

## Mediator's Curriculum Vitae

### Personal Particulars

First Name  
Jeremy

Last Name  
Lack

Designation  
Mr

#### Organisation

- Owner, **Lawtech.ch** (CH)
- Door Tenant, **Quadrant Chambers** (UK)
- Part time faculty, **Federal Polytechnic School of Lausanne (EPFL)** (CH)
- Co-Founder & Director, **Neuroawareness Consulting Services Inc.** (US)
- Advisor to **Charles Russell Speechlys LLP** (UK/CH)
- Of Counsel to **Helvetica Avocats** (CH)
- Advisor to **Partnership Capital Limited** (UK)
- Of Counsel to **Schonewille & Schonewille Legal Mediation** (NL)
- General Counsel to several technology start-up companies (e.g., **MindMaze SA** and **SonarSource SA**)

Nationality  
Swiss, British, Israeli, US

Languages (Native and/or professional working proficiency)  
English, French, Spanish, Hebrew

### Mediation Practice Areas

*Please select as many areas as may be applicable.*

- |                                                                             |                                                                                                                                                       |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Accountancy                                        | <input checked="" type="checkbox"/> Mining                                                                                                            |
| <input type="checkbox"/> Aviation & Airports                                | <input type="checkbox"/> Workplace Health & Safety                                                                                                    |
| <input type="checkbox"/> Banking/Finance                                    | <input checked="" type="checkbox"/> Oil & Gas                                                                                                         |
| <input type="checkbox"/> Business Interruption analysis                     | <input type="checkbox"/> Real Estate                                                                                                                  |
| <input type="checkbox"/> Energy                                             | <input type="checkbox"/> Risk Management                                                                                                              |
| <input checked="" type="checkbox"/> Information Technology                  | <input type="checkbox"/> Scientific Forensics                                                                                                         |
| <input checked="" type="checkbox"/> Intellectual Property                   | <input checked="" type="checkbox"/> Sports Disputes (Law & Infrastructure)                                                                            |
| <input checked="" type="checkbox"/> Infrastructure/Construction/Engineering | <input checked="" type="checkbox"/> Telecommunications                                                                                                |
| <input checked="" type="checkbox"/> Maritime & Shipping Logistics           | <input checked="" type="checkbox"/> Others (please specify): Online Dispute Resolution (ODR), Private Equity, Life Sciences/Pharma/Medtech, Start-Ups |

### Educational/Professional Background

#### Educational Background:

- International School of Geneva, Switzerland, IB Diploma
- Oxford University, Lincoln College, MA (Oxon) in Law and Physiological Sciences

- King's College, London, Graduate Diplomas in EU law and copyright laws

#### Professional Background:

- Associate Attorney, Fish & Neave (US)
- International Attorney & IP Counsel, Becton Dickinson & Co (US & FR)
- CEO & General Counsel, NovImmune SA (CH)
- Director & General Counsel, Medabiotech SA (CH)
- Counsel, Pearl Cohen Zedek Latzer LLP (US/IL)
- Partner, ALTENBURGER legal + tax SA (CH)

#### Mediation Style

Uses a system of Guided Choice Dispute Resolution that is outcome-focused, holistic, and adapted to cross-cultural or international disputes. This can lead to facilitative, directive, non-evaluative, evaluative, or transformative processes, or combined mediation processes, depending on the parties' procedural choices. This can also lead to co-mediations or "mixed mode" proceedings (e.g., combinations with arbitration, litigation or conciliation), depending on the circumstances of each case and the parties' deadlines, budgets, goals and desires to maintain effective working relationships. For further information and testimonials, please see [www.lawtech.ch](http://www.lawtech.ch) and <http://imimmediation.org/jeremy-lack>.

