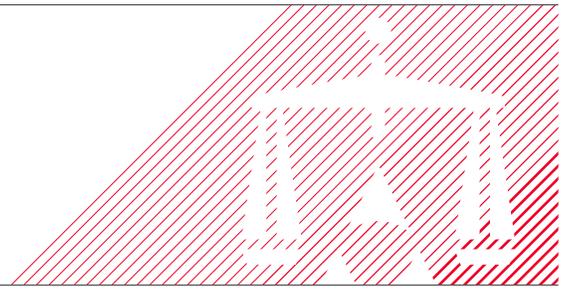




B2B Dispute Resolution Impact Report 2015 Key Statistics



2016 marks 90 years that the American Arbitration Association (AAA®) has delivered on its mission of providing effective, efficient, and economical methods of dispute resolution through education, evolving technology, and solutions-oriented service.

Following are AAA/ICDR® accomplishments in 2015 that had great impact on the field of alternative dispute resolution (ADR), allowing companies and individuals to reach resolution at costs they could afford and in time spans not achievable elsewhere. Our expert case management and increased mediation and settlement efforts throughout the life of an arbitration have permitted customers to invest the time and money they save back into their own missions and in the economy, jobs, and innovation.

While the AAA/ICDR serves individuals, governments, unions, and other not-for-profit organizations, its core activity and services involve business-to-business (B2B) disputes.

More International Reach

ICDR Canada

ICDR Canada was established in January 2015 to provide a dedicated administrative team with services in English and French and access to dozens of independent arbitrators and mediators across Canada. The *Canadian Dispute Resolution Procedures (including Arbitration and Mediation)* were adapted from the *International Dispute Resolution Procedures* to reflect a broad range of Canadian dispute resolution practices, laws, and culture.

New ICDR Offices in Miami and Houston offices

The Miami office was established in February 2015 in response to the growing number of international cases filed there with the ICDR. Miami has become the

preferred seat for Latin American international arbitrations, due to many factors, including a judiciary especially favorable toward international arbitration. The Miami office will provide case management services to parties and clients from around the world, with a particular focus on the Southeast United States, as well as Central and South America and the Caribbean.

The Houston office, also opened in February 2015, will focus particularly on the growing energy sector with the intent to become the hub of ICDR services in this industry. The office will provide case management services to international parties and clients, with a particular focus on the South Central United States and cross-border actions in Mexico.

DID YOU KNOW?

In 2015, **56%** of AAA B2B cases were resolved prior to going to award. And **44%** of those cases were resolved early enough that they incurred no arbitrator compensation.

More AAA Settlement Effort

Revised Construction Arbitration Rules and Mediation Procedures

In July 2015, the AAA issued revisions to the *Construction Arbitration Rules and Mediation Procedures* that addressed preferences of users for a more streamlined, cost-effective, and tightly managed arbitration process that avoids the high costs of litigation. Among the significant changes was the addition of a mediation step to help parties resolve their disputes themselves with the assistance of a mediator.

DID YOU KNOW?

The largest mediated claim was **\$2.5 billion**.



Updated Accounting and Related Services Arbitration and Mediation Procedures

These revised rules, launched in February 2015, address some unique nuances of accounting disputes, notably production of information. Another important addition is a mediation step to help parties resolve their disputes themselves with the assistance of a mediator.

More Technology

ClauseBuilder® for Better, Easier ADR Clause Drafting

A well-written dispute resolution clause is the foundation of an effective dispute resolution process. To that end, the AAA/ICDR created ClauseBuilder (www.clausebuilder.org), a free online tool that assists individuals and organizations in drafting clear, effective, and customized arbitration and mediation agreements. ClauseBuilder covers commercial, construction, executive/negotiated employment, and, as of December 2015, international clauses in contracts.

CaseXplorer® Arbitration™ for Case Evaluation

CaseXplorer Arbitration, launched in January 2015, is an online case-analysis tool that provides attorneys with objective evaluation of the strengths and weaknesses of their arbitration cases by experienced arbitrators not associated with their cases. Managed totally online, CXA—developed with DecisionQuest, a leading jury and trial consulting firm—can help attorneys shape their case strategies or lead to settlement.

DID YOU KNOW?

The quickest time from filing to award for a 2015 case with a claim over \$1 million was just **35 days**.

More Focus on Large Cases

Construction Mega Projects Panel

This special panel comprises top construction arbitrators and mediators rated by advocates and in-house counsel with experience representing owners, contractors, design professionals, and insurers in disputes arising out of significant construction and infrastructure projects. The AAA also provides executive facilitation of these mega construction disputes by one of four construction division vice presidents.

Master Mediator Panel

The Master Mediator Panel is comprised of mediators with extensive experience helping parties mediate and settle large disputes. These mediators have been vetted by a group of attorneys experienced in large claim mediations and knowledgeable about the requirements for a successful mediator. The Master Mediator Panel understands the need for parties to reach settlement efficiently and return their focus to their core business activities.

DID YOU KNOW?

The **largest** case resolved by **one** arbitrator was a claim of \$232 million.
The **smallest** case resolved by a panel of **three** arbitrators was a claim of \$23,000.

More Philanthropy

AAA-ICDR Foundation™

The AAA-ICDR Foundation, established in 2015 as a 501 (c) (3) not-for-profit organization, is committed to funding critical projects in the ADR community to improve and expand the use of arbitration, mediation, and other forms of dispute resolution.

For more information about the Foundation, visit www.AAAICDRFoundation.org.

Conclusion

It is our mission to continue helping individuals and organizations settle their disputes and grow the effective use of ADR while promoting integrity, diversity, and best practices in the field of ADR.

2015 End of Year Statistics

2015 B2B Arbitration Filings (Includes Domestic and International)

Business Contracts (includes Commercial/Construction B2B and Executive Employment)

8,360

2015 Claims and Counterclaims*

Total Claims	\$13,365,897,914
Total Counterclaims	\$2,706,142,073
Large Case** Average Claim	\$5,685,996
Large Case Median Claim	\$1,300,001
Large Case Average Counterclaim	\$3,409,714
Large Case Median Counterclaim	\$999,999

DID YOU KNOW?

In 2015, the **most party members** to a filed arbitration were **83** and mediation was **37!**

* Based on business contract cases, excluding claims for attorneys' fees and costs

** Claim or counterclaim is at least \$500,000, exclusive of claimed interest, attorneys' fees, arbitration fees, and costs

Largest Claim Amounts by Industry

Construction	\$ 2,599,516,640
Pharma/Biotech	\$ 750,000,000
Financial Services	\$ 650,000,000
Energy	\$ 500,000,000
Telecommunications	\$ 152,500,000
Accounting	\$ 100,000,000
Technology	\$ 100,000,000
Healthcare	\$ 95,000,000
Aerospace/Defense	\$ 70,000,001
Entertainment/Media	\$ 75,000,000

2015 v. 2014 Changes in Caseload by Industry



Commitment to Diversity

22% Percentage of Diversity (Women and Minorities) on Panel

26% Percentage of Arbitration Cases with a Diverse Arbitrator Appointed