

Joan Stearns Johnsen
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ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

- Arbitrator since 1986; Mediator since 1994.
- Arbitrator and/or Mediator for the Resolute Systems, American Arbitration Association (AAA); International Institute for Conflict Resolution and Prevention (CPR); Financial Industry Regulatory Authority (FINRA/NASD); New York Supreme Court, Commercial Division; United States District Court, Southern and Eastern Districts of New York; National Futures Association (NFA), American Health Law Association Neutral Roster. Formerly JAMS Distinguished Panel of Neutrals.
- Fellow, Chartered Institute of Arbitrators
- International Mediation Institute Certified Mediator
- Accredited CEDR Mediator

LITIGATION AND IN-HOUSE EXPERIENCE

- Associate General Counsel, Commodity Exchange, Inc., New York. 1989-1993.
- Assistant Commodities Counsel, Smith Barney, Harris Upham & Co., Inc., New York. 1985-1988.
- Enforcement Attorney, Commodity Futures Trading Commission, Washington, D.C. 1980-1985.

LEVIN COLLEGE OF LAW

- Subjects:, Negotiation, Mediation, Arbitration, International Arbitration, 2015-present

ALBANY LAW SCHOOL

- Securities Arbitration Clinic Director, 2010-2012

EDUCATION

- J.D., Case Western Reserve University School of Law, Cleveland, Ohio, Order of Barristers, Jessup Moot Court, Best Oralist, Regional Competition; Finalist, Nationals
- B.A., Northwestern University, Evanston, Illinois, B.A. French Literature and Language.

TRAINING AND SPEAKING ENGAGEMENTS:

- ABA Delegate and Speaker, Comparative ADR, Chamber of Commerce, Florence, Italy, May 2019.
- Mediate First Event, Hong Kong, May 2019.

- Capital Region Bankruptcy Bar Association, Cooperstown, NY, November 2018.
- Florida Bar Association Section of International Law, February 2019.
- Florida Bar Association Annual Convention, June 2017, 2018.
- WTS International Puget Sound Chapter, 2017, Seattle, WA
- Women Lawyers in Leadership 2017, PLI, New York, New York, NY
- Speaker, Persuasion, ABA Litigation Section, Young Lawyers Regional Program, Montclair, NJ, June 2017.
- Speaker and ABA Delegate, DiTella Law School, Buenos, Aires, May, 2017
- Speaker, CPR 2017 5th Business Dispute Management Congress, Curitiba, Brazil
- Moderator, Panel on Mediation Best Practices, ABA Litigation Section, Annual Meeting, San Francisco, CA, May 2017
- Speaker, FINRA Update, ABA Dispute Resolution Annual Meeting, San Francisco, CA, May 2017.
- Faculty, American Bar Association, Section of Dispute Resolution, Advanced Arbitration Institute, Chicago, IL 2016- to present.
- Faculty, American Bar Association Section of Dispute Resolution Advanced Negotiation Institute, Washington, D.C., October 2015.
- Design and presentation of trainings including: Negotiation Skills and Theory; Breaking Impasse; Gender Differences in Negotiation; Ethics in Negotiation; Persuasion Skills and Theory; Mediation Advocacy, 2009- present. Clients include: Akerman; Bressler, Amery & Ross; Burns and Levinson; Cushman Wakefield; Merrill Lynch; Morgan Stanley, Smith Barney; UBS; Wells Fargo; Albany Bar Association; Brooklyn Bar Association; Maine State Bar Association; New Jersey State Bar; New York City Bar; and the New York State Academy of Trial Lawyers;
- Faculty, ABA Advanced Mediation Institute, 2009, 2012-to present.
- Faculty, Licensing Executive Society, Negotiation Skills, 2009
- Co-Trainer, Mediator Training for New York Volunteer Lawyers for the Arts, 2001, 2002, 2009.
- Co-Trainer, Mediator Training for the NASD/U.S. Bankruptcy Court in New York and Phoenix (1997, 1998.)
- Role-Play Coach for: the NASD/Bankruptcy Court Mediator Training; New York City Bar Mediator Training; and JAMS Mediator Training.
- Negotiation Webinar Series, ABA Section of Dispute Resolution, January through June 2016.
- Panelist, Negotiation Ethics, Securities Arbitration, PLI, New York, New York, August 2014
- Panelist, Deal Mediation, CPR Mediation Congress, Belo Horizonte, Brazil, April, 2014
- Panelist, Managing Client Expectations and Understanding the Psychology of Decision Making, Public Investors Arbitration Bar Association Annual Meeting, Ponte Vedra Beach, Florida, October 2012.
- Speaker, Public Investor's Arbitration Bar Association, Legal Issues in Mediation, Annual Meeting, Law Day, Rancho Mirage, California, October 2011.
- Program Chair and Moderator, What Clients Expect of Mediators, ABA, Section of Dispute Resolution Teleconference, October 2011.
- Sole Presenter, Deal Mediation, ACR-GNY, New York, New York, June 2011.
- Program Chair and Moderator, The Future of Mandatory Arbitration: A Conversation About Dodd-Frank and The Arbitration Fairness Act.
- Program Chair and Moderator, Point/Counterpoint Caucusing in Mediation, Panel David Hoffman and Prof. Robert Mnookin, ABA Teleconference 2010
- Program Chair and Moderator, The Brains Behind the Deals, Neuroscience and Negotiation, Speaker Prof. Richard Birke, ABA Section of Dispute Resolution Teleconference, February 2010

