

Prof. HIRO N. ARAGAKI, Ph.D., Esq., C.Arb.

JAMS

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BIODATA



Date of Birth: 7 November 1968.

Nationality: U.S.A.

Bar Admissions: California (U.S.A.), New York (U.S.A.), Washington D.C. (U.S.A.), England & Wales (Roll of Solicitors; non-practising).

Current Occupation: Arbitrator/Mediator at JAMS (Los Angeles & London); Professor of Law, University of California, Hastings College of Law (San Francisco); Professorial Research Associate, SOAS School of Law (London).

Subject-matter expertise: Breach of contract; business torts (fraud, breach of fiduciary duty, disparagement, unfair competition, etc.); securities & financial markets; corporate/partnership/JV; agency/distributorship/franchise; intellectual property; professional liability; employment.

Industry expertise: Energy (incl. renewables, LNG); banking & financial services; technology/software; internet & e-commerce; telecommunications; entertainment; hospitality; gaming & e-sports; healthcare.

Hiro N. Aragaki, Esq., C.Arb is a Chartered Arbitrator and distinguished neutral with more than 20 years of experience, including almost a decade of full-time law practice at global law firms and service as a neutral since 2001. Professor Aragaki is an internationally recognized expert in arbitration and mediation who has trained judges and lawyers and is frequently called upon to consult on alternative dispute resolution (ADR) reform projects around the world. He brings energy, sharp analytic skills and a talent for thinking outside the box, and is particularly well known for shrewd case management.

As an arbitrator, Professor Aragaki strives to design and manage the optimal procedure for a particular dispute. He believes in getting to a hearing on the merits as efficiently as possible and without over-lawyering or relying on technicalities, while remaining open to a variety of process enhancements aimed at achieving accurate results, such as tentative rulings and draft awards. He is familiar with civil and common law adjudicative approaches.

As a mediator, Professor Aragaki is known for investing extra work prior to the mediation to narrow the issues and ensure that parties and counsel come fully prepared. He sees his role as helping parties make the best-possible decision about settlement based on careful case evaluation, reality-testing about litigation risks and transaction costs, and creative problem-solving. He is accustomed to using a wide range of directive and facilitative interventions, as appropriate.

Prof. HIRO N. ARAGAKI, Ph.D., Esq., C.Arb.

EDUCATION

STANFORD LAW SCHOOL – Stanford, CA

J.D. with distinction (1997)

- Associate Editor, STANFORD LAW REVIEW

UNIVERSITY OF CAMBRIDGE – Cambridge, U.K.

Ph.D. in Law (2023)

M.Phil. in Social & Political Theory (1992)

- *Benefactor's Scholarship*, St. John's College, Cambridge (competitively awarded full Ph.D. fellowship)
- *St. John's College Scholarship*
- *Overseas Research Scheme Award* (tuition scholarship from British Government)
- *Pressland Fund Scholarship*, Cambridge University
- *Deutscher Akademischer Austauschdienst (D.A.A.D.)* language study grant
- Visiting Researcher, Alexander von Humboldt Universität zu Berlin, Germany

YALE UNIVERSITY – New Haven, CT

B.A. in Philosophy, magna cum laude (1990)

- *Marshall-Allison Prize*, Yale University (awarded at graduation for promise in arts & letters)
- *Robert C. Bates Research Fellowship & Yale College Richter Fellowship*

NEUTRAL EXPERIENCE

REPRESENTATIVE CASES

- Nine figure AAA arbitration between a registered broker-dealer and a manufacturer of renewable energy fuel cells, involving claims of securities and common law fraud, indemnification, unfair competition, and breach of contract.
- Eight-figure international arbitration between a Hong Kong cryptocurrency trading/technology firm (subsidiary of a Singaporean digital assets company) and its former CEO, involving alleged non-payment of stock options and breaches of contract/fraud under Utah and Hong Kong law.
- ICDR international arbitration between a U.S.-based eSports website and a U.K.-based media and broadcasting company, involving claims and counterclaims for defamation and breach of a content provider agreement.
- Seven figure international arbitration between a National Basketball Association athlete and a Chinese manufacturer and distributor of sporting goods and related products.
- Eight figure, multi-party international arbitration among U.S., Lebanese, and Saudi shareholders of an investment vehicle, in connection with the vehicle's acquisition of an automotive enterprise. The claims asserted included breach of an asset sale agreement and an option contract, fraud, conspiracy to commit fraud, promissory estoppel, false light, breach of fiduciary duty, conversion, and declaratory relief.
- ICC international arbitration between a public benefit corporation and a provider of Internet domain name registry services involving claims and counterclaims for breach of a registry agreement.
- Eight figure ICDR arbitration between a global sports marketing and AI solutions company and a Japanese software company, involving claims for breach of a licensing agreement, trade secret misappropriation under U.S. law, and copyright infringement under Japanese law.
- Seven figure, multi-party international arbitration among Chinese, Taiwanese, and U.S. investors in well-known food services chain. Claims/counterclaims asserted for fraud, breach of fiduciary duty, conversion, breach of shareholder agreement, accounting, quantum meruit, Corporations Code violations, and involuntary dissolution.

