

Marcelo Rosadilla is the perfect liaison for admitted international students and ambassador to the Brazilian judiciary and legal communities.

Joanna Reese’s attention to detail and service to students in their externship experiences is beyond comparison.

Randi Redman’s incredibly personal relationships with students as the Manager of Student Services personifies Pepperdine’s stated value “that students are the heart of the educational enterprise.”

Jeannie Ruse wonderfully manages the team of student employees that keeps our office going, and she also keeps our finances in check.

Deborah Jasmin, who took a 16-year hiatus from our team, returned to do an outstanding job overseeing faculty and course materials for the academic programs.

Lori Rushford and **Tess Marme**’s execution of a continuous agenda of MCLE events around the world creates a first impression of Straus that radiates professionalism and depth.

In addition to each of these individual’s abilities, we really appreciate that we all appear to like and support each other! We are thankful to our Straus family and for everyone’s contributions to keeping us on task.

The exhaustive list of activities would not be possible without our extensive network of visiting professors and distinguished practitioners who teach over 85 academic courses and 13 MCLE programs every year.

Last year this faculty included (in alphabetical order):

Grant Ackerman	Bruce Edwards	John Lowry	Steve Rottman
Roger Alford	Deborah Thompson Eisenberg	L. Randolph Lowry	Colin Rule
Tracy Allen	Casey Elford	Zack McGee	Ted Russell
Phillip Armstrong	Max Factor III	Denise Madigan	Jennifer Sandoval
Jeff Baker	Jo Anne Frankfurt	Nina Meierding	Don Saposnek
John Barkai	Eric Galton	Anthony Miller	Sukhsimranjit Singh
Jeff Benz	Debra Gerardi	Doug Noll	Stanley Sklar
Stephanie Blondell	Betty Gilmore	Judy Norris	Clara Slifkin
Linda Bulmash	Eric van Ginkel	Jeffrey Paquin	Dan Sloan
Mireille Butler	Dwight Golann	Sarah Park	Robert Stains
Harry Caldwell	Joan Goldsmith	Steve Paul	Joseph Stulberg
George Calkins	André Gomma de Azevedo	Tim Perrin	David Talbot
Merlin Camozzi	Sarah Gonzales	Colby Petersen	Wendy Trachte-Huber
Robert Chandler	Barbara Sugarman Grochal	Richard Peterson	Robert Uhl
Hon. Victoria Chaney	Hon. Matthew Guasco	David Peterson	Zachary Ulrich
Ann Ching	Toby Treem Guerin	Thomas Pfeiffer	Jennifer Victor
Ken Cloke	Michael Helfand	Donald Philbin	Jack Waddey
Jack Coe	John Hurney	Timothy Pownall	Maureen Weston
Richard M. Coleman	Bernard James	Kay Pranis	Hon. Alexander Williams III
Hon. Jacqueline Connor	Irwin Joseph	Michael Rainey	Rachel Wohl
Brian Cox	Jasper Kim	Hilary Reed	Michael Zacharia
James Craven	Randall Kiser	Richard Reuben	Thomas Zgambo
David Doto	Alana Knaster	Leonard Riskin	Zena Zumeta
Hon. John Doyle	Ilhyung Lee	Catherine Rogers	
Bill Eddy	Lela Love	Marcelo Rosadilla	

We appreciate the opportunity to serve as directors of such a vibrant and energized community. We are grateful for the opportunity to do as much good in the world as we can, to spend our lives for a worthy cause. It is an honor to work to empower students and practitioners with skills and understanding to manage their relationships and assist their clients in resolving disputes as constructively as possible. We look forward to continuing to explore how Straus can best apply its resources and expertise to empower and equip dispute resolvers and peacemakers throughout the US and around the world!

Thomas Stipanowich and Peter Robinson

Thomas Stipanowich holds the William H. Webster Chair in Dispute Resolution and serves as academic director and School of Law professor. Peter Robinson serves as managing director and School of Law professor.

May 2014

- May 2–3** Presentations at the semi-annual meeting of the International Academy of Mediators (IAM) in Santa Monica, CA.
- May 16** Graduation of 10 LLM, 20 Master of Dispute Resolution (MDR), and 81 Certificate in Dispute Resolution students.
- May 20** Presentation on “Resolution Techniques for Discrimination Matters” at the Southern California Mediation Association 2014 Employment Institute, co-sponsored by the Straus Institute.
- May 23** Paper presented on “US Attitudes to Investment Protection as Reflected in the Evolving US BIT” to the Biannual International Conference on International Investment Law, in Seoul, Korea.
- May 25** Visit to Saudi Arabian Cultural Mission in Washington, DC.
- May 27** Summer academic program begins offering 16 intensive courses, resulting in 346 class registrations.
- May 27** Lecture on “Recent Developments in American Legal Education in the Field of International Arbitration” to the Judicial Research and Training Institute, Seoul Korea.
- May 27–28** Presentation on “Mediation Skills and Methodology” at Korea University, the Korean Judicial Training and Research Institute, the Seoul District Court, and the Kim & Chang law firm.
- May 28** Lecture at Korea University titled “Trends in the US Model BITs in Light of the Most Recent US Model—The Perceptible Shift Toward Greater Detail and Less Arbitral Discretion.”
- May 28** Presentation to International Educators at the NAFSA Conference on “Using Cultural Analysis for Predicting and Handling Cross-Cultural Misunderstandings.”
- May 29** Briefing to the law firm Shin & Kim on recent developments in US law affecting investor-state arbitration.
- May 30** Briefing to the law firm Bae, Kim & Lee entitled, “A Comparison of the Metalclad and BG cases—Why Seat Still Matters in Investment Arbitration.”



June 2014

- June 2–13** Hong Kong/Beijing Study Tour for eight students.
- June 4–5** Presentation on mediation training for the California Association of Realtors.
- June 5** New Student Orientation for 31 students starting in summer.
- June 12** Briefing on “Recent Developments in American Arbitration Law” at a Beijing arbitration law firm.
- June 15** Lecture on “International Commercial Arbitration” for the Academy of International and Comparative Law, Center for American and International Law, Plano, TX.
- June 19–21** Record 300 participants in attendance at the 27th Annual Malibu Professional Skills Program.
- June 23** Presentation to the EducationUSA Forum: “From Auckland to Zanzibar: Five Steps to Successful International Recruitment Travel”
- June 24–26** Training on negotiation skills for the US Navy in Virginia.

PROFESSIONAL SKILLS PROGRAM GROWS IN ATTENDANCE AND EXPANDS LOCATIONS

In June 2014, the 27th Annual Professional Skills Program had record attendance, with 300 participants from 30 states and six foreign countries. The 20 participants from foreign countries were from: Argentina, Austria, Canada, Greece, Singapore, and New Zealand. This year’s 28th Annual Professional Skills Program attracted 243 participants from 28 states and four foreign countries: Australia, Canada, Ireland, and Singapore. This comprehensive program has grown to consist of 10 simultaneous courses offered with 18 accomplished scholars and practitioners serving as faculty. Course topics ranged from basic mediation and negotiation skills to more advanced and specialized areas like construction, elder care, and family mediation. The program provides three days of unique educational opportunities for practicing professionals. To provide for personalized instruction, enrollment for each course is limited to ensure a close working relationship among the faculty and participants. Course sessions include lectures, small group discussions, and practice exercises. This synergy of ideas provides a truly unique learning experience.

New Nashville Professional Skills Program
October 29–31, 2015

Straus is pleased to announce a partnership with the Institute for Conflict Management at Lipscomb University in Nashville, Tennessee. The president of Lipscomb University is Straus’ founding director, L. Randolph Lowry. This 1st Annual Fall Professional Skills Program will take place on October 29-31, 2015, at the Lipscomb campus. Seven courses will be offered.

International Offering – Tokyo, Japan

Toyko, Japan – December 9-11, 2015

Straus is partnering with Hitotsubashi University to offer an abbreviated Professional Skills Program. This new format will consist of strategic negotiation training on Day 1, mediation skills training on Day 2 and international commercial arbitration training on Day 3.

4th Annual East Coast Professional Skills Program

Baltimore, Maryland – March 17-19, 2016

Straus continues a partnership with the University of Maryland Francis King Carey School of Law. Nine courses will be offered in Baltimore.

29th Annual Summer Professional Skills Program

Malibu, California – June 23-25, 2016

To enroll or to request a brochure please visit straus.pepperdine.edu or e-mail lori.rushford@pepperdine.edu.



July 2014

July 14–15 Two-day workshop on Advanced Negotiations: Skills, Strategies and Ethics, Federal Dispute Resolution Conference, San Francisco, CA.

July 31 Pepperdine University executed a Memorandum of Understanding to collaborate with Heidelberg University in service of LLM students.

Stipanowich Visits at Heidelberg University as Part of a New Collaborative Relationship for European Students to Earn an LLM in Dispute Resolution from Pepperdine

During the summer of 2015, following Pepperdine’s 2014 signing of a Memorandum of Understanding with Heidelberg University, Straus academic director and professor Tom Stipanowich taught in Heidelberg as the Max Kade Visiting Professor at the University Institute for Foreign and Private International and Business Law. His host was Professor Dr. Thomas Pfeiffer. In addition to teaching a course for Heidelberg law students on negotiation theory and practice, Stipanowich delivered a talk at the Heidelberg Center for American Studies on “The Role of ADR in the United States” and conducted a workshop on managing corporate conflict. He lectured on the recognition and enforcement of international arbitration awards under the New York Convention as a part of a course on the law of international dispute settlement in private law. He also participated in a seminar and extended informal discussions with law students and post-doctoral fellows. He observes,

“It is a privilege to partner with Heidelberg University, one of the most venerable educational institutions in the world and a truly rich educational environment. Heidelberg students coming to Pepperdine and the Straus Institute have the opportunity to expand on this very solid foundation by embracing a whole new set of dispute resolution insights and skills.”



