



# THE NATIONAL ACADEMY OF DISTINGUISHED NEUTRALS



2011 Advanced Mediation Training Retreat  
Ritz-Carlton, Amelia Island, FL  
*August 11-13 2011*

## OUR GUEST SPEAKERS



American Institute | of Mediation

### About the American Institute of Mediation

**“Offering a unique and diverse curriculum whose sole purpose is to raise a mediator’s level of practice, the American Institute of Mediation (AIM Institute) is where leading mediators turn to continue their learning and career development. Being free of academic constraints and embracing other disciplines allows AIM to expand the frontier of this developing profession. The AIM Institute is committed to raising the level of practice throughout the field of mediation. The measure of our success is the extent to which the mediators who attend our courses are more effective and successful.”**



#### LEE JAY BERMAN, Los Angeles, CA (AIM FACULTY)

Academy Member Lee Jay Berman is Founder of the American Institute of Mediation (AIM). He began as a full-time mediator and trainer over 17 years ago, and has successfully mediated over 1600 matters, specializing in complex litigation in recent years. He is a national panelist with the AAA, a Distinguished Fellow with the International Academy of Mediators and a Dispute Resolution Expert with the United Nations Development Programme. He was ‘Mediator of the Year’ for the US Bankruptcy Court in California in 2007 and the Daily Journal named him one of California’s Top Neutrals in 2008 and 2009. A respected trainer, he founded the American Institute of Mediation in 2009, leaving his position as Director of Pepperdine Law School’s ‘Mediating the Litigated Case’ program after seven years. He has taught mediation and negotiation skills to judges, mediators and business leaders in India, Croatia, The Kingdom of Jordan, Amsterdam and Dubai, as well as 20 U.S. states.



#### DOUG NOLL, Fresno, CA (AIM FACULTY)

Academy Member Douglas E. Noll, Esq., a nationally acclaimed speaker, is also a full time mediator, specializing in difficult, complex, and intractable conflicts. He is a Fellow of the International Academy of Mediators, a Fellow of the American College of Civil Trial Mediators, on the American Arbitration Association panel of mediators and arbitrators, and is certified under international standards established by the International Mediation Institute. He is the author of “Elusive Peace: How Modern Diplomatic Strategies Could Better Resolve World Conflicts” (Prometheus, 2011) “Sex, Politics & Religion at the Office: The New Competitive Advantage” (Auberry Press 2006), with John Boogaert, and “Peacemaking: Practicing at the Intersection of Law and Human Conflict” (Cascadia 2002). Mr. Noll has been listed as one of the Best Lawyers in America since 2005 by US News & World Report and is a Northern California SuperLawyer.



#### DON PHILBIN, San Antonio, TX

Academy member Don Philbin is an AV-rated attorney-mediator, negotiation consultant and trainer, and arbitrator. He has resolved disputes and crafted deals for more than two decades as a business and commercial litigator, general counsel, and president of communications and technology-related companies. Don holds a Masters of Law degree from Pepperdine’s top-ranked Straus Institute for Dispute Resolution, where he is now an adjunct professor, has trained and published at Harvard’s Program on Negotiation, is an elected Fellow of the International Academy of Mediators and the American Academy of Civil Trial Mediators. He has mediated hundreds of individual and class matters in a wide variety of substantive areas and serves as a neutral on several panels, including CPR’s Panels of Distinguished Neutrals. Don has published widely in the field, is Chair of the ABA Dispute Resolution Section’s Negotiation Committee, and a member of the ADR Section Council of the State Bar of Texas.

### *Micro-Interventions in Mediation*

Presented by Doug Noll & Lee Jay Berman

(American Institute of Mediation, Los Angeles, CA)

**Difficult People... Heightened Emotions...Deeply held beliefs...Barriers to rational deals...Sound familiar?**

This course explores the neuropsychology behind these defining moments in mediations and the micro-interventions that a mediator can make which can move them from impasse into a successful resolution. This workshop will help you recognize what is happening in those difficult mediation moments and equip you to respond with effective tools.

Featuring a brief neuroscience explanation for what people at the table are experiencing, followed by a discussion of what mediators can do to when faced with each of these challenges, and capped off with small group discussions learning, watching and practicing useful skills. This is a challenging and highly interactive workshop is designed to push you to new heights in your mediation practice. As such, expect a fast-moving, content rich, practice oriented day



American Institute of Mediation



### TESTIMONIALS FROM 2010 ATTENDEES

*"This truly was an advanced mediation training program and far more advanced than any other so-called "advanced" program I have ever attended. Remarkable content..."*

**Richard T. Alexandar Esq., Duluth, GA**

*"What a worthwhile, cutting-edge program. Thank you to the Academy and AIM speakers for a true Don't-Miss-It event filled with new ideas, tools and strategies for us to move to the next level."*

**- Stephen G. Fischer, W. Palm Beach, FL**

*"Training beyond the initial Certification type course is really not so easy to find. This one was perfect. Highly recommended to experienced mediators, the AIM faculty members were excellent."*

