

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Harrie R. SAMARAS
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Date of Birth: October 5, 1954

Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LLM, Patent and Trade Regulation, The George Washington University National Law Center, Washington, DC, 1991;

JD, University of Baltimore School of Law, Baltimore, MD, 1984;

MS, Cell Physiology / Biochemistry, University of Maryland, College Park, MD, 1978; and

BS, Zoology / Chemistry, University of Maryland, College Park, MD, 1976.

LANGUAGES

English.

April 6, 2017

PRESENT POSITION

Founded, ADR Office of Harrie Samaras (formerly known as ADR & Law Office of Harrie Samaras), 2009; Serves as a full-time neutral primarily in domestic and international disputes involving intellectual property and business/technology issues; serves as a neutral in disputes involving employment issues and monetary and business disputes between and among investors, securities firms and individual registered representatives; and consults on ADR issues;

Co-Founder, Advanced Business Law Resources, 2010;

Provides training and consulting services to lawyers, business managers and executives primarily related to preventing, reducing and resolving conflicts.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Shareholder, RatnerPrestia, Valley Forge, PA, 2006 - 2009;

Of Counsel, RatnerPrestia, Valley Forge, PA, 2003 - 2006.

Headed firm's Litigation and Dispute Resolution Department. Practice included: representing clients in all phases of litigation (through appeals) in federal courts and in alternative dispute resolution proceedings; serving as a neutral (e.g., arbitrator and mediator); counseling clients regarding ADR options; and providing training in dispute resolution.

Sabbatical, West Chester, PA, 2002;

Obtained mediation training and served as an arbitrator for WIPO.

Vice President Intellectual Property, Legal, Élan Drug Delivery, Inc., King of Prussia, PA, 2000 – 2002;

Managed legal department of attorneys based in the United States and Dublin, Ireland. Responsible for all facets of IP practice of Drug Delivery business unit having research and development sites in the United States, Ireland, Switzerland, Israel, and England.

Director Intellectual Property Litigation (1998-2000), Associate Litigation Counsel (1997-1998), MCI WORLDCOM, INC., Washington, D.C., 1997 – 2000; Law & Public Policy:

Developed and managed a legal department to handle IP litigation for the company on a worldwide basis. Reported directly to MCI WorldCom, Inc.'s Chief Litigation Counsel.

Litigation and Pre-litigation - Responsible for: IP and Internet-related litigation and alternate dispute resolution proceedings; developing case strategies; and negotiating settlements. Advised engineering, business, and attorney clients about IP and contract matters, performed infringement and invalidity investigations, obtained opinions of counsel, handled cease and desist letters, and negotiated portions of licenses.

Administration - Prepared reports on case status, reserves, and settlements; prepared budget for IP Litigation Group; managed hiring of attorneys for Litigation Group; and worked on Litigation Group policies.

Senior Associate, Lowe, Price, Leblanc & Becker, Alexandria, VA, 1994-97;

Handled all aspects of litigation and pre-litigation matters, negotiated settlements, prepared opinions of counsel in all areas of IP, prepared appellate briefs, handled contract disputes, counseled clients about ownership and protection of IP rights and contract issues.

Associate, Knobbe, Martens, Olson & Bear, Newport Beach, CA, 1990-94;

Assisted in all aspects of IP litigation and appellate practice. Prepared and prosecuted trademark applications, prepared opinion letters, and counseled clients about ownership and protection of IP rights.

U.S. Court Of Appeals For The Federal Circuit, Washington, DC, 1985-90;
Law Clerk to the Honorable Helen W. Nies, Chief Judge, 1988-90;

Reviewed briefs, performed technical and legal research, prepared bench memoranda, attended oral arguments, drafted opinions and drafted speeches.

Deputy Senior Technical Assistant, Office of the Senior Technical Assistant. 1985-88;

Provided technical assistance to judges, drafted opinions, reviewed panel-approved opinions for consistency with precedent, handled motions, assisted in redrafting the Local Rules and Attorney Disciplinary Rules, managed EEOC compliance, assisted Clerk of Court in case assignments, and drafted speeches for Chief Judge.