This past year, Pepperdine entered into a formal relationship with Heidelberg University’s law school to allow students to transfer 8v units from Heidelberg to Pepperdine’s LLM program. Students pursuing this track will have access to the same dispute resolution coursework as traditional full-year students, but they will be able to complete their LLM at Pepperdine with only one semester of residence in Malibu. Last spring, Heidelberg student Slawa Walzenbach began working on her LLM through

this collaborative initiative by taking courses in Heidelberg. She was able to take Professor Stipanowich’s course when it was offered in Heidelberg this summer, and in Fall 2015, she will attend a full semester of courses in Malibu.



August 2014

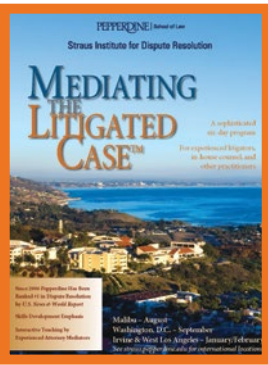
August 4–9 Presentation of three sections of Mediating the Litigated Case program to 120 lawyers in Malibu.

August 12–13 In-house presentation on negotiation training for a private company in Raleigh, North Carolina.

August 14–15 In-house presentation on negotiation training for a private company in Dayton, Ohio.

August 18 Welcome reception and new graduate student orientation for 16 LLM, 16 MDR, and approximately 115 Certificate students, including those earning the Certificate as part of their Pepperdine JD or MBA.

August 25 Fall semester begins with Straus offering 26 courses for 282 law and graduate students.



Mediating the Litigated Case Continues to Expand Around the Globe

The Mediating the Litigated Case program is a sophisticated six-day training for experienced litigators, in-house counsel, and other practitioners. Professionals can study the mediation of litigated cases with the aim of becoming a professional mediator or better advocate.

The program meets annually in three locations in California—Malibu, West Los Angeles, and Irvine—and in Washington, D.C. An exciting component has been to offer the program at international locations as well as hosting groups in Malibu from other countries.

The Thailand judiciary is coming to Malibu for the third time in September 2015. Thirty-six judges will be on the Malibu campus for Mediating the Litigated Case, as well as two days of Advanced Mediation training. Highlighting the program will be two days of site visits to the Los Angeles Superior Court, Centinela Youth Services, JAMS, and Asian Pacific Dispute Resolution Center. Graciously hosted by these four organizations, the site visits offer the judges different areas of focus for mediation.

Taking the Mediating the Litigated Case program to other countries offers opportunities for people who might not be able to come to the U.S. In November, in partnership with the Judicial School of the Tribunal Regional do Trabalho da 1ª Região (TRT 1), the program will be offered for the fourth time in beautiful Rio de Janeiro, Brazil. With the introduction of a new law on mediation and a new code of civil procedure, Brazil is undergoing dramatic and significant changes in its judicial system. Mediating the Litigated Case has empowered Brazilian legal professionals with expertise and skills to adapt to this fast-changing reality in an effective and successful way.

A new location for the program will be Singapore on October 8-10 and 12-13, 2015. Co-sponsored by Aequitas Law, LLP, other sponsoring organizations are Harmony Mediation Group, Society of Mediation Professionals (Singapore) and Singapore Mediation Centre. Our host for the program is the Mediation Chambers of the Supreme Court of Singapore. Peter Robinson, managing director of the Straus Institute, and Judge Irwin Joseph will travel to Singapore to conduct the training.

Mediating the Litigated Case – Offered Around the Globe

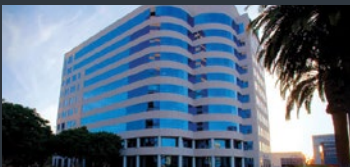
Straus will offer Mediating the Litigated Case in the following locations during the 2015/2016 year:



Malibu, California
August 3-8, 2015



Singapore
October 8-13, 2015



Irvine, California
February 4-6 and 18-20, 2016



Washington, D.C.
September 17-19 and 21-23, 2015



Rio de Janeiro, Brazil
November 9-13, 2015



West Los Angeles, California
February 4-6 and 18-20, 2016

September 2014

September 2 Sixty undergraduate students begin Straus’ Certificate in Conflict Management Program with each taking two courses in negotiation and mediation.

September 2–9 Straus connects with prospective law students in Southeast Asia, making stops in Thailand, Vietnam, Philippines, China, Indonesia, Taiwan, Japan, and South Korea.

September 9–11 Negotiation skills training for the US Navy in San Diego, CA.

September 11–13 and 15–17 Mediating the Litigated Case in Washington, DC for 24 participants.

September 17–18 Straus Institute and Pepperdine’s Graduate School of Business Management host “Reimagining Corporate Conflict Management” workshop.

September 17 “Overview of Mediation in US Courts and Healthcare Systems” at the Korean Medical Dispute Resolution Mediation and Arbitration Agency.

September 17 Webinar for Italy on Legal Education and the Admissions Process.

September 17–18 Negotiation training for the General Counsel’s Office of a ten campus university.

September 23 Mediation Skills for Judges for the San Diego Superior Court.

September 26–27 “Workplace Conflict Resolution Skills,” Department of Labor, San Francisco, CA.

September 29 Professor Coe and his fellow Restatement Reporters brief their American Law Institute Advisers at ALI headquarters in Philadelphia.

September 30 Webinar for Bulgaria on Legal Education and the Admissions Process.

September 28–October 4 Stipanowich named New Zealand Visiting Fellow, gives Annual Lecture on International Dispute Resolution.

Straus Institute and Pepperdine’s Graduate School of Business Management Hosts “Reimagining Corporate Conflict Management” Workshop

On September 17-18, 2014, the Straus Institute for Dispute Resolution and Graziado School of Business Management co-hosted a by-invitation-only, facilitated, interactive workshop designed to address the serious challenges that business organizations face in dealing with conflict, from interpersonal issues in the workplace to high-stakes commercial disputes. “Reimagining Corporate Conflict Management” was intended to explore options that minimize costly conflict escalation, enhance value creation, optimize essential relationships, and align with business objectives and values.

The inspiration for the workshop came from a group of accomplished conflict resolution professionals (including Straus professor Tom Stipanowich and GSBM professor Ann Feyerherm) calling themselves “InnovADR.” The group recognized that although companies have long worked to improve and streamline conflict management through various “alternative dispute resolution” methods, those practices have not fully realized their promise to reduce cost and produce results that serve business interests; there remains significant room for improvement. The group therefore designed the workshop as a means of convening business leaders, corporate counsel, and conflict management professionals to discuss integrative approaches aligning emerging best practices in conflict management with corporate objectives and thereby to transform strategic approaches to corporate conflict at all levels.

Stipanowich Named New Zealand Visiting Fellow, Gives Annual Lecture on International Dispute Resolution

Each year, the New Zealand Law Foundation supports a Visiting Fellowship to facilitate an annual Lecture on International Dispute Resolution by a visiting international scholar. The initiative is co-sponsored by the country’s two leading law schools (Victoria/Wellington and Auckland), as well as by the Arbitrators’ and Mediators’ Institute of New Zealand. In the third year of the program, Professor Stipanowich was invited to be the Visiting Fellow. In addition to delivering the main lecture (twice, in Wellington and Auckland), he gave five other speeches, ranging in topic from mediation and arbitration to a presentation at a local cinema on the subject of Bette Davis, James Cagney, and Olivia de Havilland’s battles with Warner Bros. Studios.



October 2014

October 2 Presentation at Wayne State Law School’s International Arbitration and Business Planning conference.

October 3 Center for Civic Mediation Peer Refresher Training for Junior High Students.

October 6–16 Straus connects with prospective law students in Europe, making stops in Spain, France, Belgium, Netherlands, Germany, Ukraine, Belarus, and Russia.

October 7 Presentation on mediation skills at the state conference of Association of Realtors.

October 8 Webinar on “Salient Issues Confronted by the Restatement Drafters” sponsored by the Institute for Transnational Arbitration.

October 9 Summit on International Commercial Arbitration.

October 9–10 Negotiation skills training in-house for a private company in Dayton, Ohio.

October 11–12 Straus students participate in the Entertainment Law Negotiation Competition at Southwestern University Law School in Los Angeles, CA.

October 15 Presentation on “Cultural Differences in Mediation” at the Belarus Conference on Mediation.

October 16 Presentation to EducationUSA Advisors on “Managing Difficult Conversations.”

October 17 Presentation to parents at Family Day for Pepperdine School of Law.

October 18 Pepperdine meets with prospective students at the LSAC Forum in New York, NY.

October 22 Presentation about international commercial arbitration at UC Irvine for international students.

October 23 Presentation entitled “Women are Crazy Because Men are Stupid, and Other Gender Issues,” International Academy of Mediators, Chicago, IL.

October 24 Investor Advocacy Clinic law students win prestigious Beckley Writing Competition for second year in a row.

October 24–27 Straus hosts more than 30 schools from around the world at the Foreign Direct Investment Competition.

October 24 Professor Blondell inducted into International Academy of Mediators as Honorary Fellow.

October 27 Webinar for Slovak Republic on legal education and the admissions process.

October 28–30 Negotiation skills training for the US Navy in Hawaii.

October 30 US Chamber of Commerce Works in Progress Colloquium. Professor Coe provided an analysis and critique of the Professor Alan Syke’s work-in-progress addressing the necessity defense in investor-state arbitrations.



