Intesa Sanpaolo Center
for Transnational Litigation,
Arbitration, and Commercial Law
NYU School of Law

in collaboration with

Arbitration Sciences Limited

Mock Arbitration: The Illusion of Preparation

Arbitration preparation strategy is decades behind medicine, advertising, politics and psychological research — all of which have adopted rigorous behavioral science to understand and predict human decisions.

What you will learn

- Why your current approach cannot accurately predict what will persuade your tribunal
- How the same structural incentives that kept medicine behind now keep arbitration behind
- What rigorous behavioral research delivers
- When the market will shift, who will lead it, and why being first matters

And yet arbitration counsel continue to use mock arbitration: an unreliable tool that fails to meet the standards of valid and reliable scientific study to understand and predict the effectiveness of persuasive communication strategies.

Behavioral scientists studying how humans actually make decisions have transformed professional practice across every field where prediction matters. Evidence-based medicine replaced clinical intuition. Empirical research methods replaced conventional wisdom in politics and advertising. NASA and NATO restructured decision protocols around cognitive science. In each transition, the profession that resisted longest eventually discovered the same thing: informal observation of surrogate groups tells you almost nothing about how actual decision-makers think.

> *Arbitration practice has been slow to follow. That is finally beginning to change: rigorous science-based, behavioral methodologies are now being applied to arbitration preparation at comparable cost and with appreciably greater strategic utility.*

Sophisticated counsel understand this. Smart GCs know the alternative exists. The time is here and now. The question is whether you and your firm will lead the transition or spend the next decade explaining to clients why you didn't.

The speakers

Dr. Donald Vinson
Director, Arbitration Sciences Limited
Dr. Vinson has taught at UCLA, USC, and was a Visiting Professor of Law at Tulane University School of Law. He has written more than 10 books and 50 articles on behavioral psychology in litigation and arbitration. His most recent books are *Arbitration: The Art & Science of Persuasion*, and *Success in Arbitration: Winning With Applied Psychology*.

Karl Hennessee, FRAeS
Senior Vice President, Global Disputes & Investigations, Airbus
Fellow of the Royal Aeronautical Society and former board member of the International Council for Commercial Arbitration (ICCA). A frequent author and speaker on arbitration best practices and dispute strategy at the institutional level.

Moderators

Prof. Franco Ferrari
Host, NYU School of Law
Franco Ferrari is the Clarence D. Ashley Professor of Law and the Director of the Intesa Sanpaolo Center for Transnational Litigation, Arbitration, and Commercial Law at NYU School of Law. He has published more than 360 law review articles, book chapters, and encyclopedia entries in various languages and 50 books in the areas of international commercial law, conflict of laws, comparative law, and international commercial arbitration. He acts as an international arbitrator both in international commercial arbitrations and investment arbitrations.

Klaus Reichert
Director, Arbitration Sciences Limited
Mr. Reichert sits as an international arbitrator and has served as chair, party appointee, or sole arbitrator in more than 250 international disputes.

Thursday, 12 November 2026 · 2.30–4.30 pm

NYU School of Law, Room 214, 40 Washington Square South, New York

Seating is limited.
Register at this link