U.S. Patent and Trademark Office, Arlington, VA, 1983-85;
Patent Examiner, Biomedical Arts (Mech./Chem.)

Examined patent applications in the biomedical and drug delivery arts.

AREAS OF SPECIALIZATION

Alternative dispute resolution in IP and contract disputes involving business and technology issues. Legal area of specialization in intellectual property. Broad technical background and experience including: life sciences, chemistry, mechanical, computer/software, pharmaceutical, medical devices, and telecommunications.

MEMBERSHIP IN PROFESSIONAL BODIES

U.S. Supreme Court, 2008;
Pennsylvania State Bar, 2003;
U.S. District Court for the Eastern District of Pennsylvania, 2003;
District of Columbia Bar, 1995 (inactive in 2010);
California State Bar, 1991 (inactive in 2011);
U.S. District Court for the Central District of California, 1991;
U.S. District Court for the Southern District of California, 1991;
Maryland State Bar, 1985;
U.S. Court of Appeals for the Federal Circuit, 1985.

College of Commercial Arbitrators

- Member, Board of Directors, October 2015 to Present

American Bar Association

- Vice Chair, Dispute Resolution Section, August 2016 to Present

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- Budget Officer/Executive Committee, August 2015 to August 2016
 - Member, Dispute Resolution Section Council, 2013 to 2015
 - Co-Chair, Intellectual Property Committee (DR Section), 2012 to Present;
 - Member, Women in Dispute Resolution Committee (DR Section), 2011 to Present;
 - Member, Dispute Resolution Section Council, 2009 to 2012;
 - Member, Content Advisory Board (IPL Section), 2011 to Present;
 - Member, Section of Dispute Resolution Advisory Committee, 2008 to Present;
 - Member, Task Force, Women in Dispute Resolution Committee, Dispute Resolution Section 2011 to Present;
 - Chair, Division VI (Litigation, Alternative Dispute Resolution and Related Issues), IPL Section, ABA, 2010 to 2011;
 - Vice-Chair, Division VI (Litigation, Alternative Dispute Resolution and Related Issues), IPL Section, ABA, 2009 to 2010;
 - Chair, ADR Committee, IPL Section, 2008 to 2009;
 - Co-chair, ADR Committee, IPL Section, 2007 to 2008.

American Intellectual Property Law Association

- Member, Professionalism and Ethics Committee, 2012 to Present;
- Member, Special Legislation Committee, (Patents/Litigation), 2009 to 2012; 2013 to Present;
- Chair (2010 to 2012), Vice-Chair (2008 to 2010) Alternative Dispute Resolution Committee;
- Member, Public Appointments Committee, 2008 to 2009;
- Chair, Committee on Inventor Issues, 2006 to 2007;
- Fellow, 2004 to Present;
- Amicus Committee, 2004 to 2006;
- Chair, Committee on IP Law Associations, 2002 to 2004;
- Treasurer, 2000 to 2002;
- Chair, Finance Committee, 2000 to 2002;
- Board of Directors, 1999 to 2002;
- Member, Finance Committee, 1999 to 2000;
- Member, Nominations Committee, 1997 to 1998 and 2005 to 2005;
- Member, Public Appointments Committee, 1998 to 1999;
- Chair, Communications Law Committee, 1998 to 1999;
- Chair, Professional Responsibility Committee, 1997 to 1998;
- Chair, Membership Committee, 1995 to 1997.

Federal Circuit Bar Association

- Chair, Dispute Resolution Committee 2006 to 2008;
- Vice Chair, Dispute Resolution Committee 2004 to 2006.

The American Intellectual Property Law Education Foundation

- Trustee, 2003 to 2008;
- Treasurer, 2004 to 2008.