The Foreign Direct Investment Moot

In any given year, direct foreign investment disputes involve amounts in controversy totaling many billions of dollars. The Straus Institute at Pepperdine School of Law was among the earliest institutions to offer a regular course devoted to investor-state arbitration, with its distinctive features and many challenges. It was therefore natural that Pepperdine, in 2006, would also be one of the institutions founding the Foreign Direct Investment International Arbitration Moot, a competition that annually brings together dozens of teams from around the world to argue both sides of a timely investor-state case. The Moot has become an important fixture in the international arbitration community as a training ground for arbitration advocates and as a vehicle for examining important questions arising out of investor-state disputes.

On October 24-27, 2014, Pepperdine hosted teams from 30 law schools and a full complement of international arbitrators to judge the rounds. Masters of ceremonies for the event were Professor Jack Coe, Straus faculty director for the LLM in Dispute Resolution International Commercial Arbitration program; FDI Moot director Christian Tyler Campbell; and event manager Manuela Ines Wedam from the Center for International Legal Studies.

For the Straus Institute, the FDI Moot is part of its twin commitments to advance a better understanding of the theory and practice of international dispute settlement and to maintain a vibrant and welcoming place for all in the international commercial arbitration community.

November 2014

November 1–9 Pepperdine meets with prospective Indian law students in New Delhi, Mumbai, Hyderabad, Kolkata, and Chennai.

November 2–8 Presentation about upcoming scholarship at AALS-ADR Section at Southwestern School of Law.

November 6 Presentation by arbitrator Michael Hwang on “Corruption and International Commercial Arbitration.”

November 7–8 17th Annual National Entertainment Moot Court Competition.

November 8 26th Annual Southern California Mediation Association Conference at Pepperdine School of Law consisting of 22 workshops for 250 participants.

November 10–14 Presentation on mediation skills for judges on court that specializes in protecting workers in Rio de Janeiro, Brazil.

November 12–15 ALI Reporters hosted on campus for International Commercial Arbitration Restatement drafting sessions.

November 13 Webinar for Uruguay on Legal Education and the Admissions Process.

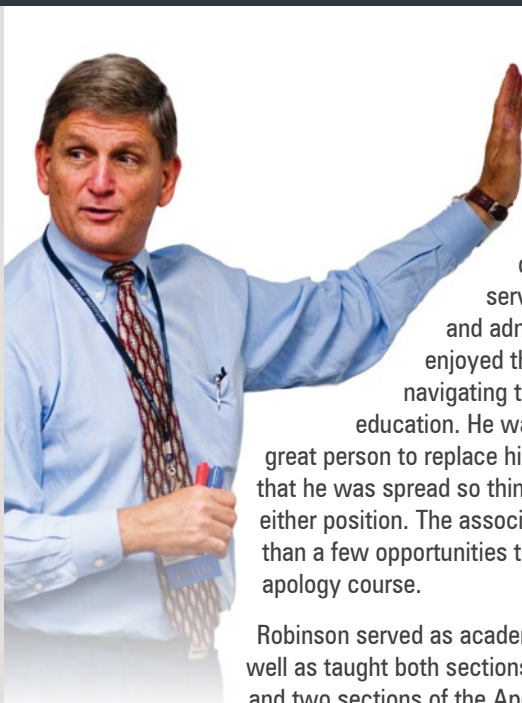
November 17–21 Presentation on mediation skills for judges on court that specializes in protecting workers in Salvador, Brazil.

November 19–20 Trainings on “Public Sector Negotiation Skills” and “Finding Common Ground: Promoting Civil Discourse on Divisive Issues” for the National League of Cities in Austin, TX.

November 20–21 Keynote speech and a workshop at the Jurist Kongress conference for lawyers in Oslo, Norway.

November 25 Presentation about international commercial arbitration at UCLA for international students.

November 25 Professor Anthony Miller appointed to the Los Angeles County Employee Relations Commission.



Peter Robinson, Managing Director

The 2014-2015 academic year was a busy one for Peter Robinson.

In addition to serving as managing director for the Straus Institute, he served as the associate dean for finance and administration for the School of Law. He enjoyed this opportunity to assist the dean in navigating the current fiscal challenges in legal education. He was also relieved when the dean found a great person to replace him as associate dean, readily confessing that he was spread so thin that he was not doing a great job in either position. The associate dean position allowed him more than a few opportunities to practice the principles in his apology course.

Robinson served as academic advisor for 75 LLM students, as well as taught both sections of Mediation Theory and Practice and two sections of the Apology, Forgiveness, and Reconciliation courses. He also taught the MLCE workshops for Mediating the Litigated Case in August and February as well as the Professional Skills Program at Malibu in June and at the University of Maryland in March. He taught Mediating the Litigated Case in Rio de Janeiro and negotiated the ongoing partnership with the Judicial College in Rio de Janeiro. He presented at the ABA’s Conference for the Section in Dispute Resolution and off-campus workshops for a variety of entities including the Minnesota Bar’s mandatory continuing education office, law schools and courts in Korea, and a mediation conference in Greece.

Since he ceased being associate dean in April, he has been leading an effort to expand Straus’ LLM program over the next three years. He is also very much enjoying his first grandchild.

Straus Collaborates with Brazilian Judicial College

After a very successful start in January 2014, the Straus Institute and the Regional Labor/Employment Tribunal continued to strengthen their partnership by presenting the Mediating the Litigated Case at the Judicial Schools in Rio de Janeiro (1st Region) and Salvador (5th Region) in November. The program was attended by about 50 judges in each city, including representatives of the National Council of Justice and other tribunals in the country.

Brazil is undergoing significant changes in its judicial reality as a result of the aggressive governmental incentive towards resolving disputes through mediation, including the introduction of a brand new law of mediation which took effect on June 25, 2015. These developments have made it imperative that local legal professionals become equipped with the necessary knowledge and skills to supply the society with an efficient and appropriate means of resolving disputes that is both compatible with the law and with the socioeconomic reality in the country.

Because of the absolute success of the program taught by professors Peter Robinson, Tracy Allen, Marcelo Rosadilla, Michael Siboni, and Judge Alexander Williams III, the Straus Institute and the Escola Judicial of the Regional Employment Tribunal of the 1st Region – Rio de Janeiro have established a first-of-its-kind partnership to further develop the study of mediation and potential applications by the Brazilian judiciary. The first program stemming this partnership will be held in Rio from November 9 to 13 and is open to all judges, lawyers, and legal professionals from both Brazil and the US.

December 2014

December 3 Consultation for representatives from a labor union anticipating mediation of the terms of a collective bargaining agreement.

December 4–5 “Women’s Negotiation Academy: Creating Sophisticated, Skilled Negotiators” for 17 participants.

December 29–January 2 Winter Intensive Academic Program, consisting of five courses attended by 73 students.



Lifting Women to Lift the World: Women in Negotiation Academy

Straus launched its first Women in Negotiation Academy, “Creating Sophisticated and Skilled Negotiators,” in December 2014. The program was taught by Professor Stephanie Blondell and commercial mediator and adjunct professor Denise Madigan. The academy was inspired by a popular sentiment that empowering women is key to solving many of the world’s most challenging problems. Teaching women negotiation skills contributes equally to promoting justice, solving problems, and serving peace.

The training curriculum is divided into two days: Day 1 is “Negotiating for Self”; Day 2 is “Negotiating for Others.” On top of the training curriculum, each participant receives individual coaching from leaders in the legal and mediation community in Los Angeles. The feedback during negotiation simulations supports transformation. The program’s intent is not for the participants to simply take in knowledge, but to become better, more confident, and skilled in their next negotiations.

The Academy will be offered twice yearly, in Malibu in July and at the Pepperdine West Los Angeles Graduate Campus in December.

Assistant Professor Stephanie Blondell

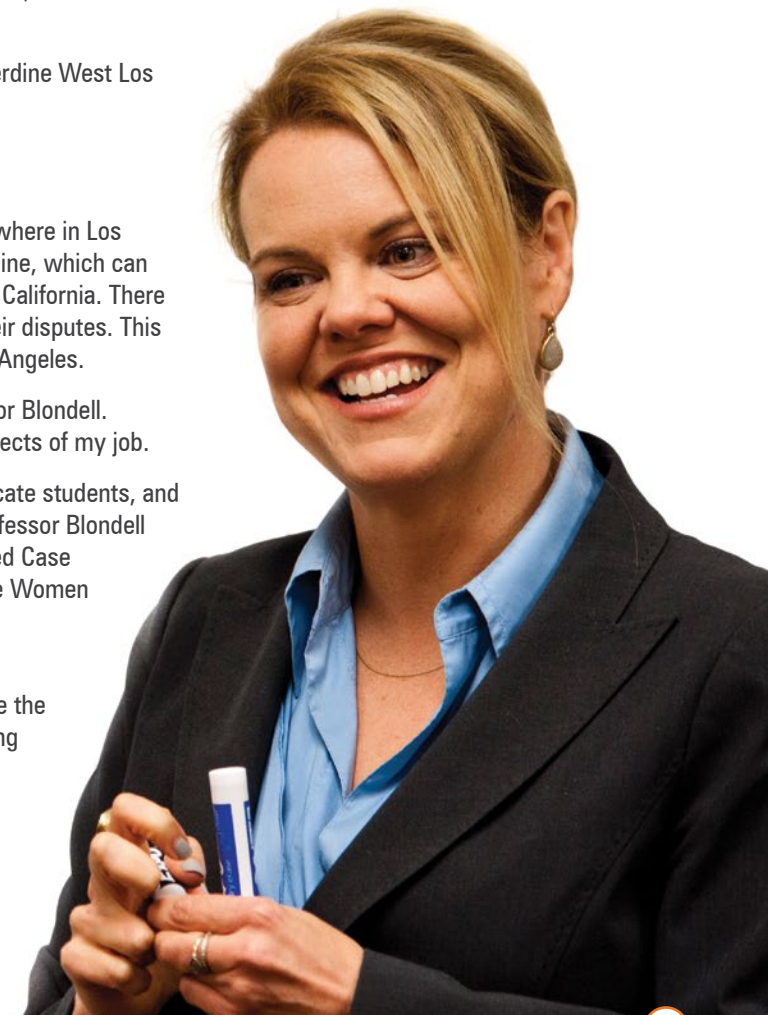
A day in the life of Assistant Professor Stephanie Blondell could happen anywhere in Los Angeles County. Professor Blondell manages the Mediation Clinic at Pepperdine, which can bring her to the courthouses in Van Nuys, Inglewood, Downey, or Alhambra, California. There she works with students to serve the citizens of Los Angeles in resolving their disputes. This past year, Pepperdine students mediated 1,200 cases for the citizens of Los Angeles.