**- Reagan H. Weaver, Raleigh, NC**

*"This was an eye-opening seminar for experienced mediators. I have a new set of tools to solve seemingly intractable problems and settle the most difficult cases! The faculty members were superb."*

**- Kenneth M. Byrum, Bakersfield, CA**

*"...Strongly researched, experience proven techniques for overcoming collateral obstacles to fair and timely settlements. A great 2 days of nugget-laden advice and advanced settlement techniques coupled with the opportunity to trade practical tips and pointers with leading mediators."*

**- Hon. Sidney S. Eagles, Raleigh, NC**

## SATURDAY SESSION

### *The Master Mediator - Part II*

Presented by Lee Jay Berman & Douglas Noll

(American Institute of Mediation, Los Angeles, CA)

**Following the AIM team's extremely well-received workshop in 2010, Lee Jay Berman and Doug Noll return to present a continuation of their 4-Day "Master Mediator" course..**

"This course is designed explicitly for mediators who have achieved a level of success and a respect for other mediation styles and applications, and who are prepared to move beyond the confines of evaluative and facilitative processes of mediation and make a difference with their work – both in the lives of participants in their mediations, and in themselves. This course is for those who are ready to move to the next level of awareness and perception in the mediation room and read all of the information that people are giving them - verbal and non-verbal, scientific and intuitive - in order to achieve the highest level of mediation mastery."

"This course is just what mediators need who feel like their work has hit a plateau. In this experiential workshop, we reach outside of classic mediation training and work with the tools that master mediators draw upon that allow them to function at a higher level."

**SATURDAY: 9:00am-10.30am & 1:00pm-5.15pm**



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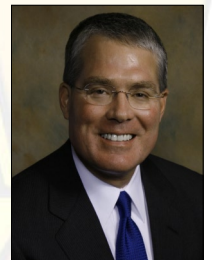
### *Deal or No Deal: Leveraging Information to Overcome Psychological Barriers to Efficient Deals*

Presented by Don Philbin

**Using newly-developed computer animation models and traditional decision trees, we will explore the interactive use of outcome scenarios and offer trajectories as a means to overcome barriers to settlement.**

"Since at least the first Kennedy-Nixon Debate, we've known that people process the 'same' information differently - often with different outcomes depending on how it is conveyed. Pictures not only communicate information, they increase our motivation to study accompanying text. We use pictures, and even video presentations, in mediation. But we use them less frequently when negotiations get serious and it's time to test offers against realistic alternatives. Animated outcome scenarios, together with graphed offer patterns, help us process improving information in a more rational way."

**SATURDAY: 10.45am-12:15pm**



*"In my role as the Executive Vice President, General Counsel of JAMS I see and participate in many programs all over the world. Don Philbin is clearly head and shoulders above the rest and presents one of the most entertaining and most informative programs on risk analysis I have ever seen. Drop whatever you are doing and try to see him in action." – Jay Welsh, Executive Vice President, General Counsel, JAMS*

## ARRIVAL: THURSDAY AUG 11th

- Guests can book in to their rooms at the Ritz-Carlton any time after 2pm.
- **REGISTRATION & COCKTAIL RECEPTION @ 6pm (Venue: Oceanview Courtyard / Plaza #2)**  
All attendees and guests invited - name tags distributed to members. Dress code smart-casual.  
(From 6pm-7pm, after which attendees are free to dine privately)

## FRIDAY AUG 12th - DAY 1

- **Course commences at 9am sharp (Meeting Rooms: Plaza 1 & 2)**  
Food & Beverages served throughout daytime for all attendees in adjoining dining area.
- 8:00-9:00 Breakfast & Pastries Served
- 9:00-10:30 "Micro-Interventions in Mediation"(Lee Jay Berman / Doug Noll)
- 10:30-10:45 Refreshment Break
- 10:45-12:00 "Micro-Interventions in Mediation"(Lee Jay Berman / Doug Noll)
- 12:00-1:00 Lunch Served
- 1:00-3:00 "Micro-Interventions in Mediation"(Lee Jay Berman / Doug Noll)
- 3:00-3:15 Refreshment Break
- 3:15-5:15 "Micro-Interventions in Mediation"(Lee Jay Berman / Doug Noll)
- **6:30-10pm ACADEMY BANQUET (Venue: Talbot Rooms A-C)**  
Evening starts with drinks and hors d'ouvres at 6.30PM outside TalbotRooms  
Banquet commences at 7.30pm  
Guests are requested to please wear 'business attire' / smart-casual (Photos WILL be taken!)

