



Lorraine M. Brennan, Esq.

Mediator, Arbitrator, Referee/Special Master, Neutral
Evaluator, Hearing Officer

Contact Information

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Lorraine M. Brennan, Esq. is an accomplished national and international dispute resolution professional. She is recognized and respected for her broad range of professional experience involving complex commercial litigation, domestic and international arbitration and mediation, and her service as a distinguished global member of law school faculties from the United States to China.

Lorraine is a highly sought-after speaker and frequent lecturer on complex commercial dispute resolution. She maintains leadership roles in multiple organizations, including ArbitralWomen, the International and Dispute Resolution Sections of the American Bar Association and the Institute for Transnational Arbitration (Advisory Board Member). Ms. Brennan is one of only eight members appointed by the U.S. State Department to serve on the NAFTA 2022 Advisory Committee on Private Commercial Disputes. She is proficient in French and has a working knowledge in Spanish.

Ms. Brennan serves as an adjunct Professor teaching International Commercial Arbitration at the Georgetown University Law Center, and taught International Business Transactions at Cornell Law School and Shantou Law School, Guangdong, China.

ADR Experience and Qualifications

- Ms. Brennan has served as Sole Arbitrator, Co-Arbitrator, Chair of the Tribunal, Secretary to the Tribunal, and counsel in a number of cases under different institutional rules, including JAMS, UNCITRAL, ICC, AAA, and Ad Hoc proceedings. Recent Cases include:
 - Chair of the Tribunal in UNCITRAL Case (international) involving breach of contract between bio-tech companies
 - Chair of the Tribunal in breach of fiduciary duty and breach of contract matter between various LLCs and partners in multi-million dollar commercial property transaction
 - Co-arbitrator in patent litigation dispute between technology companies
 - Emergency Arbitrator in matter between Fortune 50 pharmaceutical company and top executive regarding breach of separation agreement
 - Sole Arbitrator in multiple breach of business commercial contact disputes
 - Sole Arbitrator in shareholder dispute involving valuation of a stock put, breach of contract, and breach of fiduciary duty
 - Co-arbitrator in Broker/Dealer dispute
 - Sole Arbitrator in multiple financial services dispute
 - Sole Arbitrator on multiple breach of services agreement matters
 - Mediated and settled two multi-million dollar wrongful termination suits brought against multi-national financial institution
 - Successfully mediated FLSA and racial discrimination case involving 16 plaintiffs and multi-national clothing manufacturer
- Mediated numerous disputes under Asbestos Trust Agreement
- Neutral reviewer on numerous Federal Emergency Management Agency (FEMA) claims related to SuperStorm Sandy
- As Partner and Director of the International Arbitration Practice Group for Kilpatrick Stockton, LLP she advised clients on all phases of arbitration, both domestic and international, and worked on international and domestic arbitration matters
- As Managing Director of JAMS International she was responsible for the opening of the JAMS International office in London and the strategic growth and development of JAMS International and the International panel including the development of partner relationships with foreign licensees
- As Director of Arbitration and ADR, North America, for the ICC International Court of Arbitration, she advised North American companies, law firms and parties on all phases of ICC arbitration, including negotiating and drafting arbitration clauses, substantive and procedural rules for filing requests for arbitration before the ICC Court, and enforcement of arbitration awards
- As Senior Vice President of the International Institute for Conflict Prevention and Resolution, she worked with the corporate Board of Directors on international development projects including the creation of an Asia/Pacific Advisory Committee to develop CPR's work in Asia/Pacific and develop a mediation platform in Brazil. She managed a grant from General Electric to execute international projects in Asia and Eastern Europe; coordinated European Advisory Committee and European projects to develop mediation and arbitration in Europe,

drafted a survey on the use of mediation in the Asia/Pacific region and met with leading Asian institutions including CIETAC, BAC, HKIAC, VIAC and AMCHAM Beijing and Shanghai to promote CPR's work in Asia/Pacific