ADR Advisory Activities

- CPR International Commission on Patent Disputes;
 - Chair, Technology Neutrals Review Committee (2007 to Present)
 - Member, Neutrals Subcommittee of the Patent Committee (2004 to 2007)
 - Advisory Council on IP, Franklin Pierce Center for IP – University of New Hampshire;
 - AAA's National Patent Advisory Council;
 - Member, ABA Section of Dispute Resolution, Advisory Committee (2008 to Present).
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EXPERIENCE IN INTELLECTUAL PROPERTY

- Over thirty years experience in intellectual property law from positions held at: (1) the U.S. Patent and Trademark Office (Patent Examiner), (2) the U.S. Court of Appeals for the Federal Circuit (staff attorney, law clerk), (3) law firms, and (4) the law departments of two corporations (executive positions managing intellectual property portfolios/litigation/contract negotiations).
 - Experience in Alternate Dispute Resolution (IP disputes): representing clients in ADR processes related to IP disputes, serving as a neutral in IP disputes, and counseling clients in using ADR to resolve IP disputes.
 - Developed and managed corporate intellectual property practices.
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EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Serves as an arbitrator for WIPO under the UDRP;

Serves on WIPO's roster of panelists of .mobi Premium Name Experts;

Serves as an arbitrator for WIPO under the Expedited Arbitration Rules as adapted for ccTLD Dispute Resolution;

Serves on WIPO's roster of panelists under the Legal Rights Objection procedures;

Represented clients (in-house and as outside counsel) in domain name disputes (UDRP, U.S. federal district courts).

MAJOR PUBLICATIONS**Alternative Dispute Resolution and Related Topics: Selected Publications****Book**

Harrie Samaras (Editor/Author), *ADR Advocacy, Strategies, and Practice for Intellectual Property Cases*, ABA Publishing – Intellectual Property Section of Law (2011).

Articles

Judy Weintraub and Harrie Samaras, Training Corporate Business Managers on Dispute Resolution. *The Legal Intelligencer*, May 5, 2014.

Harrie Samaras and Judy Weintraub, Formulating a Mindset to Achieve More Effective Arbitrations. *The Legal Intelligencer*, March 4, 2014.

- Judy Weintraub and Harrie Samaras, *Reviewing the Revised AAA Commercial Arbitration Rules*. The Legal Intelligencer, January 6, 2014.
- Harrie Samaras and Kathy Bryan, *Improving the Use of Mediation in Patent – and Other – Cases*. Vol. 31, No. 3, INSIDE Journal (New York State Bar Association) Winter 2013.
- Harrie Samaras and Judy Weintraub, *Are Time and Cost Efficiencies in Arbitration a Fantasy*. The Legal Intelligencer, August 30, 2013.
- Harrie Samaras (an interviewee), *Everyone's a Winner*. Intellectual Asset Management, July/August 2013.
- Harrie Samaras and Judy Weintraub, *Top 10 Mistakes to Avoid Making in Mediation Advocacy*. The Legal Intelligencer, July 29, 2013.
- Harrie Samaras and Judy Weintraub, *Using Early Case Assessment as a Tool for Triaging Disputes*. The Legal Intelligencer, March 29, 2013.
- Laura A. Kaster and Harrie Samaras, *Overcoming Barriers to Valuing Your Case*. Vol. 18, No. 2, The Woman Advocate (ABA Section of Litigation), Winter 2013.

Mediation Advocacy series:

- Judy Weintraub and Harrie Samaras, *After the Mediation Session: Where Do You Go From There?* The Legal Intelligencer online (LAW.COM) Litigation Column on January 10, 2013.
- Judy Weintraub and Harrie Samaras, *Mediation Advocacy: Preparing to Avoid an Impasse*. The Legal Intelligencer, December 21, 2012.
- Harrie Samaras and Judy Weintraub, *Mediation Advocacy: Taking Aim at Settlement*. The Legal Intelligencer, November 21, 2012.
- Judy Weintraub and Harrie Samaras, *The Mediation Session: Tips on Strategy for Caucuses*. The Legal Intelligencer, October 5, 2012.
- Judy Weintraub and Harrie Samaras, *The Mediation: Strategy for the Initial Joint Session*. The Legal Intelligencer, August 31, 2012.
- Judy Weintraub and Harrie Samaras, *The Strategic Use of Pre-Mediation Submissions*. The Legal Intelligencer, July 25, 2012.
- Judy Weintraub and Harrie Samaras, *Mediation Preparation: Don't Let the Informality Fool You*. The Legal Intelligencer, June 29, 2012.
- Judy Weintraub and Harrie Samaras, *The Mediation's Framework: How to Approach a Preliminary Hearing*. The Legal Intelligencer, May 18, 2012.
- Harrie Samaras and Judy Weintraub, *What You Need to Know about Selecting a Mediator*. The Legal Intelligencer, April 17, 2012.
- Harrie Samaras and Judy Weintraub, *10 Ways to Introduce Mediation to Opposing Counsel*. The Legal Intelligencer, March 28, 2012.
- Harrie Samaras and Judy Weintraub, *Is Mediation the Right Choice for Your Dispute*. The Legal Intelligencer, February 28, 2012.
- Harrie Samaras and Judy Weintraub, *Evaluating the Dispute Resolution Clause in Mediation*. The Legal Intelligencer, February 10, 2012.

