



Construction Law Forum 2015: The Art of Arbitration
January 23, 2015 – Nashville, TN

Program Description: Arbitration is fast becoming not an alternative to litigation, but as a required and recommended way to reach final resolution of disputes. This seminar is for lawyers who are new to this field, or who are experienced, and will cover all aspects of arbitration, from considerations in drafting arbitration clauses, choosing an arbitrator, what rules should apply, preparing for a hearing and the law of appeals. This information-packed, full-day program will provide 6 CLE hours, including 1 hour of ethics credit. **Breakfast & Lunch will also be provided.**

Program Producers: David Taylor, *Bradley Arant Boult Cummings, LLP*
Mary Beth Hagan, *Hagan & Farrar, PLLC*

Agenda

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| 8:30 – 9:00 a.m. | Registration/Breakfast/Welcome |
| 9:00 – 10:00 a.m. | Introduction to Arbitration: Should you agree or advise your client to arbitrate?
<i>Whether to arbitrate is not a “one-size-fits-all” decision. The decision to arbitrate depends upon a highly fact-driven analysis of a number of factors. Those factors will be discussed in this segment of the seminar.</i>
Todd E. Panther, Tune, Entrekin & White PC |
| 10:00 - 10:30 a.m. | Drafting Arbitration Clauses
<i>This topic will cover how to be best draft Arbitration clauses to properly protect clients in both residential and commercial construction projects.</i>
David K. Taylor, Bradley Arant Boult Cummings, LLP |
| 10:30 – 10:45 a.m. | BREAK |
| 10:45 – 11:15 a.m. | Enforcing an Arbitration Clause – A Case Study
Mary Beth Hagan, Hagan & Farrar, PLLC
Timothy Crenshaw, Schulman LeRoy & Bennett PC |

- 11:15 – 11:30 a.m. Selecting an Arbitrator/Private Arbitration or Through an Administrating Agency
Mary Beth Hagan, Hagan & Farrar, PLLC
- 11:30 – 12:00 p.m. Discovery in Arbitration and Preparation for the Hearing
How do you balance the need to evaluate your case with the restrictions on discovery in arbitration? I have the discovery, now what am I to do? Tips and suggestions on methodology for preparation for the arbitration hearing.
Adam O. Knight, Dickinson Wright PLLC
- 12:00 – 1:00 p.m. LUNCH (***lunch will be provided***)
(Sponsored by: TBA Construction Law Section)
- 1:00 – 1:30 p.m. Conducting an Arbitration Hearing: An Advocate’s Perspective
We attorneys are well-trained to identify and organize the positive and negative aspects of a particular dispute. But when it comes to putting on proof for your client, what do you put in and what do you leave out? This section suggests some elements to leave out of an arbitration hearing.
Timothy Gibbons, Chambliss, Bahner & Stophel P.C.
- 1:30 – 2:00 p.m. Conducting an Arbitration Hearing: An Arbitrator’s Perspective
I will discuss from my experience and perspective, factors an attorney should consider when presenting a case to an arbitrator.
Keene Bartley, Schulman, LeRoy & Bennett PC
- 2:00 – 3:00 p.m. Post-Hearing Procedures/Appealing Arbitration Awards
Vic McConnell, Smith Cashion & Orr, PLC
- 3:00 – 3:15 p.m. **BREAK**
- 3:15 – 4:15 p.m.
(1 Dual) Ethical Considerations in Arbitration
This topic deals with issues that can trigger ethical issues and questions unique to a construction dispute and to the advocates in a construction case. From this discussion the construction practitioner should be able to recognize these unique issues when they arise and be better equipped to navigate them.
John T. Blankenship, Blankenship & Blankenship

Credit hours: 5.0 general, 1 dual