- As an Associate for the firm of Killarney, Brody and Fabiani, Choate, Hall & Stewart, and the firm of Milbank, Tweed, Hadley & McCloy she litigated complex commercial cases in both State and Federal Courts including bankruptcy litigation, shareholder derivative cases, insurance and reinsurance matters, breach of contract, lender liability, trusts and estates, and conducted numerous due diligence reviews. She served as counsel on numerous arbitrations, both domestic and international, as well as counsel on mediations
- One of eight members appointed by US State Department to the NAFTA 2022 Advisory Committee on Private Commercial Disputes

Honors, Memberships, and Professional Activities

- Completed Virtual ADR training conducted by the JAMS Institute, the training arm of JAMS
- Listed in the 2017 Experts Guide (Commercial Arbitration)
- Member, City Bar of New York
- JAMS Liaison to the ABA Section of International Law
- Vice-Chair, ABA International Section Committee on Mediation
- Vice-Chair, ABA International Section Committee on Arbitration
- Co-Chair, ABA Dispute Resolution Section International Committee
- Member of the Steering Group for the International Litigation Committee
- Sits on Public Panel at FINRA
- Member, NAFTA 2022 Advisory Committee on Private Commercial Disputes (1999-present)
- President, Arbitral Women (2008-2010); Board Member and Founding Member; Current Advisory Member to the Board
- Former Chair, Women's Interest Network, Section of International Law, American Bar Association
- Former Co-Chair, Commercial Dispute Resolution Committee, American Bar Association Section of International Law
- Former Co-Chair, International Litigation Committee, American Bar Association Section of Litigation, 2000-2002
- Member, Advisory Board, Institute for Transnational Arbitration
- Adjunct Professor of Law, International Commercial Arbitration, Georgetown University Law Centre, 2006-present
- Visiting Professor of Law, International Business Transactions, Shantou University Law School (Guangdong, China), 2006-2010

Publications

- "International Arbitration and E-Discovery: Rising to the Challenge", *The New York Law Journal*, October 6, 2014
- "When Mediation Makes Sense: A Win for Employers and Employees," *Law.com*, May 6, 2014
- "The PEMEX Case: The Ghost of Chromalloy Past?" *Law.com*, March 4, 2014
- "High Court Declines to Address Arbitrator Bias Standard," *The New York Law Journal*,

October 1, 2007

- Co- Author, "Negotiating The Maze of IP Protection," *The National Law Journal*, April 9, 2007
- Served as a Consultant for the OECD (Organisation for Economic Co-Operation and Development) and contributed to "*Privacy Online: OECD Guidance on Policy and Practice*," 2003
- "The Ten Most Frequently Asked Questions about ICC Arbitration," *The International Litigation Quarterly*, Vol. 19, no. 1, pp. 30-31, Fall 2002, The Litigation Section of the American Bar Association
- Co-Author, "The Practice of Law in the EEC by New York Litigators after 1992," *International Law Practicum*, Vol. 4, no. 2, p. 38, Autumn 1991, The International Law Section of the New York State Bar Association

Background and Education

- Managing Director, JAMS International, 2011-2013
- Senior Vice President, Programs and International, International Institute for Conflict Prevention and Resolution, 2008-2011
- Partner, Kilpatrick Stockton, LLP, 2006-2008
- Director of Arbitration and ADR, North America, ICC International Court of Arbitration, 2000-2006
- Director, Arbitration and Intellectual Property and Legal Counsel, USCIB (ICC National Committee), 1997-2000
- Associate, Choate, Hall & Stewart, 1992-1994
- Associate, Milbank, Tweed, Hadley & McCloy, 1989-1992
- Senior Law Clerk, The Honorable Irving Ben Cooper, U.S. District Court SDNY, 1987-1989
- Associate, Killarney, Fabiani & Brody, 1985-1987

Education

- Masters of Art in Law and Diplomacy, The Fletcher School of Law and Diplomacy, Co-Administered by Harvard and Tufts Universities, 1997
- Diplôme d'Etudes Supérieures en Droit: Mention: European Studies, Institut Universitaire De Hautes Etudes Internationales, Geneva, Switzerland, 1997
- J.D., Suffolk University Law School (Dean's List), 1984
- B.A., French Literature, Cornell University (Dean's List), 1981

Languages

- Proficient in French, working knowledge of Spanish

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