“Our students have a tremendous impact on their community,” says Professor Blondell. “Watching our students realize that impact is one of the most rewarding aspects of my job.”

Professor Blondell is also the academic advisor for all of JD/MDR and Certificate students, and she regularly teaches the Psychology of Conflict Communication course. Professor Blondell also serves as the lead trainer in the Washington, D.C. Mediating the Litigated Case Program, the Mediation Skills for Judges program in Perth, Australia, and the Women in Negotiation Academy.

“Teaching at the law school—specifically participating in academic/career advising—inspired me to teach Women in Negotiation Academy. When I see the struggles that women have with confidence, or with simply seeing the playing field accurately, I wanted to make a difference.”

Readers acquainted with Professor Blondell may have also noticed that Professor Blondell changed names this year, from Bell to Blondell. Congratulations to her on her marriage.



January 2015

January 5 Welcome reception and New Graduate Student Orientation for 12 LLM, five Master of Dispute Resolution (MDR), and one Certificate in Dispute Resolution students.

January 5 Spring semester begins with Straus offering 27 courses for over 250 law and graduate students.

January 7–9 Mediation skills training for a state association of realtors.

January 12 Spring semester begins for 60 undergraduate students taking two ADR courses each.

January 13 On-campus presentation: “What You Need to Know About Global Legal Ethics in 2015.”

January 14 Book launch for Professor Catherine Rogers’ monograph, *Ethics in International Arbitration*, in conjunction with Sheppard Mullen and Arnold & Porter.

January 15–16 Straus research project is focus of January meeting of the Institute for Transnational Arbitration in Houston, TX.

January 16 Presentation on Chapter 2 of ICA Restatement for the Council of the ALI, Philadelphia.

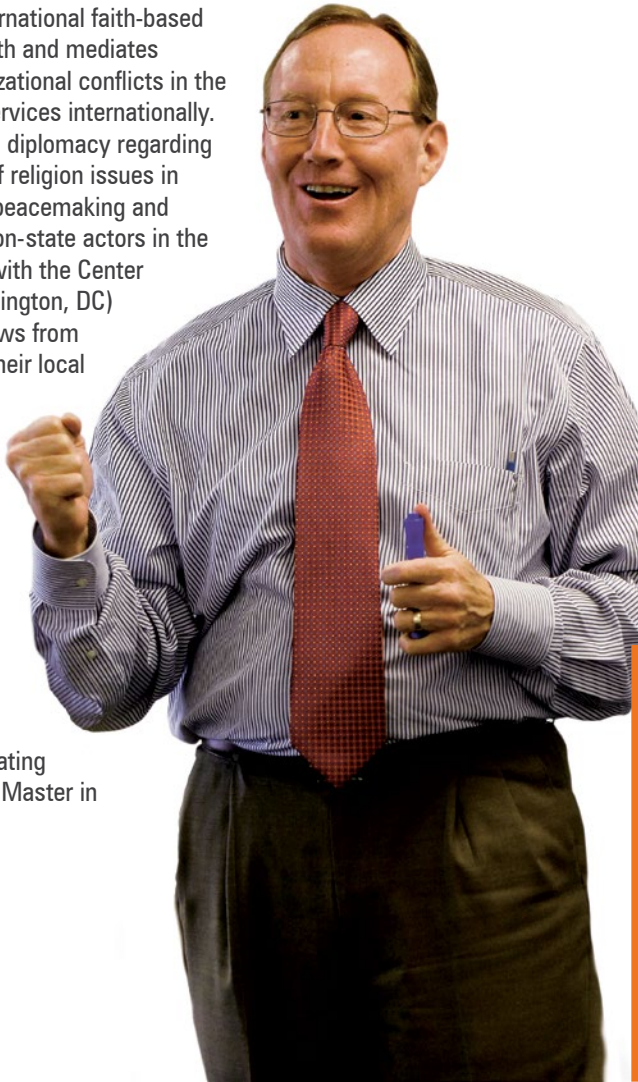
January 23 Presentation on “Continuing Legal Education on Cross Cultural Conflict” for the Pepperdine Alumni Association.

January 28–30 Straus students compete in the 8th Annual National Baseball Arbitration Competition hosted by Tulane University in New Orleans, LA.

Tim Pownall, Assistant Director and CCM Program Director

Assistant Director William (Tim) Pownall shepherds the Straus Institute’s non-JD academic programs. As a faculty member and an academic/career advisor, he also serves as a liaison between the Institute’s strong student constituencies at the graduate and undergraduate colleges of Pepperdine University. Further, he continues to direct the PACIS Project’s domestic and international faith-based diplomacy initiatives. Tim consults with and mediates congregational and faith-based organizational conflicts in the US and provides peacemaking help/services internationally. Pownall is engaged in ongoing Track II diplomacy regarding freedom of conscience and freedom of religion issues in Asia and with diplomatic faith-based peacemaking and reconciliation efforts with state and non-state actors in the Middle East. He is currently working with the Center for Women, Faith & Leadership (Washington, DC) to train 10 distinguished women Fellows from around the world to better negotiate their local political environments toward more effective leadership outcomes.

Professor Pownall continues to train in the Institute’s professional Mediating the Litigated Case program as well as for various public agency and NGO organizations. He serves on the ABA’s Dispute Resolution Section’s Subcommittee on Ombuds as well as leads Straus’ conversation with the International Ombuds Association in regards to creating a concentration in ombuds for Straus’ Master in Dispute Resolution degree.



February 2015

February 2 Webinar for Egypt on Legal Education and the Admissions Process.

February 4–5 Training in negotiation skills for a union’s negotiating committee in Dallas, TX.

February 4–11 10th ICC Mediation Competition in Paris.

February 5–7 and 19–21 Mediating the Litigated Case in Irvine, CA for 40 participants.

February 10–12 Negotiation skills training for the US Navy in Seattle, WA.

February 14 Pepperdine hosts the 2nd Annual Pre-Vis Arbitration Moot.

February 19–21 Pepperdine Law student Caley Turner receives award for outstanding article at CPR Annual Meeting.



Straus’ Undergraduate Certificate in Conflict Management – “Coming on Strong!”

The Undergraduate Certificate in Conflict Management (CCM) is a joint enterprise of two highly successful programs, the Straus Institute—recently ranked the top dispute resolution program in the world for the 11th consecutive year—and Seaver College, Pepperdine University’s undergraduate college of letters, arts, and sciences, which enrolls approximately 3,200 students who reflect the highest standards of academic excellence and personal conduct.

The one-year joint certificate program—running from fall through spring each year—has experienced phenomenal growth as a result of student demand. The CCM program has expanded from 26 students two years ago to 60 students last year and then to 112 students in fall of 2015. The CCM program provides a distinctive curriculum combining academic understanding and practical skills development in the focal areas of critical thinking, creative problem solving, and collaborative deal-making.

Professor Maureen Weston

Professor Maureen Weston combines her long-time interests in sports law and dispute resolution through her work with students in a variety of dispute resolution competitions. Professor Weston, who continues to compete on the tennis court, takes on the role of coach to Pepperdine law students as they compete nationally and internationally in ADR competitions. As faculty advisor to the Sports Entertainment Society and Director of the Entertainment, Media & Sports Dispute Resolution Project (EMS-Straus), Weston works closely with student leaders and industry experts to develop opportunities for on-campus industry expert speakers and conferences, interdisciplinary coursework, and externships in this area. This past year, Weston coached student teams in five competitions, including

- (1) Thomas Jefferson National Sports Law Negotiation Competition;
- (2) Southwestern Entertainment Law Negotiation Competition;
- (3) Tulane Baseball Arbitration Competition;
- (4) Fordham NBA Negotiation Competition; and
- (5) ICC International Mediation Advocacy Competition. Weston also serves on the national committee which administers the ABA’s Arbitration Competition.



The Straus Institute’s assistant director and CCM Program Director, Tim Pownall, says, “Student evaluations most often mention the words ‘empowerment’ and ‘confidence’ as they enthusiastically describe their ‘takeaways’ from the program. Students who have completed the Certificate have a better sense and appreciation for “What” they are learning in their undergraduate courses at Seaver and “How” to use their new skills to plan for and implement their future goals ... to be strategic. The program’s remarkable growth and popularity is largely due to favorable student ‘word-of-mouth’ year over year!”