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- Eight figure consolidated international arbitration involving a series of financial transactions between a U.S. escrow agent and multiple banks/intermediaries in the U.K., Hong Kong, Dubai, St. Kitts, Florida, Minnesota, and Illinois. Dispute arose from joint participation, private contract, and escrow agreements governed by English or New York law.
- Eight figure FINRA arbitration between a health care services company and a major multinational financial institution in connection with a variety of auction rate securities products and involving claims of breach of contract, breach of fiduciary duty, fraud/misrepresentation, negligence, and violations of SEC Rule 10b-5.
- ICDR international arbitration between a consortium of investors based in China and a U.S.-based aviation school involving claims of breach of contract, fraud/misrepresentation, concealment, unfair competition, alter ego liability, unjust enrichment and declaratory relief.
- International arbitration between a U.S. manufacturer of commercial and military aircraft parts and a global distributor relating to a Dealership Agreement for exclusive sale of aerospace parts in South Korea, requiring construction of complex contract language against CISG and UCC.
- Seven figure international arbitration between a Cambodian manufacturer and a U.S. full-service apparel company, involving a contract for the sale of products used in medical and healthcare applications. Claims included breach of contract, nonconformity under the CISG, fraudulent inducement, and unjust enrichment.
- Multi-million dollar LCIA arbitration seated in London, involving a North African state-owned oil & gas company, raising tort and contract causes of action arising under U.K. and U.S. law (as counsel).
- Multi-million dollar ICDR arbitration seated in Madrid, involving tort and contract causes of action arising out of a failed partnership in a premier African hotel chain (as counsel).

FELLOWSHIPS, HONORS, ADMISSIONS

- *Chartered Arbitrator*, Chartered Institute of Arbitrators (highest designation awarded to just over 500 out of 17,000+ Chartered Institute members)
- *Fellow*, College of Commercial Arbitrators (invitation-only fellowship of nationally and internationally recognized commercial arbitrators)
- *Fellow*, Chartered Institute of Arbitrators (recognition of outstanding commitment to international arbitration, requiring successful completion of intensive training course and award-writing examination)
- *Higginbotham Fellow*, American Arbitration Association (2013 – 2014; awarded to ‘up-and-coming’ diverse alternative dispute resolution professionals)
- *Senior Fellow*, UCLA Negotiation & Conflict Resolution Program (2011 – 2016)
- *Sloan Fellow*, Center for Mediation in Law, Mill Valley (2002 – 2005)
- Admitted to the Bars of California, New York, and Washington D.C.; enrolled on the Roll of Solicitors (non-practising)
- Admitted to the arbitration or mediation panels of: ADGM (Abu Dhabi); AFSA (Johannesburg); AIAC & ADNDRC (Kuala Lumpur); BIMAC (Dhaka); CPR (New York; Panel of Distinguished Neutrals & Cross-Border Panel); CRCICA (Cairo); FINRA (US; Arbitration Panel); HKIAC (Hong Kong; Panel Arbitrator); ICC (UK Arbitrator Database & USCIB Arbitrator & Mediator Database); JCAA (Tokyo); KCAB (Seoul); LCIA (London); NCIA (Nairobi); SIAC (Singapore); THAC (Bangkok); WIPO (Geneva)

CONSULTANCIES AND TRAINING PROVIDED

- Professor of business & contract law, international and domestic arbitration law, and international & comparative law (2007 – present).
- Mediation advisor to World Bank Group Business Enabling Environment (BEE) Ranking (successor to Ease of Doing Business Ranking)

Prof. HIRO N. ARAGAKI, Ph.D., Esq., C.Arb.

- Advisor to the judiciary of Kazakhstan on USAID-sponsored project to improve the interaction of courts and arbitral tribunals in the settlement of commercial disputes (2022)
- Advisor to Expert Committee on Mediation, Supreme Court of India (2019 – 2020; committee formed to draft a new national mediation law for India).
- Convenor, *Africa Mediation Network* (2018 – present)
- Director & Coach, Loyola Law School Willem C. Vis Int'l Commercial Arbitration Moot Court Team (2017 – 2022) and Loyola Law School ICC International Commercial Mediation Competition Team (2016 – 2021).
- Invited trainer/presenter for several JAMS Weinstein International Fellows' trainings, San Francisco & Napa, California (2015 – present).
- Invited by the International Finance Corporation (IFC) to deliver presentations and simulations on commercial mediation for the Vietnam International Arbitration Centre and the Vietnam Business Lawyers' Club, in Hanoi and Ho Chi Minh City (Mar. & May 2018).
- Retained by the World Bank Group to design and deliver two mediation training courses and provide dispute systems design advice for the first court-annexed mediation program of the Commercial Court in Monrovia, Liberia (Jan. & May 2017; with the Hon. Robert Levy, Caroline Etuk & Diana Dapaa).
- Co-Trainer, *Advanced Mediation Training*, Centre for Advanced Mediation Practice (CAMP) & Foundation for Sustainable Rule of Law Initiatives, Bangalore, India (Feb. 2016).
- Invited by the Judicial Administration & Training Institute of Bangladesh and the South Asian Institute of Advanced Legal & Human Rights Studies to design and deliver a mediation training course and provide dispute systems design advice for judges and lawyers in Dhaka, Bangladesh (July 2011; with Prof. Mary Culbert).
- Served as a regular mediation consultant to the Hon. Daniel Weinstein at JAMS (2003 – 2005; provided co-mediation and assistance with case evaluation & post-mediation settlement efforts).
- Trainer, Community Boards of San Francisco (2003 – 2004).

ACADEMIC APPOINTMENTS

UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF LAW – San Francisco, CA

Professor of Law (2022 – present, with tenure)

- Current courses taught: Contracts; Negotiation; Advanced Alternative Dispute Resolution Colloquium

Director, Center for Negotiation and Dispute Resolution

- Oversee a top-ranked law school ADR Center with budget and two staff members.

SOAS SCHOOL OF LAW, UNIVERSITY OF LONDON – London, U.K.

Professorial Research Associate (2018–present)

LOYOLA LAW SCHOOL – Los Angeles, CA

Professor of Law (2016 – 2022, with tenure)

Arthur Frakt Dean's Research Fellow (2018 – 2021)

Associate Professor of Law (2011 – 2016)

- Courses taught: Contract Law & Drafting; Alternative Dispute Resolution (incl. arbitration and mediation); Negotiation Intensive Workshop; Cross Border & Cross Cultural Dispute Settlement; International Commercial Arbitration and the CISG; Legislation & Legislative Drafting.

