The Desert Talking Piece

Saltman Center to Host Panel Discussion on Poker and Negotiation

Casino-owner and Las Vegas legend Benny Binion invited six well-known poker players to the first World Series of Poker in 1970 at the Horseshoe Casino in Las Vegas. Forty years later, on November 5, 2010 — the night before the Main Event of the World Series of Poker 2010 — top poker players and negotiation experts will gather at Cox Pavilion to discuss and explore the insights one can garner from poker that are applicable to the process of negotiation.

For example, a skilled poker player will arrive at the table knowing his or her limits, such as when to fold. A talented player will also be good at bluffing and reading the facial expressions and body language of his or her opponent. These skills are valuable to an individual using an adversarial, competitive approach to negotiation. One notable limitation is that poker players do not work cooperatively with their opponent — to do so would be illegal — while problem-solving negotiators rely heavily on such cooperation to achieve amicable results.

One of the scheduled panelists, Professor Russell Korobkin of the UCLA School of Law, plans to talk about the interdependence of strategy, the irrationality of human behavior and negotiation. He has written a text on negotiation and numerous articles regarding economics and psychology, so his talk is sure to be provocative.

Joining Professor Korobkin on the panel are brother-and-sister poker superstars Howard Lederer and Annie Duke as well as Jack Binion, a leading executive in the gaming industry for almost fifty years. Lederer, a two-time bracelet winner at the World Series of Poker, Duke, a bracelet winner in 2004, and Binion, Benny’s son, will discuss the skills they feel help them as poker players, and drawing from the experiences on the poker table, they will explain the extent to which their poker playing can and cannot help them in negotiation. The panel discussion will be moderated by Joe Asher, President and CEO of Lucky’s Race & Sports Books.
The Saltman Center for Conflict Resolution at the UNLV William S. Boyd School of Law presents

**How to Play Your Hand**

*Lessons from Poker for Negotiators*

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**Jack Binion**
Leading executive in the gaming industry for almost 50 years

**Annie Duke**
Professional poker player

**Russell Korobkin**
UCLA law professor and author of “Negotiation Theory and Strategy”

**Howard Lederer**
Professional poker player
World Series of Poker bracelet winner (2000, 2001)

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Play to win … at everything.

In life, as in poker, how you play your hand is often more important than the cards you are dealt. Before entering any game or negotiation, are you prepared with a strategy for success? This special presentation is your sure bet to learn the expert tactics employed by master poker players, seasoned gaming executives, and scholars who know what it takes to command and maintain the winning edge at the tables, in business dealings, during legal proceedings, and in life in general.

*Free and open to the public; no RSVP required.*

For more information, visit [www.law.unlv.edu/Saltman_Events.html](http://www.law.unlv.edu/Saltman_Events.html) or call (702) 895-2486.

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**Saltman Center Hosts Successful Conference on Economic Crisis and Conflict Resolution**

The Saltman Center for Conflict Resolution, the Clark County Family Mediation Center, the Clark County Neighborhood Justice Center, and the Mediators of Southern Nevada jointly sponsored “Conflict Resolution and the Economic Crisis,” a well-attended conference held on Feb. 12 and 13 of this year.

Focused on how to use conflict resolution tools to deal with aspects of the ongoing economic crisis, the conference offered attendees 32 presenters in two separate tracks: academic (geared toward attorneys and scholars) and practitioner (geared toward practicing mediators and social workers). Academic presentations included panels on foreclosure mediation, bankruptcy mediation and cost-effective dispute resolution. Papers produced by the academic presenters will be included in an upcoming *Nevada Law Journal.*

Practitioner presentations examined issues such as managing conflict when divorcing spouses are forced to remain in the same home, helping organizations that are facing economic adversity move into the future, changes in community and civil court mediations due to the economic downturn, giving and receiving constructive criticism, and the future of mediation in the Southwest.

Barbara Buckley, the first woman speaker of the Nevada State Assembly and executive director of the Legal Aid Center of Southern Nevada, was the keynote speaker. The program, a list of speakers and their biographies, and a video of Speaker Buckley’s talk can be accessed by going to [www.law.unlv.edu/saltman_Recent.html](http://www.law.unlv.edu/saltman_Recent.html).

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**Pictured clockwise from the upper right:** Professor Jean Sternlight, UNLV Boyd School of Law; Bruce Undergust and Montone White, Clark County Family Mediation Center; Eileen Pruett, Franklin County Foreclosure Mediation Project; Verise V. Campbell, Foreclosure Mediation Program, Nevada; Barbara Buckley, Speaker of the Nevada State Assembly; and Dean John Valery White, UNLV Boyd School of Law.
Former Liberian President Discusses Nonviolent Demonstrations

Amos Sawyer, former President of Liberia (1990-1994), discussed Liberia’s peace process at the film screening of “Pray the Devil Back to Hell” as part of the Saltman Center’s Peace in the Desert™ series held at UNLV.