To earn the Certificate in Conflict Management, students must complete four Straus Institute and law courses taught by the institute’s faculty plus two additional Seaver College upper-level courses. The Seaver Straus Certificate in Conflict Management requires between 14 and 16 units for completion, depending on course selection. Eligibility for the Certificate in Conflict Management requires successful completion of 60 units with a minimum GPA of 3.0.

March 2015

March 5 Straus and the International Chamber of Commerce host a Young Arbitrators Conference featuring Lucy Reed of Freshfields and Professor Tom Stipanowich of the Straus Institute.

March 6 Straus presents a conference on “Korea’s Emergence as a Global Arbitration Player,” featuring speakers from Morrison & Foerster, Shin & Kim, Kim & Chang, and Bae, Kim & Lee.

March 11–13 Mediation training for judges in Perth, Australia.

March 12 *U.S. News & World Report* ranks Straus the top dispute resolution program for the 11th year in a row.

March 19–21 3rd Annual Baltimore, Maryland Professional Skills Program in Dispute Resolution.

March 21 Presentation to International Academy of Trial Lawyers.

March 21 Straus students compete in the National Basketball Competition hosted by the Fordham Sports Law Forum in New York, NY.

March 23 Keynote remarks at NYU Law School on the topic “Public Purpose in International Law—a Critique of Fraga and Reetz.”

March 27 Straus facilitated a goal-setting meeting for Murrieta City Council.

March 30 Webinar for Sao Paulo on Legal Education and the Admissions Process.

March 30–April 2 Straus professor served as mock arbitrator at the Vis Moot Court Competition in Vienna, Austria.



Jack J. Coe, Jr., Faculty Director – LLM Program

Jack J. Coe, Jr., divides his time among teaching, scholarship, consulting, and arbitrating—activities that, in his case, invariably have an international facet. Any given year will find Coe making multiple trips abroad, carrying a passport full of stamps from around the world. His work also regularly takes him to Washington

DC, New York and Philadelphia. Coe specializes in disputes involving sovereign States, but his many books and articles also address international commercial arbitration in general. As an Associate Reporter for the forthcoming American Law Institute *Restatement on International Commercial Arbitration*, Coe has also devoted several years to a project that will result in an authoritative reference for courts and practitioners throughout the United States.

A Look at the International Commercial Arbitration Program

The International Commercial Arbitration (ICA) curriculum is made up of several highly interactive seminars: Theory and Doctrine, Practice and Procedure; ICA and the Courts, ICA Ethics, and Investor–State Arbitration. There is also an ICA Advocacy seminar that considers both the theoretical and the practical elements of effective case presentation. The instructors are internationally recognized figures in the ICA community—often holding permanent posts at other world-class institutions—who have been attracted by the prospect of bright, highly motivated students pursuing concentrated studies organized by the Institute in a purposeful, systematic manner. Because the LLM program attracts lawyers from all over the world, admittees learn not only from their instructors but fellow LLM candidates, a truly international setting.

Also contributing to Straus’ stellar international reputation are the many organized non-classroom events. Only a short jaunt up the coast from Los Angeles International Airport, Straus draws numerous guest speakers to the Malibu campus each year. Many international institutions have come to consider Straus a valued partner. The International Chamber of Commerce (ICC), for example, chose Straus for its March 2015 Southern California Young Arbitrators Conference, attended by lawyers from as far away as Seoul.



Pepperdine Hosts Prestigious Fulbright Scholars for 8th Consecutive Year

For the eighth consecutive year, Pepperdine has been selected to host prestigious Fulbright Scholars from around the globe. Prior Fulbright Scholars have been from Germany, El Salvador, Egypt, Panama, Ukraine, Tunisia, Russia, and South Africa. This year, Pepperdine graduated two Fulbright scholars from Russia, Dmitry Andreev and Elena Cherkasova, both earning concentrations in International Commercial Arbitration.

Before attending Pepperdine, Elena and Dmitry completed their studies at top law schools in Russia and worked in top-tier Russian law firms. Elena graduated from Lomonosov Moscow State University and afterwards practiced law in Sirota & Mosgo Law Firm, concentrating primarily on commercial matters. Dmitry was a student at Moscow State Institute of International Relations (MGIMO–University) and later joined a dispute resolution team of Monastyrsky, Zyuba, Stepanov & Partners.

As part of their Fulbright leadership project, Elena and Dmitry plan to contribute their new knowledge and skills to law practice in Russia, as well as share their experience with the Russian legal community. Elena and Dmitry described the program at Straus as “breathtaking,” “extremely interactive and informative,” and “entirely chang[ing] their] civil law perception of world of ADR and international arbitration.”

The Fulbright Program was established by Congress in 1946 and is the largest US international exchange program for students, scholars, and professionals pursuing advanced study, research, and teaching in the United States. Pepperdine will be welcoming a Fulbright scholar from Bolivia in Fall 2015.

April 2015

April 8-10 Mediation skills training for a state association of realtors.

April 13 Presentation at Russel McVeagh Law Firm in Wellington, New Zealand.

April 13 Pepperdine representative was featured speaker at Masters of Laws Conference at Fulbright New Zealand.

April 15 Presentation at the South Eastern Annual Conference on Dispute Resolution at Lipscomb University.

April 15 Presentation on “Reality Testing: The Micro and the Macro,” King County Bar Association, ADR Section, Seattle, WA.

April 16 Presentation on “Not Gender Neutral: Mediation Advocacy and Gender,” American Bar Association, Section on Dispute Resolution, Seattle, WA.

April 16 Presentation at the ABA Dispute Resolution Section Annual conference in Seattle, WA.

April 17 Straus professor refereed an exchange between professors George Bermann and Alan Rau at the Pepperdine Law Review Symposium, “International Arbitration and the Courts.”

April 17 Negotiation training at the Minnesota CLE Institute on Workers’ Compensation in Minneapolis.

April 21 Presentation at Queen Mary College, London: 30-Year Anniversary of the School of International Arbitration, Roundtable on Teaching International Commercial Arbitration.

April 22 Presentation at University of California in Riverside on International Commercial Arbitration for international students.

April 22 Webinar for Armenia on Legal Education and the Admissions Process.

April 23 Webinar for Peru on Legal Education and the Admissions Process.

April 23–26 Sponsor of the Path To Peace Level at the 7th Annual Mediators Beyond Borders Congress in Bucharest, Romania.

April 24 LLM graduates give oral presentations of their Independent Study Projects.

April 30 Graduation reception for 60 undergraduate students who earned a Certificate in Conflict Management.



Straus Provides Mediation Skills Training in Australia

Assistant professor Stephanie Blondell and Judge Alexander Williams III traveled to Perth, Australia, to train the State Administrative Tribunal (SAT) in a three day course on mediation in a litigated and regulatory setting in March 2015. The Honorable Justice Jeremy Curthoys, a Supreme Court judge who is the president of SAT, welcomed Professor Blondell and Judge Williams warmly.

The SAT judges invited mediators from their community to participate, including four Supreme Court Registrars (full-time mediators in the Supreme Court) and a few restorative justice mediators from the Perth Criminal Court.

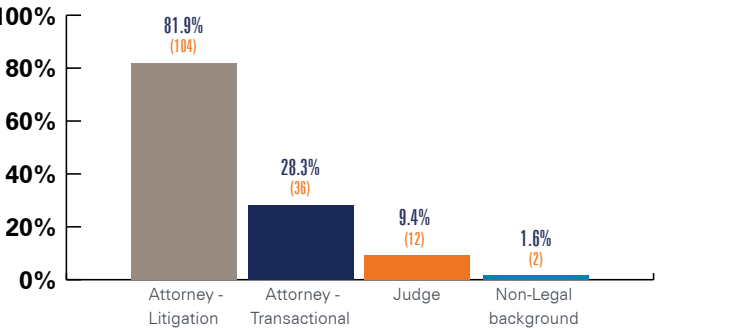


Key Findings from the College of Commercial Arbitrators/ Straus Institute Survey of Experienced Arbitrators

Invited by the College of Commercial Arbitrators (CCA), an organization of more than two hundred of the U.S.’ leading arbitrators, to report on challenges facing arbitration, Professor Tom Stipanowich conducted an extensive canvas of practices and perspectives among experienced arbitrators. Many new insights emerged from the CCA / Straus survey.

Professional and gender “gaps.” Reflecting the increasing legal orientation of arbitration, nearly all survey respondents had background in law practice.

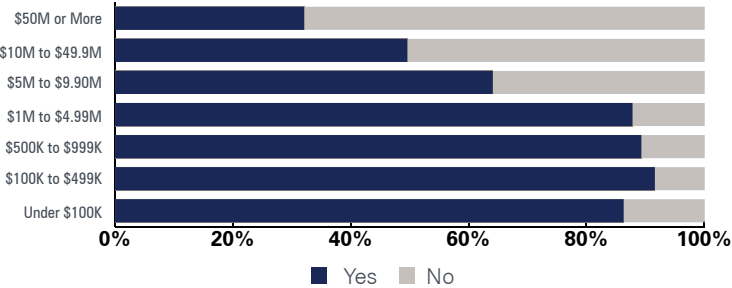
PROFESSIONAL BACKGROUND OF RESPONDENTS



Only 15.4% of respondents were women, mirroring historic barriers to their advancement in the legal profession. The data also show that most respondents lacked sufficient work as arbitrators, although many also work as mediators, early neutral evaluators or case assessors; most expect to do more international arbitration.