FORDHAM UNIVERSITY SCHOOLS OF BUSINESS – New York, NY

Assistant Professor of Law & Ethics (2007 – 2011)

Prof. HIRO N. ARAGAKI, Ph.D., Esq., C.Arb.

Tenure-track appointment. Taught International Business Transactions and other topics in business law, intellectual property, agency, contracts, and remedies.

INSTITUT SUPÉRIEUR EUROPÉEN DE GESTION – Paris, France

Visiting Professor (Jan. 2011, 2012)

Taught International Business Transactions.

UNIVERSITY OF NAGOYA GRADUATE SCHOOL OF LAW – Nagoya, Japan

Visiting Lecturer (Jun. 2015)

SERVICE & PROFESSIONAL MEMBERSHIPS

- Co-Chair, ICC U.S.A./USCIB Academic Committee
- Member, ABA Section on International Law
 - Vice Chair, International Arbitration Subcommittee
 - Member, International Mediation Subcommittee
- Board Member, American Bar Association Rule of Law Initiative (ROLI)
 - Central European and Eurasian Law Initiative Council (2020 – present)
 - Africa Law Initiative Council (2018 – 2020)
- Member, Institute for Transnational Arbitration (ITA) Academic Subcommittee
- Member, ICC Institute of World Business Law
- Member, International Bar Association (IBA)
- Member, American Society for International Law
- Member, ABA Section on Dispute Resolution
- Member, AALS Section on Dispute Resolution Executive Committee (2015 – 2021)
- Board Member, California Dispute Resolution Council (2018 – 2020)
- Member, California State Bar Standing Committee on Alternative Dispute Resolution (2013 – 2016)

PUBLICATIONS

SCHOLARLY WORKS

- *The Federal Arbitration Act in Comparative Perspective: Is the U.S. an Outlier?*, in THE FEDERAL ARBITRATION ACT: SUCCESSES, FAILURES, AND A ROADMAP FOR REFORM (Richard A. Bales & Jill I. Gross eds., forthcoming 2024)
- *Civil Justice Reform in Chinese Law and Society*, 9 ASIAN JOURNAL OF LAW & SOCIETY 339 (2022)
- *A Snapshot of National Legislation on Same Neutral Med-Arb and Arb-Med Around the Globe*, in MULTI-TIER APPROACHES TO THE RESOLUTION OF INTERNATIONAL DISPUTES: A GLOBAL AND COMPARATIVE STUDY (Anselmo Reyes & Weixia Gu 2021)
- *The Critical Theory Legacy of Jean Sternlight's Panacea or Corporate Tool?*, in DISCUSSIONS IN DISPUTE RESOLUTION: THE FOUNDATIONAL ARTICLES (Art Hinshaw, Andrea Schneider & Sarah Cole, eds., 2021)
- *The Metaphysics of Arbitration: A Reply to Hensler & Khatam*, 18 NEV. L.J. 541 (2018)
- *Arbitration Reform in India: Challenges and Opportunities*, in THE DEVELOPING WORLD OF ARBITRATION: A COMPARATIVE STUDY OF ARBITRATION REFORM IN THE ASIA PACIFIC (Weixia Gu & Anselmo Reyes, 2018)
- *Arbitration: Creature of Contract, Pillar of Procedure*, 8 PENN ST. Y.B. ARB. & MEDIATION 2 (2016) (peer-reviewed journal; solicited submission)

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- *Constructions of Arbitration's Informalism: Autonomy, Efficiency, and Justice*, 2016 J. DISP. RESOL. 141 (2016) (solicited submission)
- *Does Rigorously Enforcing Arbitration Agreements Promote "Autonomy"?*, 91 IND. L.J. 1143 (2016)
- *The Federal Arbitration Act as Procedural Reform*, 89 N.Y.U. L. REV. 1939 (2014)
 - Won "Honorable Mention" in 2013 AALS Scholarly Paper Competition
 - Selected for presentation at 2014 Branstetter New Voices in Civil Justice Workshop, Vanderbilt Law School
- *AT&T Mobility v. Concepcion and the Antidiscrimination Theory of Federal Arbitration Act Preemption*, 4 PENN ST. Y.B. ARB. & MEDIATION 39 (2013) (peer-reviewed journal; solicited submission)
- *Equal Opportunity for Arbitration*, 58 UCLA L. REV. 1189 (2011)
 - Selected for presentation at the 2011 Stanford/Yale Junior Faculty Forum
- *Arbitration's Suspect Status*, 159 U. PA. L. REV. 1233 (2011)
- *The Mess of Manifest Disregard*, 119 YALE L.J. ONLINE 1 (2009)
- *Deliberative Democracy as Dispute Resolution? Conflict, Interests, and Reasons*, 24 OHIO STATE J. ON DISP. RESOL. 406 (2009)

