



Advantages of Arbitration in the COVID-19 Era

Judge Randall Rader

Primary Advantage: Tailor Your Own Proceeding

- ▶ **EXPEDITED TIME:** complete the entire proceeding in 30 days, 60 days?
- ▶ **WRITTEN SUBMISSIONS:** 20 or 30 pages for each party
- ▶ **VIDEOCONFERENCE:** all parties in same screen
- ▶ **ARBITRATORS:** one or three chosen by parties for expertise

Single Issue Clarification

- ▶ COORDINATE WITH MEDIATION OR ADJUDICATION: send single issue to arbitrator for binding or non-binding guidance (within 30 days)
- ▶ TYPES OF ISSUES
 - Claim construction
 - Resolve battles of experts
 - Meaning of contract or license provisions

Potential Emphasis on Valuation

- ▶ Business resolution more possible once proper valuation of assets
- ▶ Enable expert presentation of value issues
- ▶ Evaluate different arguments

Summary

- ▶ **CONFIDENTIAL**
- ▶ Fast and Efficient (less expensive)
- ▶ Tailored to needs of parties or nature of proceeding