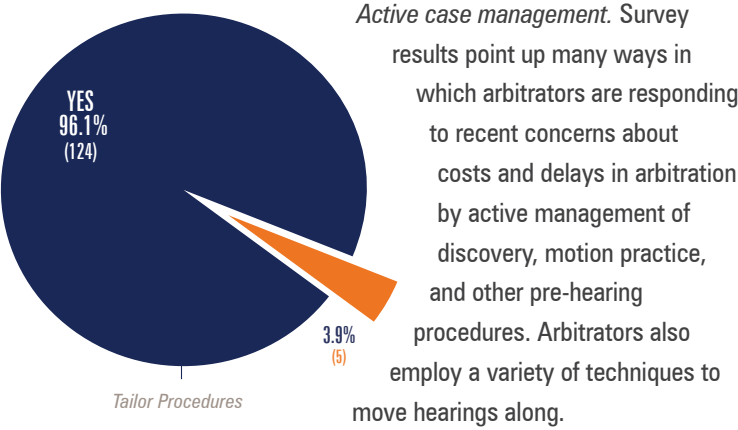
Broad experience. Most respondents claimed experience with streamlined or fast-track processes, ad hoc arbitration, and arbitration under non-administered rules; some had arbitrated under final-offer, appellate, and emergency procedures. Most also had served on “tripartite” tribunals with party-appointed wing arbitrators on “tripartite” tribunals. A surprising number had served as sole arbitrators in very large cases.

EXPERIENCE AS SOLE ARBITRATOR



Arbitration and settlement. Respondents during the course of arbitration reported that settlement is becoming increasingly prevalent, that arbitrators experience widely varying rates of settlement and express contrasting views of the scope of their role, if any, in the settlement of disputes (including setting the stage for settlement by process management or, in some cases, med-arb).

EXPERIENCE WORKING WITH PARTIES TO TAILOR ARBITRATION PROCEDURES



Standards for decision-making. Users sometimes express concerns about arbitrators paying heed to applicable law; the survey results indicate that where legal issues are in play, experienced arbitrators tend to be conscientious in paying attention to legal arguments and addressing disputes in a manner consistent with applicable law. However, more than a quarter of respondents “feel free to follow [their] own sense of equity and fairness in rendering an award even if the result would be contrary to applicable law,” at least some of the time—a response that indicates the need for additional discussion and investigation.

Negotiation during deliberations. Do arbitrators negotiate with each other? Yes, according to the survey; nearly nine-tenths of respondents said they “negotiate with other members of a tribunal respecting the quantum of damages to be awarded” —again, suggesting the need for further investigation. Another salient statistic related to the leanings of wing arbitrators appointed by individual parties: a majority of responding arbitrators believed “party-arbitrators” are sometimes predisposed toward “their” party even when deliberating on and making awards.

For more information and analysis, see:

Stipanowich, *Reflections on the State and Future of Commercial Arbitration: Challenges, Opportunities, Proposals*, 25 COLUMBIA AM. REV. OF INT’L ARB. 297 (2014), available at SSRN: <http://ssrn.com/abstract=2519084>

Stipanowich & Ulrich, *Arbitration in Evolution: Current Practices and Perspectives of Experienced Commercial Arbitrators*, 25 COLUMBIA AM. REV. OF INT’L ARB. 395 (2014), available at SSRN: <http://ssrn.com/abstract=2519196>

Key Findings from the International Academy of Mediators/ Straus Survey

Straus’ survey of experienced arbitrators inspired discussions leading to a parallel canvas of experienced mediators from the US and abroad, co-sponsored by the International Academy of Mediators (IAM). Long-time Straus adjunct Jeff Krivis and fellow mediator Jerry Weiss assisted Professor Stipanowich and Research Fellow Zach Ulrich in developing the IAM / Straus Institute Survey on Mediator Practices and Perceptions. Again, the response produced an unprecedented array of data on what mediators think and do, from preliminary preparations to follow up. Again, some of the results are striking.

Professional, gender and ethnic gaps. As in the arbitrator poll, the great majority (more than nine-tenths) of respondents claimed backgrounds as attorneys. Although a slightly greater percentage of females (22%, as compared to 15% among arbitrators) appeared in the ranks of experienced mediators, the numbers similarly reflect traditional barriers to female advancement in law practice, at least in the US. A more stunning result was the lack of racial diversity in the group—all but two of 130 respondents were Caucasian!

Breadth of practice. Nearly three-fourths of respondents had mediated at least a thousand cases (and some, several thousand). The typical mediator handled multiple kinds of civil cases.

Wide diversity of practice. Mediators’ responses to an extensive list of questions about their practices revealed some ways in which practices seem to converge. For example, the great majority (85%) of respondents said they usually or always have counsel submit pre-mediation briefs or other position papers.

However, mediators were much more divided on the question of having counsel share such information with the other side.

Some apparent regional differences. Among the most interesting and thought-provoking aspects of the Survey response are those which suggest that in some cases mediation practices trend differently by region. As the following chart suggests, respondents practicing in the US tended to be more likely than their counterparts abroad to begin mediation with the parties in caucus, and California mediators were collectively more likely to employ this approach than mediators practicing in other states.

Similar trends were observed with respect to the practice of keeping parties in caucus throughout mediation. In addition, US practitioners, and particularly those in California, were more likely than mediators practicing in other countries to use mediator proposals, to offer predictions about how parties’ cases would fare in court or arbitration, and to share opinions regarding the strength of arguments made by parties or counsel.

Perceptions of the impact of counsel. In addition to indicating various ways in which mediators interact with counsel, Survey responses highlight mediators’ perceptions about the impact of attorneys. More than three-quarters viewed the increasing familiarity of lawyers with mediation as a positive development, 90% believed that attorneys usually, if not always, employed mediation for its given purpose—resolving a dispute. However, the great majority (86%) recognized that at least sometimes, lawyers use mediation for the mere purpose of postponing settlement; half (50%) believed counsel sometimes seek to employ mediation to harm another party.

Be watching for the full, published version of the IAM / Straus Survey, with analysis!

“TO WHAT EXTENT, IF EVER, DO YOU REQUIRE THE FOLLOWING BEFORE MEDIATION?”

	Never	Sometimes	About Half the Time	Usually	Always
Counsel submission to you, the mediator, of pre-mediation mediation briefs or position papers	5.0% (6)	9.9% (12)	0.0% (0)	29.8% (36)	55.4% (67)
Counsel submission, to each other, of pre-mediation mediation briefs or position papers	19.0% (23)	28.1% (34)	5.0% (6)	24.0% (29)	24.0% (29)

“I BEGIN THE MEDIATION WITH ALL PARTIES IN CAUCUS.”

	Never 0	Sometimes 1	About Half the Time 2	Usually 3	Always 4	Weighted Average
All Mediators	24.4% (27)	35.7% (45)	3.2% (4)	25.4% (32)	14.3% (18)	1.75
Mediators Practicing in U.S.	17.2% (16)	37.6% (35)	3.2% (3)	30.1% (28)	11.8% (11)	1.82
Mediators Practicing outside U.S.	37.8% (14)	27.0% (10)	2.7% (1)	13.5% (5)	18.9% (7)	1.24
Mediators in California	14.0% (6)	32.6% (35)	0.0% (0)	34.9% (15)	18.6% (8)	2.12
U.S. Mediators outside California	19.4% (12)	38.7% (24)	4.8% (3)	27.4% (17)	9.7% (6)	1.69

Tom Stipanowich, Academic Director

As academic director of the Straus Institute and holder of the William Webster Chair in Dispute Resolution, Tom Stipanowich guides the Institute's "think tank" function. He balances his teaching and training responsibilities with a widely varied range of research and writing projects, programs, and presentations, domestically and abroad.

In October, 2014, he delivered a series of lectures and presentations as the New Zealand Law Foundation's International Visiting Dispute Resolution Scholar. Another highlight was his appointment as Max Kade Visiting Professor at Heidelberg University's prestigious Institute of Private Law, where he taught a course on negotiation and gave other lectures, speeches, and workshops in the summer of 2015.

Stipanowich's groundbreaking empirical research has attracted considerable national and international attention. His study of the practices and perspectives of experienced arbitrators was a focus of a meeting of the Institute for Transnational Arbitration and the subject of an entire issue of Columbia's *American Review of International Arbitration*. The parallel study of experienced mediators was the subject of panel discussions at the annual meetings of the CPR Institute, the International Academy of Mediators (IAM), and other groups.

Stipanowich's passion for history animates his ongoing research on actor-studio disputes and on Abraham Lincoln's career as lawyer, politician, and US President. His colorful program "Rebels on the Lot," which details the backstories of Bette Davis, James Cagney, and Olivia de Havilland at Warner Bros. Studios in the 30s and 40s, was recently the subject of presentations to the International Academy of Trial Lawyers and an audience at a cinema in Wellington, New Zealand! His "Lessons from Lincoln" program is regularly delivered in person and online.

His ambitious plans for the coming year include the conference "Managing Conflict 4.0: A New Wave of Opportunities for Businesses around the Globe" (cosponsored by KPMG and the US Chamber of Commerce) and a new "Community of Thinkers" workshop, as well as an in-depth survey of corporate counsel on resolution of construction disputes. He is most excited about working on a new book, *The Lincoln Way: Abraham Lincoln's Evolution as a Negotiator, Problem Solver and Manager of Conflict*, during his sabbatical in the spring semester of 2016.



May 2015

May 4 Negotiation training at the Minnesota CLE Business Law Institute in Minneapolis, MN.

May 6-9 Report at International Academy of Mediators regarding Straus mediation survey.

May 7-9 Straus professor attends the IAM Conference in San Francisco, CA.

May 13 Annual graduation reception for 70 non-JD LLM, Master of Dispute Resolution (MDR), and Certificate in Dispute Resolution students.