OTHER WORKS

- *U.S. and International Perspectives on the Kazakhstani Law on Arbitration, 2016: A Report and Recommendations*, presented to the judiciary of Kazakhstan (Jun. 2022)
- *Recommendations to the Expert Committee on Mediation under the Mediation and Conciliation Project Committee of the Supreme Court of India* (with Joel Lee, Nat'l U. Singapore, 25 June 2020)
- [The African Promise](#), ADR Prof Blog: Indisputably, Sep. 12, 2019
- *An Outsider's View of Mediation Law Reform in Africa*, Newsletter of the Chartered Institute of Arbitrators, Zambia Branch (July – Sep. 2019)
- [SOAS Arbitration in Africa Survey](#), ADR Prof Blog: Indisputably, Jul. 17, 2018
- [Reflections on Epic Systems v. Lewis, Nos. 16–285, 16–300, 16–307, 584 U.S. ____ \(2018\)](#), Summary Judgments (LLS Faculty Blog), May 25, 2018.
- [Things We Know and Think We Know About BATNA and WATNA](#), ADR Prof Blog: Indisputably, Jan. 4, 2018. See Professor Lande's simultaneously-published reply, [Confusing Dispute Resolution Jargon](#), ADR Prof. Blog, Jan. 4, 2018.
- [The Dao of Friendly Skies](#), ADR Prof Blog: Indisputably, Apr. 20, 2017
- [Aragaki on DirecTV v. Imburgia](#), ADR Prof Blog: Indisputably, Dec. 21, 2015
- [Aragaki on Szalai's Outsourcing Justice: The Rise of Modern Arbitration Laws in America](#), ADR Prof Blog: Indisputably, Jun. 28, 2013
- *Amicus Curiae Brief of Law Professors on Rehearing En Banc in Support of Petitioners*, in *Kilgore v. Keybank*, No. 09-16703 (9th Cir.) (co-author, filed October 2012)
- *Amicus Curiae Brief of Arbitration Professors in Support of Petition for Rehearing En Banc*, in *Kilgore v. Keybank*, No. 09-16703 (9th Cir.) (author, filed March 2012)
- *The Age Myth in Mediation*, ADR Prof Blog
- *Status and Contract in AT&T Mobility v. Concepcion*, SCOTUSBlog symposium on arbitration and the U.S. Supreme Court

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- *Amicus Curiae Brief of Arbitration Professors in Support of Respondents, in AT&T Mobility v. Concepcion*, No. 09-893 (U.S.) (author, filed October 6, 2010)
- *Hall Street Associates v. Mattel: The Right Result The Wrong Way?*, JAMS Dispute Resolution Alert, Vol. 8, No. 3 (Summer 2008)
- *The Negotiation Process, in A LITIGATOR'S GUIDE TO EFFECTIVE USE OF ADR IN CALIFORNIA* (CEB Press 2007) (2005)

OTHER PRESENTATIONS, TEACHING & CONFERENCES

- *Promoting Mediation through Private and Court-Connected Mediation Centers: Lessons from the U.S. and other Leading Mediation Jurisdictions*, 3-day training held for lawyers, judges, court administrators and other interested parties at the Center for Negotiation & Dispute Resolution, UC Law San Francisco (Oct. 2023)
- *Should Developing States Join the Singapore Convention? Why or Why Not?*, Mediation Training Institute East Africa & Institute of Chartered Mediators and Conciliators of Africa Free Mediation Webinar Series (Jun. 2023)
- Commentator, *Anti-Suit Injunctions and Arbitration: Clear or Muddy Waters?*, 7th Annual USC-JAMS Arbitration Symposium in Collaboration with Singapore International Arbitration Center (with Sheila Ahuja, Craig Chiasson, and Lijun Chui, Mar. 2023)
- Moderator, *Everything You Wanted to Know About Starting a Mediation/ Arbitration Practice or Taking It To The Next Level*, Celebrating Twenty Years of ADR at UC Law San Francisco: A Special Event for Alumni and Students (with Debra Bogaards, Bruce Edwards, Rachel Ehrlich, and Ruth Glick, Apr. 2023)
- Panelist, *Mediation and Settlement Facilitation in the Course of Arbitration: Perspectives from the U.S., Asia and Latin America*, California International Arbitration Week (with Cecilia Flores-Rueda, Ruth Glick, Miriam Pereira, and Yan Zhang, Mar. 2023)
- Moderator, *Does the Standard Law School ADR Curriculum Effectively Prepare our Students for the Realities of Mediation Practice?*, Northern California ADR Faculty Conference on Mediation: Bridging Theory and Practice (with Angela Agrusa, Bruce Edwards, Stephanie Sheridan, and Joan Stearns Johnsen, Feb. 2023)
- Panelist, *Mediation Around the World: Leveraging our Shared Experiences for a Brighter Future*, 19th Annual ABA Advanced Mediation and Advocacy Skills Institute (with Mushegh Manukyan, Michael McIlwrath, Ana Sambold, Svetlana Sergeeva, and Oladeji Tiamiyu, Dec. 2022)
- Moderator, *New Developments in Pacific Rim Arbitration: Perspectives from Hong Kong, Singapore, and California*, sponsored by UC Hastings College of Law and California Arbitration (with Mariel Dimsey, Sally Harpole, Dan Tan, and Adriana Uson, Nov. 2022)
- Panelist, *Commercial Stability in a World of Conflict Series - Mediation: Fragile Settlement, or Transformational Development?*, CI Arb Mediation Symposium 2022 (with Niki Borofsky, Ximena Bustamante, Isabel Phillips, Mahamed Rajah, Oct. 2022)
- Panelist, *Don't Just Go Through The Motions – How To Increase Your Chances Of Obtaining Relief Through Motions In Arbitration*, College of Commercial Arbitrators Best Practices Series (with Deborah Coleman, William Crosby, Jr., and Richard Silberberg, Sep. 2022)
- Panelist, *International Arbitration*, sponsored by the Asian American Bar Association of New York ADR and Litigation Committees (with Kabir Duggal, Margaret Ives, Chris Kwok, Aakruti Vakharia, August 2022)
- Panelist, *Mediation: Here to Stay, But a Credible ADR Mode?*, Thailand Arbitration Center (THAC) International ADR Week 2022 (with Chakarnit Chunnabhata, Francis Goh, Alvin Sim, Susan Tay, Shaun Wong, Jul 2022)
- *The U.S. Experience with Courts and Arbitrations in the Resolution of Commercial Disputes: Implications for Kazakhstan*, Seminar on topical issues of interaction between courts and arbitration tribunals in resolving commercial disputes, Almaty City Court, Kazakhstan (Jun. 2022)