While women’s rights in the United States have been in place for years, Liberia’s fight is significantly more recent. The Saltman Center’s screening of “Pray the Devil Back to Hell,” a film depicting the role women played in ending the nation’s 1997-2003 civil war, showed the struggle of a group of committed women to revitalize the nation after years of war.

The event, held on Nov. 6, 2009, was part of the Center’s Peace in the Desert™ series and was co-sponsored by the Las Vegas Review-Journal, UNLV Department of Women’s Studies and Movies that Matter.

“Pray the Devil Back to Hell” chronicles the actions of thousands of Christian and Muslim women, who came together to stage a silent protest and exhibited the strength of grassroots activism.

The screening of the film was accompanied by guest commentator Amos Sawyer, the former president of Liberia (1990-94). Sawyer now works as a research scholar at the Indiana University Workshop in Political Theory and Policy Analysis and a Public Policy Scholar at the Woodrow Wilson International Center for Scholars.

He said in his speech that throughout the history of Liberia, “the tradition of women working for peace runs deep.”

He also noted that the over-centralization of the government was a major issue for the nation.

“The president had power when it came to the budget, courts and appointments of all the local government officials down to the town jailer,” Sawyer said. “This is too much power, even for an angel.”

In addition to speaking, he took part in a panel discussion at the end of the evening alongside a group of UNLV professors: Lois Helmbold, professor and chair of the Department of Women’s Studies; Tiffany Howard, assistant professor of the Department of Political Science; and Michelle Kornai, assistant professor of the Department of Political Science. The scholars situated the Liberian events depicted in the movie in a larger context, focusing on the role of women in achieving political reform, the history of Liberia, and the politics of failed states.

The Saltman Center’s Peace in the Desert™ series is designed to educate the community on conflicts existing throughout the world by presenting experts on those conflicts who have suggestions on ways to resolve them.

Saltman Center Hosts Summer Institute in Dispute Resolution

The Saltman Center for Conflict Resolution hosted a new Summer Institute in Dispute Resolution in May and June 2010 at the William S. Boyd School of Law. Current law and graduate students, attorneys and other professionals were able to take intensive short courses on dispute resolution taught by national and local experts: Professor Michael Mofti, Assistant U.S. Attorney Roger Wenthe, and Professor Russell Korobkin.

Michael Mofti, the Orlando J. and Marian H. Hollis Professor and the associate director of the ADR Center at the University of Oregon School of Law, taught a class on mediation, where students studied the common dynamics that arise between disputants and learned a range of approaches and skills that mediators employ to address those dynamics.

Roger Wenthe presently serves the U.S. Attorney’s Office in Las Vegas as its civil health care fraud coordinator. He practiced in the litigation department of McDermott, Will & Emery in Chicago for 18 years and for six years he was a circuit Mediator for the United States Court of Appeals for the Seventh Circuit in Chicago. Wenthe’s course looked at dispute resolution in the workplace.

Russell Korobkin, professor of law at the UCLA School of Law, has published more than forty law journal articles and several books in the fields of behavioral law and economics, negotiation and alternative dispute resolution, contract law, health care law and stem cell research. He offered a course on advanced negotiation, focusing on negotiation theory and practice.

The Saltman Center’s Summer Institute was created to give a larger audience the chance to learn about negotiation, mediation and alternative dispute resolution.

Summer Institute in Dispute Resolution 2010

Peace in the Desert™ Series

The Peace in the Desert™ series invites experts with practical experience in particular conflict areas to share their intimate knowledge. These experts examine why the dispute arose, who are the stakeholders in the quarrel, and what might be done to resolve the dispute. By having an expert lay out the basis of the conflict, suggest possible solutions, and respond to challenging questions from the audience, the Saltman Center hopes to help people develop their own views based on informed, rational, and sound presentations.

“As a visiting attorney from Florida, I found Boyd’s Summer Institute in Dispute Resolution to be a tremendous learning experience for students and practicing litigators alike. Classes are intimate, faculty is topnotch, and the focus on practical applications of dispute resolution techniques provides real world training universally essential for legal professionals. I applaud Boyd for organizing a truly exceptional program. Its recognition as a top American law school is well deserved. Bravo!”


Watch the Talks

Missed the lecture? Visit the Saltman Center’s webcasts page to view recent lectures at the UNLV Boyd School of Law.

www.law.unlv.edu/media_Events.html
Saltman 5K Race a Resounding Success

Laces were tightened as the sun radiated off red balloons dancing over the finish line. The Saltman 5K Running for Resolution race was minutes away from starting. Dozens of participants, male and female, young and old, stretched and eyed the competition.

