



**CARDOZO**

Benjamin N. Cardozo School of Law

**LARC @ Cardozo Law**

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Kukin Program Newsletters

Kukin Program for Conflict Resolution

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Spring 2018

## **Kukin Program Newsletter – Spring 2018**

Kukin Program for Conflict Resolution

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# CARDOZO LAW

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## YESHIVA UNIVERSITY

### **Kukin Program for Conflict Resolution**

Newsletter | Spring 2018

COMING ON OCTOBER 22, 2018:

### **Don't Ask, Don't Tell**

A panel exploring the process for changing  
the Air Force Don't Ask, Don't Tell Policy

*Co-sponsored by the Cardozo Journal for Conflict Resolution and  
the Kukin Program for Conflict Resolution*

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COMING IN THE SPRING OF 2019:

### **A Symposium on the Enforcement of International Cross-Border Mediated Settlement Agreements, Under the New UNCITRAL Instrument**

*Co-sponsored by the Cardozo Journal of Conflict Resolution and the Touro Law Center.  
Date TBA.*



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### **Commercial Arbitration Training for Arbitrators and Counsel Comprehensive Training for the Conducting of Commercial Arbitrations**

**June 18-20, 2018**

Benjamin N. Cardozo School of Law  
55 Fifth Avenue, NYC

This training will be provided by commercial arbitrators **Charles Moxley** and **Edna Sussman** and by arbitration counsel **Lea Haber Kuck of Skadden, Arps, Slate, Meagher & Flom LLP**, and will include presentations by **Jeffrey T. Zaino, Vice President, American Arbitration Association**, and **Luis M. Martinez, Vice President, International Centre for Dispute Resolution**, and other leading arbitrators and counsel.

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## Cardozo Journal of Conflict Resolution Hosts the 2017 Jed D. Melnick Symposium: *Persistent Human Divides: Creative Initiatives for Communication, Collaboration and Cohesion*

The 2017 Symposium featured a variety of initiatives towards healing in our politically turbulent times. Panels focused on holistic ways in which conflict resolution can be used to better not only individual, interpersonal and legal relationships, but also society as a whole.

Michael Tsur was the keynote speaker. In his talk, *Building an Adequate Negotiation Curriculum for Our Conflict Ridden Times*, Tsur emphasized the importance of negotiation using real world examples from his own experience, which included negotiating hostage crises in Israel. Tsur, who teaches negotiation both at Cardozo and Mitchell-Hamline, has founded his own negotiation school in Israel named *Shakla & Tariya*.



**Pictured from left to right:** Michael Tsur (Shakla & Tariya) and Professor Lela Love (Cardozo).

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## Cardozo Alums and Professors Present at NYSBA Conference about Increasing Referrals for Mediation in NY

On May 9, 2018, Tracey Frisch, Staff Attorney at the American Arbitration Association and Robyn Weinstein, ADR Coordinator for the EDNY, presented at the NYSBA Event at Fordham Law School entitled "The Litigative DNA: The Underutilization of Mediation in NY." The purpose of the conference was to explore the contemporary role of mediation in New York and examine how other jurisdictions have implemented robust and thriving mediation programs. Frisch and Weinstein showcased the work in their respective organizations and advocated for increased use of mediation in the private and public sector.



**Pictured here:** Tracey Frisch (left) and Robyn Weinstein (right)

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## **ADR Competition Honor Society Enjoys Success**

The Cardozo ADR Team and Esteemed Judges Host Successful 2018 Cardozo/ABA Intra-School Negotiation Competition

On March 16, 2018 the ADR Competition Honor Society with the help of distinguished volunteer judges hosted the 2018 Cardozo/ABA Intra-school Negotiation Competition. 120 Cardozo students participated in this year's competition!



**Pictured at the 2018 Intra-School Competition from left to right:** Yana Shnaider, Managing Editor, and Rasica Selvarajah, Editor in Chief, with First Place winners Federico Zepeda (1L) and Jonathan Davis (1L).

**Pictured at the 2018 Intra-School Competition from left to right:** Professor Lela Love, Rasica Selvarajah, Matthew Greenfield, CeCe Cole, Joshua Roseman, Professor Donna Erez-Navot, Dinu Ahmed, Camila Lopez, and



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Cardozo's 2017-2018 ADR Competition Team participated in the following national and international competitions:

- Jeffrey S. Abrams National Mediator Competition (Houston, TX)
- St. John's 2017 Securities Dispute Resolution Triathlon (New York, NY)
- ABA Negotiation Competition (Queens, NY)
- New York Law School Intellectual Property Negotiation Competition (New York, NY)
- NYSBA Dispute Resolution Section's AAA Moot Arbitration Competition (New York, NY)
- Tulane Professional Baseball Negotiation Competition (New Orleans, Louisiana)
- ICC International Commercial Mediation Competition (Paris, France)
- ABA Representation in Mediation Competition (New York, NY)
- Fordham Basketball Negotiation Competition (New York, NY)
- International Law School Mediation Tournament (Chicago, Illinois)
- Willem C. Vis International Commercial Arbitration Moot (Vienna, Austria)

Every competition was an engaging learning experience. Our major successes were:

- **1st Place** in the St. John's 2017 Securities Dispute Resolution Triathlon (out of 20 teams competing)
- **2nd Place** in the New York Law School Intellectual Property Negotiation Competition
- **2nd Place** in Team Advocacy (out of 50 teams from around the world) at the 2018 International Law School Mediation Tournament in Chicago



**Cardozo's First Place Team at St. John's Securities Dispute Resolution Triathlon, pictured here from left to right: David Cherman (student coach), Joshua Saccurato (student**

coach), Alexander Sable, Derrick Ng, Camila Lopez, Michael DiTrapani (student coach), Leo Bronshteyn, Nicholas Anselmi, Angela Li, and Natalie Freeman (student coach).