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- *Navigating Virtual ADR—Effective Advocacy in Remote Proceedings: What Have We Learned and What Does the Future Look Like?*, ABA International Law Section Annual Conference, Washington D.C. (with Kabir Duggal, Chérine Foty, Daniel Gonzalez, and Sandra McCandless, Apr. 2022)
- *The U.S. Experience with Courts and Arbitrations in Commercial Dispute Resolution*, Seminar on the interaction of courts and arbitral tribunals in resolving commercial disputes, Academy of Justice under the Supreme Court of the Republic of Kazakhstan, Nur Sultan, Kazakhstan (Apr. 2022)
- *Should Developing States Ratify the Singapore Convention on Mediation?* Presented at:
 - Centre for Advanced Mediation Practice (CAMP), Bangalore, India (Apr. 2022)
 - Texas A&M Law School ADR Symposium (Mar. 2022)
 - U.C. Hastings College of the Law, San Francisco, CA (Feb. 2022)
- Panelist, *Developing Dispute Resolution Practitioners and Leaders: Mentorship, Apprenticeship, Coaching, and Other Approaches*, ABA Section of Dispute Resolution (with Deirdre Gallagher, Jane Juliano, Kathryn Sainty et al., Feb. 2022)
- *The International Experience of Mediation and the Africa Mediation Network Initiative*, The Now and Future of Mediation: An African Perspective, Kisumu Mediation Center, Kisumu, Kenya (with Lady Justice Joyce Aluoch, Caroline Etuk, James Mangerere, and Bernadette Uwicyeza, Jan. 2022)
- Panelist, *Mediation: An Effective Means to Resolve Your Disputes in India*, National Council of Asian Indian Associations (Dec. 2021)
- Moderator/Organizer, *How African States Can Promote Domestic and Cross-Border Mediation*, 7th SOAS Arbitration in Africa Conference in partnership with the Casablanca Int'l Mediation and Arbitration Centre (with Michael Bartlet, Diamana Diawara, Gaston Kenfack, Mariana França Gouveia, Fatma Ibrahim, Hon. Nigel Mutuna, Nov. 2021)
- Moderator, *Resolving Entertainment Disputes: Key Challenges in Litigation and Mediation and How to Overcome Them*, Loyola-JAMS ADR Webinar Series (with Jonathan Anschell, Shawn Holley, Bruce Isaacs, and Hon. Margaret Nagle, Nov. 2021)
- *What Is the Singapore Convention on International Settlement Agreements Resulting From Mediation and Should Developing States Ratify It?*, Public Lecture delivered at SOAS School of Law, University of London (Oct. 2021)
- Featured guest, “I’ve Never Signed an Arbitration Agreement... Have I?” Podcast for *Litigation Briefs: Media Shorts on Law and Courts*, U.C. Hastings Center for Litigation and Courts (with Prof. Scott Dodson, Oct. 2021)
- *A Broad Overview of the United Nations Convention on International Settlement Agreements Resulting from Mediation*, presented to ABA Section of Business Law Cross-Border Subcommittee (Sep. 2021)
- Moderator, *How to Select the Right Arbitrator: Tips from the Experts*, Loyola-JAMS ADR Webinar Series (with William Fitzgerald, Serena Lee, Sarah Reynolds, and Lester Schiefelbein, August 2021)
- Panelist, *Combining Arbitration and Mediation: Whether, When, and How?*, UIA World Forum of Mediation Centres Virtual Forum (with Prof. Dr. Renate Dendorfer-Ditges, Prof. Joan Stearns Johnsen, Dorothee Ruckteschler, Jun. 2021)
- Featured in Episode #84, *The Arbitration Conversation: Prof. Amy Schmitz Interviews the Leading Minds in Arbitration*, Arbitrate.com
- Keynote Address, *The Singapore Convention and the Rise of Cross-Border Commercial Mediation: Challenges and Opportunities*, USC-JAMS Fifth Annual Symposium, “Bridging the Common and Civil Law Chasm” (with Josephine Hadikusumo, Michael McIlwrath, Nina Mocheva, Laila Ollapally, May 2021)
- Faculty, *14th Annual Arbitration Training Institute*, American Bar Association Section on Dispute Resolution (Jun 2021)
- Faculty, *International Arbitration Skills Masterclass*, American Bar Association (May 2021)
- *Cognitive Biases in Mediation: Understanding our “not so rational” decision making processes*, International Law Program: Fundamentals of Mediation, Pontifical Catholic University of Paraná, Brazil (with Gabriella Assmar, Apr. 2021)