May 14 Annual graduation reception for 97 JD students earning a Master's or Certificate in Dispute Resolution.

May 15 Academic Program Graduation Ceremony. Straus awarded 13 LLM, 21 MDR, and 94 Certificates in Dispute Resolution.

May 18 Annual meeting of the American Law Institute. Professor Coe and his fellow Reporters present for full membership approval Chapter 2 of the *Restatement on International Commercial Arbitration*, Washington, DC.

May 20-21 Negotiation skills training in-house for a private company in Dayton, OH.

May 26 Summer academic program begins with 16 intensive courses for 382 students.



Straus' Vibrant Academic Programs Continue at the Forefront of Dispute Resolution Education

One of the primary goals for everyone at Straus is the advancement and development of our academic programs. Each year, we welcome an increasingly competitive group of students into our family, and we are thankful for the opportunity to have an impact on their lives and professional development. Courses are offered in a variety of intensive and full semester classes to ensure we meet the needs of our diverse student population. Straus students hail from all over the world; they are young and old; they are lawyers, judges, business professionals, educators, social workers, contractors, real estate professionals, JD students, MBA students, and public policy students. Some have 40+ years of professional experience while others are just starting their professional careers. Add to this diversity of students an energetic faculty who are experts in the areas they teach and engaged in professional practice around the world, and you have our recipe for success.

Last year, Straus offered 86 academic courses that served 539 individual students, culminating with the May 2015 graduation of its largest group of students in the history of the program. Over the course of three evening receptions, graduating students showed up with family and friends to recognize their accomplishments and share what the future holds for each of them professionally as they leave Pepperdine.



June 2015

June Professor Stipanowich serves as Max Kade Visiting Scholar in Heidelberg.

June 4 Straus participated at NYU Conference on Teaching International Arbitration.

June 10 Presentation on “Conflict Management Leadership” for the Command Academy, Los Angeles Police Department, Oxnard, CA.

June 11 Presentation at the Charter Institute of Arbitration – North American Branch Conference at UCLA.

June 11–14 Straus co-sponsored and presented at the CILS Mediation Conference in Salzburg, Austria.

June 19 Presentation on international commercial arbitration to the Academy of International and Comparative Law, Center for American and International Law, Plano, TX.

June 25–27 243 participants attended Straus’ 28th Annual Summer Professional Skills Program in Dispute Resolution in Malibu, CA.

June 30 Straus cosponsored (with American Arbitration Association) the Southern California Mediation Association 2015 Employment Institute.

Save The Date

Managing Conflict 4.0: November 9-10 Conference on The New Wave of Opportunities for Businesses Around the Globe

Following up on its September 2014 workshop “Reimagining Corporate Conflict Management”, the Straus Institute has announced a cutting-edge conference entitled “Managing Conflict 4.0: The New Wave of Opportunities for Businesses Around the Globe”, November 9-10, 2015 in Malibu, California. Along with Straus, the program is being cohosted by KPMG Law German, and cosponsored by AON, the College of Commercial Arbitrators, the International Institute for Conflict Prevention & Resolution (CPR), the American Chamber of Commerce Germany, the German American Chamber of Commerce, the US Chamber of Commerce, and the *Pepperdine Dispute Resolution Law Journal*.

Managing Conflict 4.0 is designed to bring together corporate and public leaders, scholars, and creative thinkers to share state-of-the-art insights, tools, and techniques for handling and leveraging conflict within and between organizations. The program will explore ways of navigating, building, and strengthening relationships; bridging across cultures; harnessing the power of information and insight to improve strategic decision-making and choice; and promoting conflict-competent leadership and holistic conflict management.

PROGRAM PARTICIPANTS WILL ENGAGE WITH:

Famed UN and Red Cross ombud Helmut Buss and AMEX’s Rene Insam on bridging across cultures in international organizations and partnerships;

Monsanto’s Scott Partridge on a revolutionary platform for managing conflict with major corporate competitors;

CPR Institute CEO Noah Hanft and Ambassador David Huebner on conflict-competent leadership in the boardroom, C-suite, and legal department;

Well-known Baker Hughes Ombud Melanie Lewis on how resilience empowers people to effectively address conflicts, challenges and change in the workplace;

Ambassador David Heubner on when to avoid and when to leverage corporate conflict;

Health care expert Debra Gerardi on building “relational competency” in the workplace;

Randall Kiser, principal analyst for DecisionSet®, on dealing with cognitive bias and emotions;

KPMG Law’s Alexander Insam on measuring the costs of corporate conflict and the benefits of early resolution;

Don Philbin of Picture It Settled® on new software to predict the outcome of your negotiation and Swiss attorney/mediator Jeremy Lack on the brain science of conflict;

Professor Tom Stipanowich on Straus’ recent groundbreaking studies on the practices and perspectives of leading corporate counsel, mediators and arbitrators.

Participants may reserve a place by e-mailing Lori Rushford at lori.rushford@pepperdine.edu or calling +1.310.506.6342.

Alumni Updates

I am practicing elder law (estate planning, guardianship, and probate) in Renton, Washington, where I have had my own practice since 2002. I recently earned the designation of ‘Certified Elder Law Attorney’ through the National Elder Law Foundation.

Beth A. McDaniel JD/Cert ‘94

I have done lots of things with my education. I was a federal commissioner with the Federal Mediation and Conciliation Service in Los Angeles and Washington, DC. I also served as an adjunct at Pepperdine and on staff at the institute.

CJ Stott MDR ‘96

I have been mediating divorce cases for over 15 years. I am certified as a family law specialist by the State Bar of California, Board of Legal Specialization, and am an adjunct professor at the Straus Institute for Dispute Resolution.

Matthew R. Bogosian JD/Cert ‘97

I am currently the Chief of Police for the Compton Unified School District Police Department in Compton, CA. I have been in this position for almost 2 years. My Pepperdine education, both law and ADR, has opened up many doors and was invaluable in my professional career development and promotions.

William Wu JD/Cert ‘98

I joined Henry Ford Health System in September 2014 as a contract sourcing specialist, where I negotiate agreements for clinical commodities.

Victoria Conover McGuire JD/MDR ‘00

I’m a partner at Bradford & Barthel, LLP, at the Tarzana, CA office, practicing workers’ compensation defense law.

Michael D. Peabody JD/Cert ‘01

Since joining Call & Jensen, I have successfully defended clients such as Chevron and 7-Eleven and

remain undefeated in trial. I lecture frequently on winning deposition strategies and techniques.

Ryan McNamara JD/Cert ‘02

I am practicing law and mediating and co-authored proposed legislation being considered in the Maine Legislature.

Naomi Cohen Cert ‘03

I am special counsel at Littler Mendelson; I work in the employment litigation field.

Dina Cohen JD/Cert ‘05

I have been with the Department of Justice for a while, but I have now been put in charge of the DOJ’s new Bureau of Children’s Justice.

Michael L. Newman JD/MDR ‘05

I am currently Executive Director of Human Resources at Azusa Pacific University, where I have oversight of all human resource functions for the university. I also teach courses on communication and conflict on an adjunct faculty basis there.

John Baugus MDR ‘06

I am the co-founder of and principal in She Negotiates Consulting and Training. We provide negotiation consulting, training, and speaking services. We can be found at shenegotiates.com.

Victoria Pynchon LLM ‘06

I am currently serving as Vice President of Product for one of the top entertainment companies in the world, Vevo. I’m in charge of defining our product strategy and how to best delight and thrill music fans throughout the world.

Argam DerHartunian JD/Cert ‘07



I am in my seventh year at Los Angeles Dependency Lawyers where I work with families in the foster care system. I regularly litigate cases at Children’s Court in Monterey Park.

Rebecca Harkness JD/Cert ‘07

I am a practicing probate and trust attorney at Hromadka & Gaulke in in Brentwood, CA. The firm specializes in estate planning and probate, trust, conservatorship, and guardianship administration.

Duncan P. Hromadka JD/Cert ‘07

I am a senior advisor at the Office for Civil Rights and Civil Liberties at the Department of Homeland Security (DHS) in Washington, D.C.

Ehsan Zaffar JD/Cert ‘07

I have been awarded a scholarship and accepted as a guest and visiting scholar at the Max Plank Institute for Comparative and International Private Law in Hamburg, Germany. I am taking the final steps in founding and launching the Arab Mediation Center AMC.

Sherif Elnegahy LLM ‘08

I am currently working as the Inland Empire Regional Director for the Disability Rights Legal Center, running a disability rights clinic at the University of La Verne College of Law.

Elizabeth Eubanks JD/Cert ‘08

In February of 2010 I began working as a staff attorney for the Chapter 13 Bankruptcy Trustee Kathy Dockery in downtown Los Angeles, CA. I have had the opportunity to argue a case at the 9th Circuit Court of Appeals and also became a certified bankruptcy specialist.

Angela Gill JD/Cert ‘08

My practice has focused on commercial, civil, and bankruptcy litigation, including real estate disputes, construction defects, corporate and business torts, and creditor’s rights in bankruptcy. I was recently made a Partner with my firm, Rush Moore LLP. The foundation that I gained at Pepperdine has given me great tools that I use in dealing with clients, mediators, arbitrators, and judges alike.

Nathaniel A. Higa JD/Cert ‘08

I have been working at Best Best & Krieger LLP since 2009. My practice involves representing and counseling clients related to water rights, endangered species, environmental law, Indian law, federal preemption, and other related topics.

Steven G. Martin JD/Cert '09

I am working as a Deputy County Counsel for the County of Riverside.