**Cardozo's Second Place Team at the New York Law School Intellectual Property Competition, pictured here preparing:** CeCe Cole, Courtney Kaplar, Alexander Sable, and Yana Shnaider and Shawn Green (student coach).



**Cardozo's Second Place Team in Team Advocacy at the 2018 International Law School Mediation Tournament in Chicago, pictured here from left to right:** Dinu Ahmed, David Cherman (student coach) and Courtney Kaplar. Angela Li is missing from this picture.

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## **The Cardozo Dispute Resolution Society (CDRS) Hosts an Exciting Array of Events, including:**

CDRS co-hosted an Alumni Mixer in April for the Kukin Program along with the Cardozo Journal of Conflict Resolution. Alumni spanning two decades joined together to discuss their time at Cardozo, meet other alumni, and receive advice from professionals both in the ADR community and beyond.



**Pictured here from left to right:** Shrvanathi Suresh (LLM '15), Professor Erez-Navot and Pauline Weess (LLM '16).



**Pictured here from Left to Right are five generations of CJCR Editors-In Chief:** Brian Farkas, Lara Traum, Benjamin Dynkin, Ryan Vines and Nicholas Gliagias.

On April 11, 2018, CDRS co-hosted an event with the Cardozo Philosophy and Law Society: **Stormy Waters: The Donald Trump & Stormy Daniels Arbitration 'Agreement'**. Professor Brian Farkas led the event to a packed room of interested students discussing arbitration law as it relates to the Stormy Daniels scandal. In this lunchtime lecture, Professor Farkas addressed questions about arbitration: What is arbitration? Is it enforceable? How do concepts like unconscionability, duress, and liquidated damages help us to understand the ongoing dispute among President Trump, Mr. Cohen, and Ms. Daniels? More broadly, what is the relationship between arbitration and public policy, particularly given the #MeToo movement?



**Pictured here:** Brian Farkas during his Stormy Daniels lecture.

On October 23, 2017, CDRS hosted author and disability rights lawyer Lainey Feingold who presented her first person account of **Structured Negotiation**, a dispute resolution process that trades the stress, expense, and conflict of lawsuits for true problem-solving and relationship building. Feingold shared stories about her work with Structured Negotiation and her advocacy for the blind and their organizations throughout the United States.

On February 12, 2018 CDRS hosted Ashok Panikkar for a participatory dialogue about **Citizen Demos**, Panikkar's initiative to strengthen the values and culture of our democracy. Citizen Demos is sponsored by *Meta-Culture*, an international conflict and peace building center, based in Washington DC. The event was titled "The Values and Culture of Democracy".

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## **A Message from Nicholas Gliagias, incoming Editor-in-Chief of the Cardozo Journal of Conflict Resolution**

The 2018 ABA Dispute Resolution Conference in Washington, D.C. allowed me to immerse myself in my new role as CJCR's Editor-in-Chief and to meet leaders in the dispute resolution field, to hear exciting presentations, and to learn about new career paths for myself. I came away from the Conference determined to gain more expertise in conflict resolution as a 3L and to get to know the Cardozo alums--practitioners and academics--at the forefront of the mediation and arbitration field.

It was wonderful to go sightseeing in Washington, D.C., at the peak of the cherry blossoms with Professors Donna Erez-Navot and Brian Farkas.





**Pictured from left to right:** Brian Farkas ('13), Goetz Fitzpatrick LLP, Donna Erez-Navot ('06), Interim Director of the Kukin Program and Nicholas Gliagias, Editor-in-Chief of the Cardozo Journal of Conflict Resolution

**To everyone reading this newsletter:**

Please submit your written pieces this year

to the Cardozo Journal for Conflict Resolution by sending the article to: [eicjcr@gmail.com](mailto:eicjcr@gmail.com). And come to our symposia!

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## Faculty Spotlight

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### Professor David M. White, 10 Years on Cardozo's ADR Faculty



**Tell me about the classes you teach at Cardozo.**

I have been an adjunct professor at Cardozo since 2008 so this year marks my 10th year of teaching at Cardozo. In the Fall 2017, I welcome our LL.M. colleagues to the Cardozo community through Introduction to U.S. Law and I work with JD and LL.M. students through the Interviewing and Counseling Seminar. The Introduction to U.S. Law offering provides international LL.M. students an overview of the United States Constitution and our tripartite system of federal government. The Interviewing and Counseling Seminar enables participants to hone two of the most fundamental lawyering skills within various civil and criminal litigation scenarios. In the Winter Session I serve as the Lead Instructor for the Intensive Mediation Advocacy Program ("IMAP"), an intensive course which prepares participants to effectively advocate for clients in both private and court-annexed fora. During the Spring 2018, I instructed

separate sections of Dispute Resolution Processes for our JD and LL.M. colleagues. This experiential course enabled students to demonstrate mastery of negotiation, mediation, arbitration, and emerging conflict management processes through role play exercises.

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## Alumni Spotlights

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### **Mansi Karol '17 at the American Arbitration Association**



Mansi Karol is a recent graduate of the LL.M. in Dispute Resolution and Advocacy at Cardozo Law School. She directs ADR Services for the Commercial Division at the American Arbitration Association (AAA) where she oversees the administration of the large, commercial complex caseload, user outreach, and panel of commercial neutrals in New York.

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### **Carolina Velez '14 at GetHelp**



Carolina Velez is an Advocacy Manager with GetHelp. Her role is to de-escalate situations in which customers threaten to file lawsuits against Microsoft. Carolina investigates the situation and hosts a facilitative conversation with the goal of resolving the issues. She uses the skills she learned at Cardozo from her mediation training, as well as her experiences in Moot Court.

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