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- Panelist, *After the Election: The Evolving Politics of Arbitration Law*, ABA Dispute Resolution Section Annual Meeting (with Brian Farkas, Jean Sternlight, Stephen Ware, Apr. 2021)
- Panelist, *Cross-Border IP and Commercial Dispute Resolution*, World IP Forum Conference on Intellectual Property 2021: New Risks, New Challenges & Emerging Solutions (with Ryan Abbott et al., Apr. 2021)
- Panelist, *2021 Peer Mediation Invitational*, Western Justice Center, Pasadena, CA (Mar. 2021)
- Moderator, *Managing Employment Disputes in the Post-Pandemic Workplace: Lessons for Lawyers, Disputants, and Mediators*, Loyola Law School-JAMS Webinar (with Bernard Alexander, Joan Kessler, Melissa Daugherty & Jan Schau, Feb. 2021)
- *Is Mediation Law on the Verge of a Nervous Breakdown? Foreign, Comparative, and International Perspectives*, Conference in honour of Prof. Ben Davis, University of Toledo (Jan. 2021)
- *What Every Lawyer Should Know About Arbitration & International ADR*, Asian American Bar Association of the Greater Bay Area (with Cedric Chao, Mimi Lee & Serena Lee, Jan. 2020)
- *Mediation, Arbitration and "Mixed Modes": Whether, When, and How?*, JAMS & Indian Nat'l Association of Legal Professionals (INALP) Webinar (with Tom Stipanowich, Moazzam Khan, Chitra Narayan & Prachi Mehta, Jan. 2021)
- *Navigating Virtual Mediation and Arbitration Hearings in the COVID-19 Era and Beyond*, Ventura County Bar Association Alternative Dispute Resolution Section & Ventura County Asian American Bar Association (Dec. 2020)
- *Setting Standards for Mediation in India*, Camp-IDEX (with Sadhana Ramachandran, Laura May Skillen & Tara Ollapally, Dec. 2020)
- *What to Expect in the Wake of the Singapore Convention - Wearing a Mediator's Lens*, Nairobi Centre for International Arbitration Webinar on Mediation: Time to Harness its Effectiveness (with Justice Fred Ochieng, Funmi Roberts, Indrani Govender & Jackie Githinji, Sep. 2020)
- Moderator, *International Developments in Mediation and their Implications for the Continent*, SOAS Sixth Arbitration in Africa Conference, in partnership with the Centre de Médiation et d'Arbitrage de GICAM, Douala, Cameroon (with Caroline Etuk, Mohammed Hafez, Jimmy Muyanja & Michael Ostrove, Mar. 2020)
- *Difficult Conversations – Introduction to Mediation Workshop*, SOAS School of Law, University of London (with Michael Bartlet, Mar. 2020)
- *A Snapshot of National Legislation on Same Neutral Med-Arb and Arb-Med Around the Globe*, Experimental ADR Conference, University of Oregon (Feb. 2020)
- Panelist, *Litertainment: Discussions on Contractual Pitfalls, Contours of Investigations, Enforcement of US Judgments & Awards in India*, Inaugural Seminar on Navigating Disputes in India sponsored by Nishith Desai Associates at JAMS Century City (Feb. 2020)
- *Pathways to Sustainable Mediation – Mediation Legislation in Comparative Perspective*, JAMS Weinstein Fellows' Week, San Francisco & Napa (Sep. 2019)
- *From Afghanistan to Vietnam: Mediation Law in Comparative Perspective*, The Mediation Society of San Francisco (Jul. 2019)
- *What Commercial Mediation Legislation from Around the Globe Tells Us About How Mediation is Developing Internationally*, Los Angeles ADR Study Group (Jun. 2019)
- *Ad hoc Arbitration in the United States*, Ethics in Arbitration Symposium sponsored by the Civil Justice Research Initiative, UC Irvine School of Law (with Richard Chernick, Donna Melby, and Carrie Menkel-Meadow, et al., Apr. 2019)
- Panelist, *"Minds Meeting" Across Borders: Can't We All Just Mediate Our International Dispute?*, ABA Section of International Law Conference, Washington, D.C. (Mar. 2019)
- *Introduction to Negotiation*, SOAS School of Law, University of London (Feb. 2019)
- *A Primer on Mediation Law in Africa*, SOAS Fifth Arbitration in Africa Conference in partnership with Bannaga & Fadlabi LLP and the African Institute of International Law, Arusha, Tanzania (Feb. 2019)

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- *The Legal Framework of Multi-Tier Dispute Resolution: (Preliminary) Lessons From Around the Globe*, Conference on Multi-tier Approaches to the Resolution of International Disputes: A Global and Comparative Study, Hong Kong University, Hong Kong (with Anselmo Reyes, Weixia Gu, Tom Stipanowich et al., Sep. 2018)
- Panelist, *Pursuing FLSA and Employment Discrimination Claims in the Wake of Epic Systems*, ABA Section of Employment & Labor Law Webinar (Aug. 2018; with Michele Fisher & Jeffrey Schwartz)
- *The Role of Counsel in Mediation, Advocacy in Mediation: The US Experience*, Workshop organized by IFC and VBLC on Outlook for Commercial Mediation - An Advanced Alternative Dispute Resolution Method in East Asia, Hanoi, Vietnam (May 2018)
- Panelist, *Toward Integrating ADR Teaching, Writing, Theory, and Practice*, ABA Dispute Resolution Section Annual Meeting, Washington DC (Apr. 2018)
- *What Mediation Legislation from Around the Globe Tells Us About How Mediation is Developing Internationally*, Yale-Quinnipiac Dispute Resolution Workshop held at Yale Law School, New Haven, CT (Apr. 2018)
- *Some Challenges of Promoting Commercial Mediation in the Developing World*, Public Lecture delivered at SOAS School of Law, University of London (Mar. 2018)
- *The Role of Counsel in Mediation, Advocacy in Mediation: The US Experience*, Workshop organized by IFC and VBLC on Outlook for Commercial Mediation - An Advanced Alternative Dispute Resolution Method in East Asia, Ho Chi Minh City, Vietnam (Mar. 2018)
- *Lessons Learnt from Implementing Commercial Mediation in the US and the UK*, Workshop organized by IFC and VIAC on Vietnam's existing legal framework for commercial mediation and lessons learnt from international best practices, Ho Chi Minh City, Vietnam (Mar. 2018)
- Moderator, *The Benefits of ADR for Commerce and Investment in Liberia: How do Key Stakeholders Make it a Business Success in Effective Dispute Resolution?* Formal Launch of Liberia's Commercial Mediation Program, Monrovia, Liberia (May 2017)
- Panelist, *The New "Gold Standard" in Teaching ADR: Tools, Strategies, Practices* ABA Dispute Resolution Annual Meeting, San Francisco (Apr. 2017)
- Organizer & Panelist, *ADR Around the World: Country Developments, Global Trends*, ABA Dispute Resolution Annual Meeting, San Francisco (Apr. 2017)
- Panelist, *How Can Dispute Resolution be Improved?*, Global Pound Conference, USC Gould School of Law, Los Angeles (Mar. 2017)
- Panelist, *Comparative Arbitration*, AALS Annual Meeting, San Francisco (Jan. 2017)
- Panelist, *Negotiation Courses: Beyond the Roleplay?* ABA Dispute Resolution Annual Meeting, New York (Apr. 2016)
- Moderator & Panelist, *Reevaluating the Role of Autonomy in ADR*, ABA Dispute Resolution Annual Meeting, New York (Apr. 2016; with Claudia Bernard, Michael Lewis, Jennifer Reynolds, and Stephen Ware)
- Co-Trainer, *Advanced Mediation Training*, Centre for Advanced Mediation Practice, Bangalore, India (Feb. 2016)
- *Holistic Approach to Dispute Management—Interplay of Arbitration and Mediation*, Private Commercial Mediation Conclave, Bangalore, India (Feb. 2016; with K.G. Raghavan, Shreyas Jayasimha, & Prof. Jay Folberg)
- *Negotiation & Beyond*, Xavier Institute of Management & Entrepreneurship, Bangalore, India (Feb. 2016; with Hon. Rebecca Westerfield, Prof. Jay Folberg, & Victor Schachter)
- *Conceptual Approach to ADR*, Christ's University Faculty of Law, Bangalore, India (Feb. 2016; with Prof. Jay Folberg)
- *Arbitration: Creature of Contract, Pillar of Procedure*, Yearbook on Arbitration & Mediation Symposium on "The Politics of Arbitration," Penn State Law School, University Park, PA (Jan. 2016)