Kelly Moran JD/Cert '09

I started my fifth year as an appellate attorney at Lewis Brisbois Bisgaard & Smith LLP in their San Diego office. My practice focuses on civil appeals, writs and administrative mandamus matters.

Brittany Bartold JD/Cert '10

I co-founded and established the Agency for Dispute Resolution, and ADR Times, its sister publication and leading dispute resolution community.

Mark Fotohabadi MBA '08; MDR '10

I have lived in Perth, Western Australia, since September 2011. I am an accredited Family Dispute Resolution Practitioner mediating both parenting and property/financial matters for separated couples: <http://www.centrecare.com.au/about-us/>.

Lacy Garrison Gow JD/MDR '10

I am a practicing family law attorney with The Marks Law Firm. During 2014, I served on the Board for The Collaborative Family Law Group of Central Florida.

Arthur Grossman LLM '10

I am currently working as an attorney in the Office of the General Counsel for the US Department of Health and Human Services in Rockville, MD.

Neetu Kellison JD/Cert '10

I am a partner at the firm Wooten Mischel & Lewis, in Eugene, OR. I handle our estate and trust taxation clients who sometimes have conflicting interests.

Joseph Lewis JD/Cert '10

I'm currently working with Fagen, Friedman, & Fulfroost in their Los Angeles office. I work specifically with school districts and children with special needs. Here is our website: www.f3law.com

Gwendolyn Olinski Cert '10

I am still litigating and occasionally mediating. My son graduated with his JD from the University of Alabama a week before I received my LLM from Pepperdine. We have tried several cases together in the last five years. I believe I am a better lawyer because I went to Straus.

Clifton E. Slaten LLM '10

I recently launched the AT&T Aspire Accelerator: www.att.com/aspireaccelerator.

Michael S Beaudoin II MBA/Cert '11

I am currently working at a non-profit in Chicago as the director of three foreclosure mediation programs in northern Illinois: <http://www.aboutrsi.org/staff.php?ID=30>.

Shawn Davis JD/MDR '11

I have recently completed the first year of my PhD program at the University of Utah where my research focuses on peace and conflict studies. I continue to serve as a mediator for the Arizona Attorney General's Civil Rights Division.

Elijah Nielson LLM '11

I am an associate in Abrams Garfinkel Margolis Bergson, LLP's entertainment law and corporate law practice groups. I represent numerous entertainment clients, including actors, artists, models, writers, directors, producers, and production companies in connection with motion picture, television, and new media projects.

Jerren Wright JD '09, MBA/Cert '11

I founded The Aurit Center For Divorce Mediation located in Scottsdale, AZ. I am a full-time professional divorce and family mediator. I was recently elected to the Board of Directors for The Academy of Professional Family Mediators.

Michael Aurit JD/MDR '12

I established my own business (The Boney Group) in Los Angeles which is centered on the tenets of effective dispute resolution and conflict management. Our services range from mediation and relationship advisement to health and wellness and executive Consulting. Please visit us: www.BoneyGroup.com.

Louis Boney II MDR '12

I recently joined Schuler & Brown where I work alongside another alum: Tina Javaherian (JD/Cert '10). I am primarily involved in employment litigation defense on behalf of Los Angeles County and the Metropolitan Transportation Authority.

Irina Grushko JD/Cert '12

I work at Capstone Partners, a comprehensive financial planning and wealth management firm in Century City, CA. I am blessed to have been a part of the Straus Institute program during my law school experience.

Richard Loesing JD/Cert '12

I am finally settled in an arbitration boutique in Madrid—"González-Bueno & Asociados"—and I am doing arbitration. I act as party representation, among others, in ICC and CAM proceedings and act as a tribunal secretary.

Laura Lozano LLM '12

I have just finished my two-year Presidential Management Fellowship at the Small Business Administration, and I am the Director of Financial Services Policy at American Action in Washington, DC.

Meghan Milloy JD/Cert '12

I am currently in Sacramento working for Longyear, O'Dea & Lavra, LLP, a firm that specializes in public entity defense.

Nicole Rippy JD/Cert '12

I am currently working as Executive Director of a nonprofit called Por Los Niños, a children's home in Catacamas, Honduras. Por Los Niños cares for 38 children in four houses. Many of these children come from backgrounds of extreme poverty, neglect, and abuse.

Michael Rivas JD/MDR '12

I continue to teach financial dispute resolution at HKU in the LLM program as an adjunct associate professor. However, most of the time I can be found working in family mediation in Hong Kong.

Sala Sihombing LLM '12

I am currently a Program Manager for the Communities United for Health and Justice – a collaborative that works to empower low-income, working-class families and keep them in San Francisco through economic justice and housing justice campaigns.

Lai Yu Lily Wong MDR '12

I have been working at Knell O'Connor Danielewicz (knelloconnor.com) since October 2013. I do primarily workers' compensation defense. I am currently working and living in the West Loop neighborhood of Chicago.

Thomas Ryan Boyd JD/Cert '13

I am an in-house commercial contracts attorney for Schlumberger. I manage and negotiate drilling services contracts. We are a Fortune Global 250 company with 120,000 employees and operations in 85 countries throughout the world.

Jeffrey Shaun Majors JD/MDR '13

I am currently operating a solo practice, McFadden Family Law & Mediation, in Thousand Oaks, CA (www.mcfaddenlawmediation.com), focusing exclusively on family law litigation and mediation. I am also serving as the Director of Family Law Mediation at the newly opened County Square Mediation Center.

Marya McFadden, PhD, JD/Cert '13

I am currently working as a Deputy District Attorney with the Los Angeles County District Attorney's Office (as well as fellow Pepperdine alumni David Nary and Eric Feil)

Destiny Ramsey JD/Cert '13

I split my time between a few different organizations. I have been on staff at Bible Fellowship Church in Ventura as their Director of Care and Recovery for three years. I recently joined the team at Ventura Center for Dispute Settlement as their Executive Director.

Clare Rice MDR '13

I am owner and mediator of San Diego Family Mediation Center (www.sdfmc.com). I have one partner and we do all different family mediations.

Amanda Singer MDR '13

I've been adrift as a solo "virtual" attorney and "digital nomad" since passing the bar. I've used my websites (www.strebecklaw.com and www.alawyerabroad.com) to get my name out there as a legal authority in the video game and board game industries.

Zack Strebeck JD/MDR '13

I am currently working as an Ombudsman in the Long-Term Care Ombudsman Program for Los Angeles County (Region II—San Fernando Valley). This means that I am an advocate for residents of long-term care facilities (usually known as retirement homes).

Helen Supanich MDR '13

I am currently working on my consulting business focused on cultural intelligence, conflict resolution, and competitive intelligence service offerings.

Michele Angeline Lucero Villagran MDR '13

In 2014, I was hired as the first Associate Ombuds for the University of Washington, providing assistance to students, faculty, and staff on all three of our campuses, as well as our medical centers—a population of over 100,000 people.

Emma Williams MDR '13

I have been an associate at the Law Offices of Day, Day and Brown, located in Tustin, CA. We are a plaintiff's firm that specializes in personal injury and medical malpractice.

Trevor J. Herrera JD/Cert '14

My wife, Allison, and I both graduated in 2014 from Pepperdine Law and moved across the country to Indiana, where she is a deputy prosecutor in Fort Wayne and I started my own general practice law firm in my hometown of Berne.

Cory Sprunger JD/Cert '14

I am a Mobile BD Director at Perfect World, which is a China-based gaming company. I am responsible for business development of our company worldwide.

Sharry (Han) Sun MBA/Cert '14

I recently joined JAMS to become their Client Relations Manager in Mexico. I will help develop the practice and training of ADR in Mexico and other countries in Latin America.

Fernando Navarro LLM '14

I recently finished my externship in Centro de Colaboración Cívica CCC, member of Partners for Democratic Change International (PDCI), a nonprofit organization in the field of multi-sector conflict resolution and consensus building in Mexico.

Carolina Maza MDR '15



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Upcoming Events:

2015

August 3–8

Mediating the Litigated Case™, *Malibu, California*

September 14–25

Hosting the Thailand Judiciary

September 17–19 and 21–23

Mediating the Litigated Case™, *Washington, D.C.*

October 29–31

1st Annual Fall Professional Skills Program in Dispute Resolution,
Nashville, Tennessee

November 7

SCMA 27th Annual Fall Conference
Conflict Revolution: Mediators as Agents of Social Change

October 8–10 and 12–13

Mediating the Litigated Case™, *Singapore*

November 9–10

Managing Conflict 4.0: The New Wave of Opportunities for Businesses
Around the Globe

November 9–13

Mediating the Litigated Case™, *Rio de Janeiro, Brazil*

December 3–4

Women's Negotiation Academy: Creating Skilled and Sophisticated
Negotiators, *West Los Angeles, California*

2016

January 4–8

Winter Intensive Academic Program
(five simultaneous classes)

February 4–6 and 18–20

Mediating the Litigated Case™,
Irvine and California

March 17–19

4th Annual East Coast Professional Skills Program in Dispute Resolution,
Baltimore, Maryland (nine simultaneous classes)

May (Date TBD)

Hong Kong/Beijing Study Tour

May 23–July 30

Summer Intensive Academic Program (approximately 14 classes offered)

June 23–25

29th Annual Summer Professional Skills Program

July (Date TBD)

Women's Negotiation Academy: Creating Skilled and Sophisticated
Negotiators, *Malibu, California*

August 1–6

Mediating the Litigated Case™, *Malibu, California*

September (Date TBD)

Mediating the Litigated Case™, *Washington, D.C.*

October (Date TBD)

2nd Annual Fall Professional Skills Program, *Nashville, Tennessee*