## SATURDAY AUG 13th - DAY 2

- **Course commences at 9am sharp (Meeting Rooms: Plaza 1 & 2)**  
Food & Beverages served throughout daytime for all attendees in adjoining dining area.
- 8:00-9:00 Breakfast & Pastries Served
- 9:00-10:30 "The Master Mediator - Recap" (Lee Jay Berman / Doug Noll)
- 10:30-10:45 Refreshment Break
- 10:45-12:15 "Deal Or No Deal" (Don Philbin, TX)
- 12:15-1:15 Lunch Served (*Optional Marketing Presentation - Darren Lee*)
- 1:15-3:15 "The Master Mediator - Part II" (Lee Jay Berman / Doug Noll)
- 3:15-3:30 Refreshment Break
- 3:30-5:30 "The Master Mediator - Part II" (Lee Jay Berman / Doug Noll)

**Note for travellers: Please plan to stay until the end and schedule departing flights after 8pm Saturday, or better yet, stay over and enjoy the hotel and beach for the Sunday!**

## VENUE DETAILS



**RITZ-CARLTON**  
4750 Amelia Island Parkway  
Amelia Island, FL 32034  
Phone: (904) 277-1100  
Fax: (904) 261-9064  
<http://www.ritzcarlton.com/AmeliaIsland>



One of the most popular beach destinations on the East Coast, this luxurious barrier island hotel provides a welcome barrier between you and the world beyond. Located on a grand stretch of the island's 13 miles of coastline, The Ritz-Carlton, Amelia Island hotel is a resort that features over 400 well appointed rooms, 4 restaurants and lounges, a 5 star Ritz-Carlton spa, fitness centers, tennis facilities and an 18-hole PGA Championship Golf course.

### Reduced Rates for Attendees

We have a block of 50 Ocean View rooms (each with a private balcony) reserved for members, at a reduced nightly rate of \$199+taxes per night (regular rate \$389).



Attendees will reserve directly with the hotel using credit card, but guest names must be provided to the hotel *in advance* to reserve these discounted rates - first come, first reserved.

## CLE CREDITS

**This course has been APPROVED for 16 CLE Credits by the Florida Bar**  
- Course Code #58501 (18 General CLER credits, including 2.5 Ethics credits).  
CME: This course provides 18 CME hours total, including 2.5 Hrs for Ethics.

**This course has been APPROVED for 13.5 CLE Credits by the State Bar of Georgia**  
- Course#151537 (13.5 Regular CLE Hours, including 2.0 Ethics Hours)

**This course has been APPROVED for 13.75 CLE Credits by State Bar of N. Carolina**  
- Sponsor #6034; Course #1 (13.5 Regular CLE Hours, including 2.0 Ethics Hours)

**This course has been APPROVED for 13.75 CLE Credits by Tennessee CLE Commission**  
- Course # 104808 (11.75 General CLE Hours, including 2.0 Dual/Ethics Hours)  
CME: This course provides 13.75 CME hours total, including 2 CME Hrs for Ethics.

**This course has been APPROVED for 13.5 CLE Hours by the State Bar of Texas**  
- Course #901221312 (13.5 Regular CLE Hours, including 2.0 Ethics Hours)

# REGISTRATION FORM

## 2011 NADN Advanced Mediation Training Retreat Ritz-Carlton, Amelia Island, FL - August 11-13 2011

*Only members of the National Academy of Distinguished Neutrals are eligible to attend this course.*

NAME \_\_\_\_\_ NICKNAME FOR NAME BADGE? \_\_\_\_\_

FIRM \_\_\_\_\_

CITY/STATE/ZIP \_\_\_\_\_

TEL \_\_\_\_\_ FAX \_\_\_\_\_

EMAIL \_\_\_\_\_

SPECIAL REQUIREMENTS (Dietary etc) \_\_\_\_\_

### SELECT CHOICES:

- Yes, please reserve me hotel room at discounted \$199(+tax) rate
- No hotel room required, I'll be driving in each day
- Seminar Attendance Fee ..... \$895  
*Includes Thurs. cocktails, Fri. Banquet, all daytime lunches & refreshments*  
*Please specify preference for Entrée (Fish/Meat/Chicken/Veg.) \_\_\_\_\_*
- Extra Banquet Guest ..... \$150  
*Please provide name of your guest \_\_\_\_\_*

TOTAL \$ \_\_\_\_\_

THIS TOTAL WILL BE BILLED TO MY CREDIT CARD ON FILE ON April 30th 2011

Signature \_\_\_\_\_ Date \_\_\_\_\_

*(If your credit card is not on file for Academy member dues, please contact Rose-Anne to make alternate arrangements)*

### Hotel Reservations:

Hotel rooms are in addition to the above attendance fees. Make your reservation directly with the Ritz-Carlton by calling 800-542-8680 any time after March 1st 2011 - special group room rate is \$199.00+tax for 3 nights, Thursday through Saturday, though attendees can access this rate for longer stay. Please be sure to identify yourself as an Academy attendee. April 30th 2011 is the final cutoff for reservations at this discounted rate.

### Cancellations:

Full refund before May 1st 2011 - no refunds thereafter. Cancellations must be made in writing.

Please fax this signed form back to our Coordinator Rose-Anne Raies at (866) 257-4698