Prof. HIRO N. ARAGAKI, Ph.D., Esq., C.Arb.

- *Why Informalism? Lessons from the History of the Federal Arbitration Act*, Center for the Study of Dispute Resolution Symposium, “Beyond the FAA: Arbitration Procedure, Practice, and Policy in Historical Perspective,” Univ. of Missouri-Columbia Law School, Columbia, MO (Nov. 2015)
- *Cognitive Biases in Mediation*, JAMS Weinstein International Fellows’ Training, San Francisco & Napa, CA (Sep. 2015; with Richard Birke)
- Panelist, *Re-conceptualizing and Leveraging ‘Diversity’*, ABA Dispute Resolution Section Annual Meeting, Seattle, WA (Apr. 2015)
- Panelist, *Teaching Practical Negotiation*, ABA Dispute Resolution Section Annual Meeting, Seattle, WA (Apr. 2015)
- Panelist, *Strategies to Reduce the Effects of Implicit Bias*, Asian Pacific American Women’s Law Association Conference, Loyola Law School (Mar. 2015)
- *The Tension Between Autonomy and Freedom of Contract in Modern Arbitration Law*, Southern California Junior Faculty Forum, Whittier Law School (Mar. 2015).
- *Shifting Conceptions of Freedom in U.S. Arbitration Jurisprudence*, Mandatory Arbitration and Justice Discussion Group, S.E.A.L.S. Conference, Amelia Island, FL (Aug. 2014).
- *The Federal Arbitration Act as Procedural Reform*, Branstetter New Voices in Civil Justice Workshop, Vanderbilt Law School, Nashville, TN (May 2014)
- *The Federal Arbitration Act as Procedural Reform*, Negotiation & Conflict Resolution Colloquium, U.C.L.A. Law School, Los Angeles, CA (Apr. 2014)
- Panelist, *Historical Perspectives on Arbitration*, ABA Dispute Resolution Section Annual Meeting, Miami, FL (Apr. 2014; with Profs. Carli Conklin, Imre Szalai & Margo Todd)
- *The Federal Arbitration Act as Procedural Reform*, AALS Scholarly Paper Competition Panel, AALS Annual Meeting, New York (Jan. 2014)
- “Contract” or “Procedure”? *Reinterpreting the Federal Arbitration Act*, ABA Dispute Resolution Section Works-in-Progress Conference, Cardozo Law School (Nov. 2013)
- *The Forgotten Procedural Legacy of the Federal Arbitration Act*, Federal Courts Junior Scholars Symposium, Brooklyn Law School (Oct. 2013; commentator: Judith Resnik)
- *Considerations for the Design of a Court-Connected ADR Program*, Marian Conflict Resolution Centre, Sunyani, Ghana (Jul. 2013)
- *The Arbitration Debate: Congress, the U.S. Supreme Court, and Beyond*, Journalist’s Law School at Loyola Law School, Los Angeles, CA (Jun. 2013)
- *Review of The Spirit of Compromise, by Amy Gutmann & Dennis Thompson*, Law & Society Association Annual Meeting, Boston, MA (Jun. 2013)
- *Reinterpreting the Federal Arbitration Act*, Southern California Junior Law Faculty Workshop, Western State College of Law, Fullerton, CA (May 2013)
- Panelist, *ADR Initiatives in the Developing World: Lessons from the Field*, ABA Dispute Resolution Section Annual Meeting, Chicago, IL (Apr. 2013; with the Hon. Robert Levy, Stephanie Smith & Donna Stienstra)
- *Reinterpreting the Federal Arbitration Act*, University of Michigan Journal of Law Reform Symposium on the Future of Class Actions (Mar. 2013; with Profs. Janet Alexander, Brian Fitzpatrick, David Rosenberg et al.)
- Commentator, *Using Social Norms to Elicit Cooperation* (presentation by Prof. Noah Goldstein, U.C.L.A. Anderson School of Business), U.C.L.A. Negotiation & Conflict Resolution Program (Feb. 2013)
- *Arbitration and the Problem of Procedural Opportunism*, Saltman Center for Conflict Resolution, University of Nevada at Las Vegas Boyd School of Law (Feb. 2013)
- *Making Sense of FAA Preemption after AT&T Mobility v. Concepcion*, ABA Annual Meeting, Chicago, IL (Aug. 2012; with Eric Tuchmann and Terry Moritz)

Prof. HIRO N. ARAGAKI, Ph.D., Esq., C.Arb.