#### Mediation Experience

Mediating since 1996, including over 100 complex international cases involving a broad range of disputes and parties. Recent examples include:

- Institutional mediation: A dispute between two pharmaceutical companies regarding a new product and its marketing and distribution rights, which resulted in an amicable outcome and possible new collaboration opportunities. (Approx. value >€150 million)
- Ad-hoc mediation: A dispute between a state government and a private sector company regarding use of certain technology and commercial licenses, resulting in a settlement and ongoing commercial relationships. (Approx. value US\$ 15 million).
- Ad-hoc mediation: Resolved a dispute between two partners regarding a joint venture (time ½ day; value of dispute: Approx. US\$ 1 million)
- Ad-hoc mediation: A dispute regarding the termination of a joint international distribution agreement between a large pharmaceutical company and a biopharmaceutical entity, resulting in a mutually satisfactory settlement and patient-focused transition plan. (Approx. value US\$ 85 million).
- Ad-hoc mediation: A multi-party commercial dispute involving large-scale engineering equipment, insurers, and reinsurers. The mediation involved 23 participants and was resolved over a 3-month period, including one full day and two half day sessions. The parties were able to design a mutually acceptable process, exchange new information, and generate new business opportunities. (Approx. value of dispute € 250 million).
- Institutional Mediation: Acted as co-mediator in a technology trade secret dispute between an engineering company and a large US corporation. (Approx. value of dispute US\$ 70 million).
- Ad-hoc mediation: Acted as mediator appointed by the parties in an IT dispute regarding the technical specifications of an interactive website. The matter was fully resolved and settled within 30 days of initiation of the proceedings, in one full day session, despite the reluctance of the parties to try mediation. (Approx. value of dispute: CHF 1 million).
- Court-Appointed Mediation: Appointed as mediator by the court in a criminal matter, which was highly emotionally charged due to the involvement of members of a large international

family-owned business. The matter was resolved within one day with two pre-caucus meetings.

- Institutional mediation: Commodities trading dispute between a large Eastern European Group and a Southern European purchaser. The mediation occurred in parallel with institutional arbitration proceedings. Acted as the mediator appointed by the parties. A settlement agreement was reached following 1.5 days of mediation and using a consecutive interpreter. (Approx. value of dispute > € 16 million).
- Institutional mediation: Real estate dispute between the heirs of an apartment complex, involving three generations of family members with diverging interests. The matter was resolved following 8 short mediation sessions, where the family members were also able to discuss and address other issues within the family. External experts and valuations were obtained. Acted as co-mediator together with a judge. (Approx. value of dispute > € 8 million).
- Institutional mediation: Software technology dispute involving international copyright and trademark issues between two Eastern European companies and a Western company, with parallel arbitration proceedings pending. Acted as the mediator appointed by the parties. The parties were able to resolve both the arbitration and future business issues that concerned them in six half-day sessions over a three-month period, after having considered several options. (Approx. value of dispute > € 3 million).
- Institutional mediation: Escalating patent dispute with over five years of court proceedings pending in several countries, between a US multinational and a large European competitor. Acted as the mediator appointed by the parties. The parties were able within one day to resolve all court proceedings and to clarify issues that had not been understood during the national court proceedings. (Approx. value of the dispute > € 20 million).
- Ad-hoc mediation: An insurance dispute between a foreign claimant and a Swiss insurance company. Acted as court-appointed mediator, following ten years of escalating disputes and tensions between the parties. The parties were able to settle all past matters in four half-day meetings and agree on a process for the handling of all future claims by the claimant. (Approx. value of dispute < € 1 million).
- Institutional mediation: A commercial dispute involving several business partners located in Europe and North Africa. Initiated institutional mediation proceedings and acted as a collaborative counsel for one of the parties in the process. The parties were able to work together to clarify and resolve the key issues in a matter of 4 months, finding solutions that addressed their future business needs and avoided costly, lengthy and possibly inconsistent outcomes before national courts. (Approx. value of dispute = € 1.5 million).