TRAINING & SPEAKING ENGAGEMENTS (continued)

- Program Chair and Moderator, Settlement Counsel, Bar of the City of New York, November 2010
- Program Chair and Moderator, Closing the Deal in Mediation, Bar of the City of New York, December 2010.
- Speaker, Mediation of Cross Border Art Disputes, American Bar Association, Section of Dispute Resolution Annual Meeting, New York, New York April, 2009.
- Speaker, Deal Mediation, Counselors of Real Estate Annual Meeting, Boston, Massachusetts, October 2008.
- Speaker, Deal Mediation, ACR and AAA Conference for Commercial Mediators, Austin, Texas, September 2008.
- Program Chair and Moderator, Deal Mediation, ABA Section of Dispute Resolution, Telephonic Web-cast, February 2008.
- Program Chair and Moderator, Settlement Counsel, ABA Dispute Resolution Section Annual Meeting, Seattle, Washington, April 2008
- Speaker, Deal Mediation, Union International des Avocats, Paris, France, October 2007
- Mediation, State Bar of New York, September 2007
- Program Chair and Moderator, Telephonic Mediation, ABA Dispute Resolution Section Annual Meeting, Washington, D.C., April 2007
- Speaker, Mediation in Securities Employment Matters, National Employment Lawyers Association (“NELA”), June 2002.

BAR ACTIVITIES

- American Bar Association (“ABA”), Section of Dispute Resolution: Immediate Past Chair, Litigation Section: Co-Chair, Mediation Sub-Committee of the ADR Committee.
- International Bar Association, Mediation Committee, Vice Chair, International Center for Conflict Prevention and Resolution (“CPR”), Counsel,
- Miami International Arbitration Society, Academic Board Member, 2018-present.
- New York State Community Dispute Resolution Center Mediator Ethics Advisory Board, 2011-present.
- New York State Division of Human Rights Mediation Committee, March 2011- November 2011.
- ADR Executive Committee of the Bar of the City of New York, 2008-2011.

PUBLICATIONS

Book Chapter

- Burke, Louis F., ed. Chapter 5, “Mediation in the Futures Industry,” *Alternate Dispute Resolution in the Futures Industry*. Huntington, NY: Juris (2013).

Law Review and other Publications

- *The Seven Keys To Unlock Mediation’s Golden Age, Expand the Value of Mediation into Deal-Making*, *Mediate.com* (7/05/20)

- *The Ethics of Settling a FINRA Dispute: Can you Lie?* PLI Securities Arbitration 235 (August 2014).
- *Understanding Impasse: How to Prevent, Avoid, and Break Deadlocks*, 20 PIABA B.J. 373 (2013).
- *Deal Resolution: The Facilitated Negotiation of Transactions*, 30 Windsor Rev. Legal & Soc. Issues 193 (March 2011).
- *(Reprint) Telephonic Mediation: An Overview*, 1899 PLI/Corp 195 (August 2011).
- *Telephonic Mediation: An Overview*, The Neutral Corner, Vol. 3 FINRA (2011).
- *Preparation: Getting There is More Than Half the Fun*, ABA Continuing Legal Education (CLE) Alternative Dispute Resolution Advanced Mediation and Skills Seminar (Oct. 2009).
- *Making the Mediation Fair for All: What Should the Parties Expect From Their Mediator*, 1755 PLI/Corp 45 (August 2009).
- *Mediation Advocacy: How to Win the Heart and Mind of Your Mediator: Preferring a Slow Yes to a Quick No*, 1615 PLI/Corp. 11 (August 2007).
- *Telephonic Mediation*, ABA Continuing Legal Education (CLE) Alternative Dispute Resolution, ADR in Bloom (April 2007).
- *Deal Mediation: A New Use for An Old Friend*, International Mediation Institute, <http://imimediation.org/joan-stearns-article>
- *The Dreaded Mediation Impasse: Possible Ways of Avoiding It*, 11 SUM PIABA B.J. 66 (2004).
- *Telephonic Mediation: What, Who, When and Why*, 11 Securities Arbitration Commentator 1 (Jan. 2000).
- *Mediator Friend or Foe*, SF 16 ALI-ABA 415 (2000).
- *Mediator Friend or Foe, Using the Mediator to Your Best Advantage*, ABA Continuing Legal Education (CLE) Alternative Dispute Resolution: How To Use It To Your Advantage (Oct. 2000).
- *Ten Things Your Arbitrator Would Love To Tell You, But Can't*, 1131 PLI/CORP 573 (August, 1999).
- *Securities Mediation: Point/Counterpoint, Reply to David Robbins Article*, 9 Securities Arbitration Commentator 1 (Nov 1997).

BAR MEMBERSHIPS

- New York
- District of Columbia (inactive)

EDUCATION

- Case Western Reserve University School of Law, J.D.
- Northwestern University, B.A.

LANGUAGES

- Proficient in French, knowledge of German