

In conversation with the US Ambassador

LEADR Fellow Geoff Sharp led a thought provoking conversation about mediation with David Huebner, the recently appointed US Ambassador to New Zealand and the Independent State of Samoa.

LEADR members in Wellington, New Zealand were recently entertained, informed and provided food for thought listening to LEADR Fellow, Geoff Sharp in conversation with US Ambassador David Huebner.

Before being posted to his current role, Ambassador Huebner was a partner at Sheppard Mullin Richter and Hampton LLP where he headed the law firm's China practice and international disputes practice.

Based in Shanghai, he specialized in international arbitration and mediation and handled a wide range of matters across the Pacific Rim region.

In a fast paced half hour, the Ambassador drew on his broad range of experience to share his views and deliver several pertinent messages to the assembled group of mediators, lawyers and central government representatives.

Relating his experience both as an arbitrator and mediator (and as a lawyer working with mediators and arbitrators), the Ambassador highlighted:

- The importance of emotional intelligence (both for mediators and lawyers)
 - acknowledging emotion – and his view that the most successful mediators are those who allow the emotion to come through
 - the power of the unspoken – that is picking up on signals and being able to respond and amend one's approach accordingly
- The need for newly qualified mediators to be willing to take risks by looking for that next opportunity to promote themselves and get some real experience whilst backing up any opportunities with constant learning, research and self development.
- Understanding culture and the human condition:
 - keeping the focus on listening and understanding
 - understanding the role of "likeability" in the successful resolution of disputes
 - self-awareness of your own style/ cultural mindset.

Moving from mediator skills to broad trends, issues highlighted were:



Ambassador David Huebner in conversation with LEADR Fellow, Geoff Sharp

- The need to recognise that not all disputes are suitable for mediation and the role that legal disputes play in protecting public interests and developing and evolving societal structure.ⁱ
- The growth of awareness of ADR over the next ten to twenty years and the impact that this will have both on the role of the legal profession and the delivery of services.
- The need for aspiring international mediators to understand that it is not just enough to offer a third party neutral service, there has to be the infrastructure and the impetus to make your location an attractive proposition for potential clients.

LEADR's thanks to Geoff Sharp for his insightful questions, to Ambassador Huebner for his entertaining wit, sharp intellect and willingness to share his expertise and to Bell Gully Lawyers who supported the hosting of this event.

About David Huebner



David Huebner was sworn in on December 4, 2009 as the next U.S. Ambassador to New Zealand and the Independent State of Samoa.

Before being posted to New Zealand and Samoa, Ambassador Huebner was a partner at Sheppard Mullin Richter & Hampton LLP, where he headed the law firm's China Practice and International Disputes Practice. Based in Shanghai, he specialized in international arbitration and mediation and handled a wide range of matters across the Pacific Rim region. He is a Fellow of the Chartered Institute of Arbitrators, a solicitor in England & Wales, and an attorney (now on inactive status) licensed in several U.S. jurisdictions.

Previously, the Ambassador was chairman of the international law firm Coudert Brothers LLP and an adjunct professor at the University of Southern California's Gould School of Law, where he taught courses in international business transactions, international arbitration, and international intellectual property. He has guest lectured on the same topics at several other schools in the United States and China.

Ambassador Huebner has long been active in civic, non-profit, and educational activities. While at Coudert, he founded a program to support children's education and welfare charities through the Firm's offices around the world. He has chaired the California Law Revision Commission, has served as president of the Los Angeles Quality & Productivity Commission, and was a founding board member and general counsel of the national Gay & Lesbian Alliance Against Defamation (GLAAD). He has been an arbitrator for many years at the Willem Vis International Commercial Arbitration Moots in Vienna and Hong Kong.

A native of Pennsylvania and long-time resident of California, Ambassador Huebner is a summa cum laude graduate of Princeton University, where he studied at the Woodrow Wilson School of Public and International Affairs. He is also a graduate of the Yale Law School.

About Geoff Sharp

Until the late 1990's Geoff was a litigation partner with Bell Gully, one of New Zealand's largest commercial law firms, before joining the Independent Bar where he set about building a commercial mediation practice. Before that Geoff spent his early legal career at Mallesons in Melbourne and is admitted to the Bar in both New Zealand and Australia.

For the last decade, Geoff has been a full time commercial mediator and is accredited under the National Australian Mediator Standards and is a member of the Advanced Mediation Panels of both LEADR (Adv.M.LEADR) and AMINZ. He also belongs to the Hong Kong International Arbitration Centre's Panel of Accredited Mediators.

He works exclusively as a mediator in a broad range of commercial and interpersonal disputes and over the last 10 years has mediated hundreds of cases for a large number of New Zealand's law firms who deal with contentious matters.

Geoff mixes a busy commercial practice with academic duties participating in Bond University's Distinguished Practitioner in Residence Programme and as an advisory board member of the Singapore Management University's newly founded Centre for Dispute Resolution.

In addition Geoff is a Vice Chair of the Independent Standards Commission of the International Mediation Institute (IMI) based in The Hague currently setting global mediator credentialing standards and, closer to home, was appointed the Australasian LEADR 2009/2010 Fellow, being the first New Zealander and only the third LEADR Fellow appointed to date.

Geoff was also the first Australasian mediator to be elected a distinguished fellow of the International Academy of Mediators (USA).

ⁱ Members interested in this debate may be interested in the debate sparked in the United Kingdom after the 2008 Hamlyn lecture by Dame Hazel Genn - a brief summary of the points raised by Dame Hazel can be found here. <http://business.timesonline.co.uk/tol/business/law/article6564894.ece>