## Mediation Education and Training

Jeremy first trained as a mediator in May 1995 with WIPO. Since then he completed numerous additional trainings with a wide range of international ADR centres, including WIPO, CEDR, the Center for Mediation in Law, CPR, CMAP, CEMAJ, CSMC, CUNY Dispute Resolution Consortium, CI Arb, Harvard (HNII), ISBM Admont, KonfliktKultur-KulturKonflikt, CICG, ODAGE, GEMME and JAMS. Jeremy has trained and given trainings in Switzerland, Belgium, France, Spain, Holland, Croatia, Slovenia, Turkey, Italy, Morocco, Austria, Canada, Germany, Australia, the USA, Israel, India, Portugal and the UK and has studied with Profs. Gary Friedman, Bob Mnookin, Joanna Kalowski, Jack Himmelstein, Mario Patera, Ulrike Gamm, Arnaud Stimec, Len Riskin, Marshall Rosenberg, Matthias Varga von Kibéd, Erica Fox, Ken Cloke, David Richbell, Harold Abramson and many others. He is a regular conference attendee, organizer and lecturer on mediation and hybrid procedures, and collaborates with the Swiss Interdisciplinary Centre for Affective Sciences (CISA) in studying the neurobiology of conflict and possible mechanisms to assist parties in decision-making processes in difficult situations (<https://www.affective-sciences.org/research/topics/specific-research-projects/emotions-and-conflict/>). He is also the co-founder of Neuroawareness Consulting Services Inc. ([www.neuroawareness.com](http://www.neuroawareness.com)), a California-based company seeking to integrate

new understandings of the social, emotional and cognitive functioning of the human brain to integrate them into holistic processes and group dynamic situations. Jeremy was also the global coordinator of the Global Pound Conference series in 2016–18 on innovations in dispute resolution and improving access to justice.

### Mediation Teaching and Mentoring

Jeremy is a mediation and mediation advocacy trainer accredited by Toolkit Company in the Netherlands. He has been involved in teaching mediation advocacy programs for the Geneva Bar Association, the Paris Bar Association, the International Committee of the American Bar Association's Dispute Resolution Section, the bar associations of Madrid, Barcelona and Lisbon, and for several leading mediation organisations in the United States, Canada, Australia, the UK and continental Europe. He also provides regular trainings for Neuroawareness Consultancy Services on negotiation, mediation and mediation advocacy. For feedback on these trainings, see: <http://www.neuroawareness.com/references/testimonials-about-our-workshops/>.

### Mediation Publications

Recent publications and presentations include:

- R. Abbott, J. Lack & D. Perkins, "*Managing disputes in the life sciences*," *Nature Biotechnology* volume 36, pages 697–700 (2018)
- J. Lack, Chapter 10: *A new approach to Litigation PR: using appropriate dispute resolution (ADR) – "Litigation PR+ADR"* in *White Paper on Litigation PR* (2018), Voxia Communication, <https://voxia.ch/en/litigation-pr/>.
- J. Lack, "*Power of Babel*" in *Stories Mediators Tell (World Edition)* – Chicago, Illinois: American Bar Association, [2017], ISBN 9781634256742
- The Global Pound Conference series on improving dispute resolution and access to justice. See <http://globalpound.org/gpc-series-data/gpc-series-final-report/>.
- P.M. Lurie & J. Lack, "*Guided Choice Dispute Resolution Processes: Reducing the Time and Expense to Settlement*" in *Dispute Resolution International* Vol. 8, No. 2, October 2014, pp. 167–177.
- J. Lack, "*A mindful approach to evaluative mediation*" in *MfN Tijdschrift Conflicthantering* Nummer 3, pp. 18–23 (2014)
- P.M. Lurie & J. Lack, "*The Seven Principles of Guided Choice Dispute Resolution Processes*", *Who's Who Legal Mediation* (2014), pp. 17–19
- M. Schonewille & J. Lack, "*Mediation in the European Union and Abroad: 60 States Divided by a Common Word?*" in *The Variegated Landscape of Mediation: A Comparative Study of Mediation Regulation and Practices in Europe and the World* (Ed. M. Schonewille & F. Schonewille), Eleven International Publishing, the Netherlands (2014), Chapter 2, pp. 19–44. Also co-wrote the chapter on Switzerland in that book.
- J. Lack, Proposed rules for Arbitration-Mediation (ARB-MED) (2014)
- J. Lack, Chapter 5, "*Outline of Civil & Commercial Mediation in Switzerland*" in *How to Master Mediation* (Ed. David Richbell) in publication (2015)
- J. Lack; M. Leathes; W.J. von Kumberg; "*Enabling Early Settlement in Investor-State Arbitration – The Time to Introduce Mediation Has Come*", TDM 1 (2014), [www.transnational-dispute-management.com](http://www.transnational-dispute-management.com)
- Invited speaker to the United Nations' Geneva Peace Talks on Sept. 20<sup>th</sup> 2013 (See: <http://webtv.un.org/search/jeremy-lack-geneva-peace-talks-2013/2728619050001?term=Peace>)
- "*The Neurophysiology of ADR and Process Design: A New Approach to Conflict Prevention and Resolution?*", 34 *Cardozo J. of Conflict Resolution* [Vol. 14:33] 2012, pp. 33–80 and in