Harrie Samaras and Judy Weintraub, *Know All Your Options For Resolving Work Disputes*, Philadelphia Business Journal, January 13 - 19, 2012.

Paul Prestia and Harrie Samaras, *Beyond Decision Trees: Determining Aggregate Probabilities of Time, Cost, and Outcomes*, Vol. 28, No. 4, ALTERNATIVES, April 2010.

Harrie Samaras, *Has the Supreme Court Made What's Old New Again in Hall Street v. Mattel?* The Legal Intelligencer, May 29, 2008.

Harrie Samaras, *The Confidential Mediation Submission - An Opportunity That Should Not Be Missed*, Vol. 17, No. 3, INSIGHT Newsletter, Winter 2007.

Harrie Samaras, *Adding a "Peacemaker" To Your Litigation Team*, Vol. 17, No. 2, INSIGHT Newsletter, Summer 2007.

Harrie Samaras, *The Minitrial - A Sizeable Option for Resolving Disputes*, Vol. 17, No. 1, INSIGHT Newsletter, Spring 2007.

Harrie Samaras, *The Mediation Session*, Vol. 16, No. 2, INSIGHT Newsletter, Winter 2006.

Harrie Samaras, *Mediation at the Appellate Stage . . . An Appealing Option*, Vol. 16, No. 1, INSIGHT Newsletter, Fall 2006.

Harrie Samaras, *You've Got Choices*, Vol. 15, No. 2, INSIGHT Newsletter, Fall 2005.

Harrie Samaras, *How Do You Want Your ADR Administered?* Vol. 15, No. 1, INSIGHT Newsletter, Spring 2005.

Harrie Samaras, *The ABC's of Arbitration Provisions*, Vol. 14, No. 2, INSIGHT Newsletter, Fall 2004.

Representative cases.

Markzware v. Enfoc Software Inc., et al., (C.D. Cal. 2007). Pretrial/patent infringement dispute.

Bradford White Corp. v. Water, Inc., (C.D. Cal. 2006). Pretrial/trademark infringement dispute.

Troy Coppola v. Luckyvitamin.com et al., (C.D. Cal. 2006). Pretrial/copyright and trademark infringement.

Unitherm Food Systems, Inc. v. Perdue Farms Incorporated, (N.D. Oklahoma 2005). Pretrial/food processing patent.

Project Management Institute, Inc. v. Brent Knapp, (District, Arizona 2005). Pretrial/copyright and trademark issues involving publication about project management.

Invitrogen Corp. v. Clontech Labs., Inc., 429 F.3d 1052 (Fed. Cir. 2005). Appeal in patent case.

Clontech Labs., Inc. v. Invitrogen Corp., 406 F.3d 1347 (Fed. Cir. 2005). Appeal in patent case.

Ronald A. Katz Technology Licensing, L.P. and MCI Telecommunications Corporation v. AT&T Corp., et al., (E.D. Pa. 2000). Pretrial/call processing technology.

FTP Software, Inc. v. MCI WorldCom, Inc., (N.D. Cal. 2000). Pretrial/trademark.

MCI Telecommunications Corporation v. Sandata, Inc., (E.D.N.Y. 2000). Pretrial/time and attendance technology.

Buckley v. Airshield Corp., 116 F. Supp. 2d 658 (S.D. Md. 2000). *Buckley v. Airshield Corp.*, 908 F. Supp. 299 (S.D. Md. 1995). Pretrial/truck ferring.

