

VIAC – Questionnaire for Mediators

1. **Name:** Paul Eric Mason

2. **Nationality:** U.S., with Brazilian permanent residency

3. **Contact information**

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4. **Education and professional experience (original profession; where did you study?):**

Please add your CV!

Full CV is available in English and Portuguese at www.paulemason.info

5. **Core area of current professional activity:** Primarily serving as a neutral (Mediator and Arbitrator) for international business and commercial disputes, with some transactional lawyer activity as well.

6. **Accreditation in the field of ADR (including relevant trainings and connected qualifications):**

- IMI certified mediator for both Brazil (first IMI-certified mediator in Brazil) and the U.S.
- Negotiation and Mediation Training (in Portuguese) at PUC-Minas Law School, 2001 & 2002
- Mediation Training at the American Arbitration Association, Miami

7. **Practical experience in mediation**

How many (international) mediations have you participated in

- as single/co-mediator/in a team? 30+
- administered by an institution; under which Rules? 10 (AAA, ICC, ICDR, U.S. Federal Court)
- in which areas/fields? (M & A, insurance/reinsurance, shipping, agribusiness, charter air travel, energy, environmental, international corporate human resources)
- how complex (*please provide examples, participation of lawyers/experts*)?

Example 1: Mediated settlement in a U.S. \$50+ million multi-party environmental dispute between eight multinational oil companies and local community

Example 2: Mediated settlement in ICC case with parties from several Central American and European countries and the U.S. over reinsurance claims for damages to sophisticated electrical generating equipment (11 participants from six countries – mediated bilingually in English and Spanish).

Example 3: Mediated case successfully with five lawyers participating on one side.

OBSERVATION: To date, all the cases where I have served as mediator have arrived at settlements

OBSERVATION: I am available to conduct mediations via videoconference if the parties wish to do so. As counsel I suggested, helped arrange and participated in the first successful international commercial mediation via videoconference in 2006 between U.S. and Latin American parties.

How often have you acted in a different function (e.g. consultant, expert)? I have participated as counsel in one high-level international mediation. I have not acted as expert, but have hired experts in some cases I mediated when useful to do so.

What other ADR-experience do you have?

As arbitrator of international business and commercial disputes. This experience is most helpful, especially when mediating disputes under contracts with med-arb clauses.

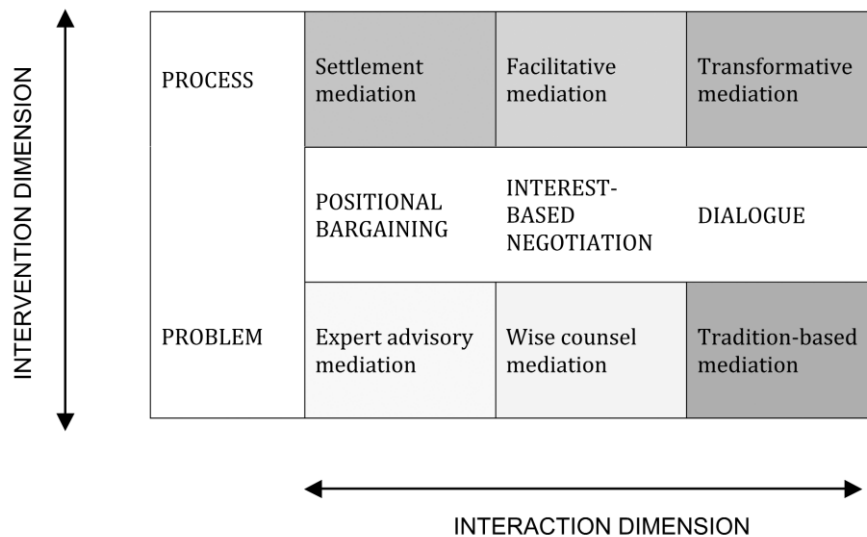
8. Languages (including levels)

Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language): Portuguese, Spanish, also proficiency in Russian has been helpful in mediation with Russian parties.

9. Style of mediation

Where do you see yourself? Please tick box as appropriate or indicate your preferred style.



© Alexander, Nadja (2011) "The Mediation Meta-Model - the realities of mediation practice," *ADR Bulletin*: Vol. 12: No. 6, Article 5. Available at: <http://epublications.bond.edu.au/adr/vol12/iss6/5>; see also here for a detailed description of the 6 mediation styles.

My preferred style is to be flexible, depending on what is required for each case.

9. Please describe aspects of your personality which could be interesting to clients you are going to mediate; what would former clients emphasize in your work?

Flexibility, good listener, do not give up easily, practical business approach combined with good intercultural skills from years of experience as in-house multinational corporate lawyer in Latin America, Russia, Europe, Asia, U.S. and Canada.

10. Publications and other activities in ADR related matters (e.g. training sessions, seminars, conferences, articles and others):

- Expert Assessor for II IBA – VIAC International Commercial Mediation Competition/Vienna, July 2016 (nominated to judge semi-final round)
- Panelist, UNCITRAL Session preceding the Competition
- For mediation related presentations and publications, please see the website www.paulemason.info

- Taught ADR/Mediation at the Moscow Finance and Law Academy (MFUA), Russia's largest private university with 12 campuses around the country, and at PUC – Minas Law School in Brazil.

11. Memberships in mediation institutions / functions in mediation institutions/organizations:

- Member, IMI International Standards Commission evaluating QAP and Inter-cultural QAP applications worldwide, from countries such as Russia, Israel, Italy, USA, etc.
- Founder and Co-Coordinator, IMI – Brasil (over 40 members)
- Mediator at the AAA & ICDR/New York, ARBITAC/Curitiba - Brazil, Beijing Arbitration Commission, CAMARB/Belo Horizonte - Brazil, CAMFIEP/Curitiba - Brazil, CBMA/Rio de Janeiro – Brazil, CCBC/São Paulo - Brazil, EUROCAMARAS (Association of European – Brazilian Chambers of Commerce)/São Paulo – Brazil, FIMC/Florence - Italy, ICC/Paris, SIMC/Singapore
- Member, Mediation Commission (Policy setting body) at the CCBC/São Paulo

12. Special expertise or specializations (please list a maximum of three) in your ADR-practice:

- Information technology (including medical technology) & telecommunications
- Insurance/reinsurance
- Geographic specialty areas: Latin America, Russia/CIS countries

13. Soft Skills (e.g. intercultural competences): Please see answer to question 9 above.

Have specialized in mediating international, intercultural business disputes for ICC, ICDR etc. Serve on Subgroup of IMI International Standards Commission evaluating applications for certification of Intercultural QAPs

14. How do you ensure your professional quality (e.g. coaching, practice supervision, etc)?

Practice as often as possible, soliciting peer feedback, coaching students for mediation competitions and acting as expert assessor in these. For example, right now my wife and I are coaching a team from the Milton Campos Law School to help them prepare for the upcoming CAMARB National Mediation Competition (in Portuguese) to be held in October.

15. Photo



I have completed this questionnaire to the above to the best of my knowledge and believe it is accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons or may be published on VIAC's website.

Date and signature

22 July 2016