Contemporary Issues in International Arbitration and Mediation: The Fordham Papers 2011, Martinus Nijhoff Publishers, 2012, pp. 341-82.

- Guest lecturer to Harvard University's Program on Negotiation (PON) faculty dinner on "*Negotiation and Neuroscience: Possible Lessons for Negotiation Instruction*", November 2012 (Click here for [transcript](#) and [video](#)).
- Bediou B, Mohri C, Lack J and Sander D (2011), "*Effects of outcomes and random arbitration on emotions in a competitive gambling task*", [Front. Psychology](#) 2:213. doi: 10.3389/fpsyg.2011.00213
- *Appropriate Dispute Resolution (ADR): The Spectrum of Hybrid Techniques Available to the Parties*, Chapter 17 to [ADR in Business, Practice and Issues Across Countries And Cultures](#) (Kluwer Law International, edited by A. Ingen-Housz, 2011), pp. 339-79  
*Case Comment No. 7.2 on Mediating on the Wrong Side of the Law, Mediation Ethics: Cases and Commentaries* by Ellen Waldman (Jossey-Bass, Wiley Press, 2011) pp. 177-99.

## Some Professional Affiliations

### BAR ADMISSIONS

- 2003: Geneva Bar (admitted as a European Union lawyer)
- 1991: United States Patent and Trademark Office (Reg. No. 35,813)
- 1990: US Federal Courts: EDNY, SDNY, NDNY, CAFC
- 1990: US New York Supreme Court (1st Dept.)
- 1989: Bar of England and Wales -- Middle Temple (current practice certificate)

### MEDIATOR ACCREDITATIONS/APPOINTMENTS

- Centre de Médiation et d'Arbitrage de Paris (CMAP), France
- Centre for Effective Dispute Resolution (CEDR), UK
- CPR: International Institute for Conflict Prevention & Resolution, USA
- Croatian Mediation Association (Honorary Member), Croatia
- Global InterMediation, USA
- Grand Council of the State of Geneva, Switzerland
- International Business Mediation Service - Milan Chamber of Arbitration
- International Centre for Dispute Resolution (ICDR) Panelist, USA & Europe
- International Chamber of Commerce (ICC), International
- International Mediation Institute (IMI), International
- International Trademark Association (INTA), International
- JAMS International Panelist, USA & Europe
- Result ADR, the Netherlands
- Singapore International Mediation Centre (SIMC), Asia
- Swiss Chamber of Commercial Mediation (SKWM/CSMC/SCCM), Switzerland
- World Intellectual Property Organization (WIPO), International

### MISCELLANEOUS

- Vice-Chair Independent Standards Commission, International Mediation Institute (IMI)
- President, Swiss Chamber of Commercial Mediation (Section Romande) (CSMC/SKWM)
- Member of the Mediation Advisory Council of the Canton of Geneva
- Advisor to the Geneva Chamber of Commerce and industry on mediation
- Past Co-Chair International Committee, Dispute Resolution Section, ABA  
Past member Practices and Standards Committee & Mediation Chair, CIArb

## Testimonials (optional)

See <http://lawtech.ch/testimonials-feedback/>.