“Before the race I was thinking Esteban, or possibly even Dean White [would win] because he was a really great distance runner in college!” reported Trevor Hartzell, the eventual champion. As the competitive juices began to flow, many participants reanalyzed the 3.1-mile course. But there was one runner who already knew the course cold: Steve Parke, 2009-10 Student Bar Association President. “I did take a detour. 5K was not far enough a race for me and I wanted to give Dean White a chance to beat me—Parke admitted. The dean came up a bit short. Parke tied for 13th place.

The event took place on March 13, 2010 and raised money for the Saltman Center for Dispute Resolution. Participants received a Dri-Fit t-shirt and top finishers each received a glass trophy to commemorate their struggle. Hartzell noted, “I’ve done similar events in other places and this was probably the best value of any and one of the most fun because it was with the whole Boyd community.”

David Saltman, one of the event organizers, placed second in the race.

Strasser Mediation Clinic Students Reflect on Their Experiences

Participating in the Strasser Mediation Clinic has been the most beneficial experience of my law school career. I have had many great experiences that include externships, pro bono work and a moot court competition, but my participation in the mediation clinic topped all of those experiences. In the few short months that I have been mediating disputes, I have grown leaps and bounds. My mediation clinic experience has enabled me to put a face on legal disputes and to understand what causes disputes.”

— Nathan Ring ’10

“Part of my role as mediator is to help the parties think “outside the box” for solutions to their issues, and over the semester, I have found I am able to work as much with the emotional aspects of a case as much as I work on the tangible issues of the case. Indeed, in one case I co-mediated this semester I was assigned a case with no real tangible issues. We were presented not with an issue about dog barking, or a complaint about a mechanic shop, but rather a case that involved only a relationship between a couple that was falling apart due to lack of communication. Although we had concerns that therapy may have been more appropriate for this … problem, we followed the process the mediation clinic taught us and used the same techniques and methods to guide this process along. Surprisingly, at the end of this mediation, the parties reached an agreement and agreed to return the following week for a follow-up and to let the mediators know they completed their homework.”

— Jeremy Thompson ’11

“I mediate divorce cases. Divorces often get so emotional that both parties simply yell at each other and yet neither hears a single word the other says. That’s where mediation steps in. Our job is to help the parties “hear” each other again. You would be surprised how often parties make agreements after we help them “hear” what the other party is actually saying. For example, I recently mediated a case with another law student where both parties weren’t listening to what the other party was saying. Both argued about what had happened in the past, what was happening in the present, and what should happen in the future. If one said the sky was blue, the other would say it’s red. You get the picture. We listened and understood what each party was looking for. Thanks to our training and experience, we were able to help the parties understand what they wanted, and they were able to make an agreement they both liked.”

— Paul Williams’11

“As a student mediator, an important lesson I have learned is the value of giving each party a voice or a means of expression. Often times, mediation is the first opportunity the parties have had to discuss their issues face-to-face since their dispute began. Mediation re-opens the lines of communication. Even if the mediation process does not result in an agreement, it gives the parties a sense of dignity because they have the opportunity to share their concerns and help solve their own problems. Recently, I co-mediated a divorce case in which the parties had not spoken since their separation more than six months ago. Due to emotional issues and power imbalances in the relationship, the wife had not had a chance to tell her story. Although the parties ultimately were unable to reach an agreement regarding their divorce, the wife expressed satisfaction with the mediation process because it was the first time she felt like her voice had been heard since the divorce proceedings began.”

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Michael McKelvie ’10, left, took the lead in organizing the Saltman 5K Running for Resolution race. Trevor Hartzell ’12 took first place.

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— Lindsay Hansen ’10
Arbitrin’ Ain’t Easy: Law Professor Details His Tenure in Austria

On paper, John Garman may appear to be your average law professor. But after a brief conversation with him, you will walk away knowing that he is anything but average.

Professor Garman, an adjunct professor at the Boyd School of Law, teaches International Commercial Arbitration at the Loyola School of Law in Los Angeles. He also teaches the course at the University of Southern California’s Gould School of Law, in addition to educating students on international negotiation and mediation and supervising graduate students’ research.

Garman has impressive credentials and life experience to boot. He was an active duty member of the United States Air Force for four years, received his bachelor’s degree from Monmouth University before obtaining his Juris Doctorate from the University of LaVerne, Los Angeles, California. But it was when he decided to get his Master of Laws (LL.M.) from the University of the Pacific, McGeorge Law School that things got interesting.