Brown & Williamson Tobacco Corp. v. Philip Morris, Inc., No. 3:89CV-0470-S, 1999 U.S. Dist. LEXIS 22252 (WD Ky. April 1, 1999). Trial/skinny cigarettes.

Virginia Panel Corp. v. MAC Panel Co., 133 F.3d 860 (Fed. Cir. 1998). Appeal/interface devices used with automatic test equipment.

Health Communications, Inc. v. N.R. Inc., dba New York Bartender's Association, (S.D.N.Y. 1997). Pretrial/trademark, false and misleading representation and dilution.

Gaelic Investments, Inc. v. Farmland Indus., Inc., (M.D. Fla. 1995). Pretrial/Insecticidal paint

Lockmasters, Inc. and J. Clayton Miller v. Mas-Hamilton Group and J.D. Hamilton, (E.D. Ky. 1994). Trial/Dead bolt technology.

World Cup USA 1994, Inc. v. Durus Indus. et al., (N.D. Ga. 1994). Pretrial/copyright, trademark.

Pillco Limited Partnership v. Advanced Interventional Systems, Inc., (E.D. Va. 1992). Trial/excimer laser technology.

Hilton Davis Chemical, Co. v. Warner-Jenkinson Company, Inc., 62 F.3d 1512 (Fed. Cir. 1995). Appeal *en banc*/Amicus brief relating to doctrine of equivalence.

Rite-Hite Corporation v. Kelley Company, Inc., 56 F.3d (Fed. Cir. 1995). Appeal *en banc*/Amicus brief relating to lost profits damages.

U.S. Philips Corp. v. Sears Roebuck & Co., 55 F.3d 592 (Fed. Cir. 1995). Interlocutory Appeal/Amicus brief relating to estoppel issues.

EXPERIENCE IN COURT LITIGATION

Represented clients for over 25 years in intellectual property litigation before U.S. federal courts at the trial and appellate levels. See representative cases listed above.

PROFESSIONAL TRAINING IN MEDIATION

(Representative) Training Courses Taken:

American Arbitration Association: (8 hours) Advanced Mediator Training, September 13, 2010;
 Certified Mediator, 2009, International Mediation Institute, The Hague;
 Maryland Program for Mediator Excellence, August 2009. (Membership requires ongoing skills and ethics training);
 International Trademark Association: (8 hours) Advanced Mediation Training Course, April 28, 2007;
 Harvard Law School Program of Instruction for Lawyers: (40 hours) Mediation Workshop, 2002;
 Northern Virginia Mediation Service:

- 20 Hours of Training in Professional Mediation Skills and Process, 2002;
- 16 Hours of Federal & Commercial Mediation Role-Play, 2002.

(Representative) Training Courses Given:

June 2, 2015 (Live Webinar) ABA Dispute Resolution Section Mediation Series Closing the Deal: Getting to Yes (and Evading No!) – Presenter.
 October 16 to 17, 2014 (San Antonio, TX) ABA Dispute Resolution Section – Faculty: 12th Annual Advanced Mediation & Advocacy Skills Institute.
 November 21 to 22, 2013 (Nashville, TN) ABA Dispute Resolution Section – Facilitator: 11th Annual Advanced Mediation & Advocacy Skills Institute.
 November 15 to 16, 2012 (Boston, MA) ABA Dispute Resolution Section – Facilitator: 10th Annual Advanced Mediation & Advocacy Skills Institute.

PROFESSIONAL TRAINING IN ARBITRATION

Current Challenges Facing Institutions, Counsel and Arbitrators: An ICC Perspective, September 21, 2015
 Fellow, 2012 to Present, College of Commercial Arbitrators (annual CLE programs) ;
 The New ICC Rules of Arbitration, September 9, 2011;
 Financial Industry Regulatory Authority (FINRA):

- Live Video Basic Arbitrator Training, May 27, 2010;
- Basic Arbitrator Training Part II: Expungement Training, May 5, 2010;
- Basic Arbitrator Training Part I, May 2, 2010;

Chartered Institute of Arbitrators (CI Arb):

- April 2010 “Fellow” (FCI Arb); May 2009, “Member” (MCI Arb) ;
- CI Arb, International Commercial Arbitration Training Program, October 10 and 11, 2009;