- Roundtable Discussant, *The ADR Brand*, Law & Society Association/Research Committee on the Sociology of Law International Meeting, Honolulu, HI (June 2012; with Profs. Eduardo Capulong, Amy Cohen, Jennifer Reynolds, and Danya Reda)
- Host, *Tales of Success and Failure in Mediation: An Evening with the Hon. Daniel Weinstein*, Loyola Law School, Los Angeles (Mar. 2012; interviewed Judge Weinstein in front of audience of students, faculty, and practitioners)
- Presenter, *The Future of Arbitration and the World of Class Action Litigation*, Federalist Society, Litigation Practice Group Teleforum (Mar. 2012; with Profs. Christopher Drahozal, Brian Fitzpatrick, Michael Greve & Bo Rutledge)
- *AT&T Mobility LLC v. Concepcion and the Antidiscrimination Model of FAA Preemption*, Symposium on U.S. Arbitration Law in the Wake of *AT&T Mobility v. Concepcion*, Pennsylvania State University Dickinson School of Law (Feb. 2012)
- *Is the Class Mechanism Fundamentally Incompatible with Arbitration?* Quinnipiac/Yale Dispute Resolution Workshop, Yale Law School (Nov 2011)
- *Alternative Dispute Resolution in the U.S.*, Prime University Faculty of Law, Dhaka, Bangladesh (Jul. 2011)
- *Considerations for Promoting the Use of ADR in Bangladesh*, Judicial Administration & Training Institute, Dhaka, Bangladesh (Jul. 2011)
- *Considerations for the Design of a Court-Connected ADR Program in Bangladesh*, Judicial Administration & Training Institute, Dhaka, Bangladesh (Jul. 2011)
- *Experiential Learning: The ADR Course in U.S. Law Schools*, Southeast University Faculty of Law, Dhaka, Bangladesh (Jul. 2011)
- *Some Lessons from the U.S. Experience with ADR*, Judicial Administration & Training Institute, Dhaka, Bangladesh (Jul. 2011)
- *Equal Opportunity for Arbitration*, Stanford/Yale Junior Faculty Forum, Civil Litigation & Dispute Resolution Session, Stanford Law School (Jun. 2011)
- Panelist, *The Supreme Court and Recent Arbitration Jurisprudence: Where Are We Headed?* Fordham Law School (January 2011; with Edna Sussman, Eric Tuchmann, and Profs. Thomas Stipanowich, Paul Kirgis & Amy Schmitz)
- *Equal Opportunity for Arbitration*, ADR Works-in-Progress Conference, University of Oregon Law School (Oct. 2010)
- *Arbitration's Suspect Status*, LatCrit XV Conference, University of Denver Sturm College of Law (Oct. 2010)
- *Arbitration's Suspect Status*, Faculty Workshop, CUNY Law School (Sep. 2010)
- *Arbitration's Suspect Status*, Third National People of Color Legal Scholarship Conference, Seton Hall Law School (Sep. 2010)
- *The Town Hall Meeting: Conflict, Governance, and Free Speech*, ABA Dispute Resolution Section Annual Meeting, San Francisco, CA (April 2010; with Hon. Bruce Meyerson and Profs. Richard Reuben & Douglas Nejaime)
- *Arbitration's Suspect Status*, Conference of Asian Pacific American Law Faculty Annual Meeting, University of Arizona James E. Rogers College of Law (Mar. 2010).
- *Equal Opportunity for Arbitration*, LatCrit XIV Conference, American University Washington College of Law (Oct. 2009)
- *Is 'Manifest Disregard' Dead After Hall Street?*, ABA Annual Meeting, Chicago, IL (August 2009)
- *Re-reading the U.S. Arbitration Act as an Anti-discrimination Statute*, International Institute for the Sociology of Law, Oñati, Spain (Jul. 2009)
- Moderator, *Arbitration Ethics*, Fordham Law School International Arbitration and Mediation Conference (Jun. 2009)
- *Law in the Age of Technology: Trademarks, Patents, Copyrights*, President's Spring Preview, Fordham University (Apr. 2009)

Prof. HIRO N. ARAGAKI, Ph.D., Esq., C.Arb.

- *Conversation and Conflict*, AALS Dispute Resolution Section Works-in-Progress Conference, Arizona State University Sandra Day O'Connor School of Law (Oct. 2008)
- *Deliberative Democracy and Integrative Negotiation: The Case of Free Speech*, Academy of Legal Studies in Business Annual Meeting, Long Beach, CA (Aug. 2008)
- *Free Speech Through the Lens of Negotiation: 'Ahmadinejad at Columbia' and Beyond*, Law & Society Association Annual Meeting, Montréal, Canada (May 2008)
- *Cognitive Traps in Negotiation: Lessons from Social Psychology*, U.C. Hastings College of Law (November 2004; with Prof. Melissa Nelken)
- Organizer & Moderator, *Bargaining for Lives: Hostage Negotiation and its Relevance for Lawyers*, U.C. Hastings College of Law (October 2004).
- *Alternative Dispute Resolution*, Bay Area APALSA Conference: "Reflection to Action," U.C. Davis School of Law (February 2004).
- *Mediation Confidentiality as Interpreted by the California Courts*, U.C. Hastings College of Law (April 2003).
- *How Should the California Supreme Court Decide Rojas v. Superior Court?*, Bar Association of San Francisco Mediation Committee (April 2003; with Elizabeth Bader).
- Organizer & Moderator, *Roundtable Discussion on the Implications of Rojas v. Superior Court*, co-hosted by the Mediation Program of the California Court of Appeal, First District (April 2003).
- *Community Mediation*, U.C. Hastings College of Law (April 2002).

LANGUAGES

English (native), French (proficient), Japanese (basic conversation), German (basic reading & conversation).