ICC Arbitral Awards: Defining Features, September 14, 2009;
 Juris Conferences:

- Leading Arbitrators’ Symposium on the Conduct of International Arbitration, September 2006;

American Arbitration Association:

- What’s a Respondent Like You Doing in a Place Like This? Confronting Arbitrability and Jurisdiction Issues in Arbitration;
- Award Writing – Avoiding Vacatur (and Looking Good), 2013;
- The 11th Annual ICDR Miami International Arbitration Conference, 2013;
- Dealing with Delay Tactics in Arbitration, 2005;
- Arbitration Awards: Safeguarding, Deciding & Writing Awards, 2005;
- Advanced Case Management Issues, 2004;
- Best Practices in Complex Case Arbitration, 2003.

EXPERIENCE IN MEDIATION

Serves as a mediator in domestic and international commercial disputes, primarily involving intellectual property and contract disputes (business/technology) mainly on an ad hoc basis and for organizations such as World Intellectual Property Organization, CPR International Institute for Conflict Prevention and Resolution; American Arbitration Association (AAA)/ICDR; U.S. International Trade Commission, and local courts.

Representative cases have involved: breach of contract/license provisions; breach of confidentiality provisions/trade secret misappropriation; IP infringement; breach of exclusive distribution agreements; breach of technology transfer and development agreement; patent ownership dispute; breach of services agreements; breach of sales agreement related to pharmaceutical and medical device products; breach of indemnification provision; and breach of employment agreement. Technologies have involved include software, various mechanical devices and equipment including medical devices, pharmaceutical and drug-related products.

EXPERIENCE IN ARBITRATION

Serves as an arbitrator (sole and three-member panel) in domestic and international civil cases focusing on commercial disputes, primarily IP and business/technology disputes, on an ad hoc basis and for World Intellectual Property Organization (Panel of Neutrals and Domain Name Disputes, Panel of “.mobi Premium Name Experts, roster of panelists under the Legal Rights Objection Procedures); CPR International Institute for Conflict Prevention and Resolution; American Arbitration Association (AAA)/ICDR; AAA/CCI Copyright Alert System Independent Review Program; U.S. International Trade Commission, Mediation Program; United States Council for International Business (ICC); London Court of International Arbitration (LCIA); Financial Industry Regulatory Authority (FINRA); National Arbitration and Mediation; U.S. District Court for the E.D. of Pennsylvania; and Chester County Courthouse, Arbitration Panel.

Representative cases: Breach of patent cross-license (human papillomavirus products) and tortious interference claims (Member, three-arbitrator panel); Breach of Asset Purchase and Sale Agreement (Sole arbitrator); Breach of license (research, development, practice and commercialization) regarding patents and technical information covering diagnostic tests (Chair, three-arbitrator panel); Breach of contract for clinical trial services (Sole arbitrator); Breach of contract/misappropriation of trade secrets three-arbitrator panel); Breach of license to patented technology used to commercialize, sell and distribute biochemical product (Chair, three-arbitrator panel); Breach of joint development contract for pharmaceutical product (Chair, three-arbitrator panel); Wrongful termination (Sole arbitrator); Breach of joint development agreement (Member, three arbitrator panel); Breach of contract cases for business services (sole arbitrator).

SUMMARY TABLE
ARBITRATION EXPERIENCE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International	ICC	2	1		1	
	WIPO	117	7	106	4	
	ICDR	5		2	3	
	ODR	2		2		
	CPR	2		2		
	AD HOC	1			1	
Number of cases: sub-total		129	8	112	9	
Domestic Arbitrations	AAA	24	3	19	2	
	Ad Hoc/Other Organizations	15		11	4	
	Court Annexed	24			24	
Number of cases: sub-total		63	3	30	30	
TOTAL		192	11	142	39	

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations	AAA/ICDR	2	2	
	Other	2	2	
	Ad hoc	6	6	
Number of cases: sub-total		10	10	0
Domestic Mediations (Estimates)	AAA	2	2	0
	CPR	4	4	
	Court-annexed	8	8	
	Ad Hoc	12	7	5
Number of cases: sub-total		26	21	5
TOTAL		36	31	5