What was so special about the LL.M. program? John Garman (JG): Part of the University of McGeorge’s LL.M. requirement was a second semester at the Juridicum, University of Salzburg, Austria. I also had to do a six-week internship with a law firm somewhere in the world. I selected an international firm in Vienna, Austria and they accepted, so I went to work for six weeks in Vienna and got credit toward my Transnational Business Practices LL.M. Somehow, six weeks turned into seven years!

When you went to Austria, were you fluent in German? JG: Not at all! I moved to Austria with Wayne Newton’s “Dandie Schoen” being the extent of my German. But once I decided to stay long-term, I took German language classes Monday, Wednesday and Friday from 9 a.m. to noon for three years. It was very important for me to understand the culture, which meant that I had to fully immerse myself in it by talking to locals and making many, many mistakes. During that time, I became fluent in German.

What was your favorite part of living in Austria? JG: Vienna is the center of Europe and every weekend I would travel. In a year, I would go to 16 or 17 countries, visiting wineries, meeting interesting people. The experience is phenomenal - learning to cope with and live with other cultures and meshing them with your own cultural background.

As an international arbitrator, is there a specific arbitration that stands out in your memory? JG: No, there’s not a particular arbitration that was the most interesting or intriguing. All arbitrations were unique because I was adapting to the cultural aspects and their expectations.

Practicing law means working with people. While many people, including lawyers themselves, tend to think of lawyers as either gunslingers or analysts, typical lawyers spend most of their time working with clients, other lawyers, staff, witnesses, mediators, arbitrators, experts, judges and juries. Because good lawyering requires a good understanding of people and how they interact, most lawyers could benefit greatly from knowing more about psychology: the science of how people think, feel and behave.

Although lawyers spend much of their time working with people, law school courses don’t usually focus on the people side of the job. Lawyers therefore typically succeed or fail at the people aspect of their work using either skills they learned in law school or skills they hire on the job. To the extent most lawyers recognize that psychology might be useful to lawyering, they often turn to lay theories of psychology. But most lawyers have little or no knowledge of much of the psychology that could be useful. Also, while many of the lay theories of psychology work pretty well, sometimes they can also lead lawyers astray.

Lawyering and Psychology

This past year, members of the Strasser Mediation Clinic have been working at Las Vegas’s Neighborhood Justice Center, and beginning in the fall semester of 2009, they also began providing mediation services at Clark County’s Family Court. There they help couples who are either in the midst of a divorce or have post-divorce issues that need to be resolved.

While the main focus of the student mediators at Family Court is asset and debt distribution, they are also able to help with parenting plans and spousal/child support issues, should those issues arise. Students have taken to this new placement very well and feel good about helping people through these particularly painful times in their lives.

For many clinic students, this is their first experience with live disputes that often are accompanied by high levels of emotion. Students gain great satisfaction from learning how to deal with such high conflict situations.

But in Austria, they worked with these same people and their experiences, the psychology of judgment and decision making; how emotions influence thinking and behavior; the psychology of how people persuade and influence each other; good communication, including the importance of listening, empathy, trust and rapport; and the psychology of justice.

Part Two then applies these insights to tasks lawyers face on a regular basis. Specifically, it looks at how psychology can help lawyers do a better job of interviewing and counseling their clients; negotiating and mediating; conducting written and oral discovery; writing letters, briefs and transactional documents; and understanding and preventing ethical lapses.

Students in Strasser Mediation Clinic Take on New Challenges

Lawyer students in the Strasser Mediation Clinic have discussed their experiences with the Boyd Law Professors, and with a book on psychology for lawyers. This book will cover topics such as the importance of listening, empathy, trust and rapport; the psychology of judgment and decision making; how emotions influence thinking and behavior; the psychology of how people persuade and influence each other; good communication, including the importance of listening, empathy, trust and rapport; and the psychology of justice.

The book’s final chapter will consider the implications of psychology for lawyers’ well-being.
Staff Doings

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Director of the Saltman Center for Conflict Resolution and Michael and Susan Saltman Professor of Law

Jean.sternlight@unlv.edu

Jean has published in multiple synthetic academic journals and articles, the move was a decided improvement of the second edition of her co authored casebook, Dispute Resolution: Beyond the Adversarial Model.

The second, the quest for justice remains an important theme in Sternlight’s work. She recently published an article, “Lawyered Dispute Resolution: Rethinking a Paradigm,” (2010), which asks whether lawyers are less important in ADR processes than in litigation. She concludes that lawyers can, in fact, be as important or sometimes more important in the non-litigation processes, than they are in litigation. She spoke on this topic at the 2010 ABA Dispute Resolution Section Conference.

Fourth and终于, Sternlight remains involved in issues pertaining to mandatory arbitration. She has been helping U.S. Supreme Court advocates present their arguments in several cases and gave presentations on mandatory arbitration at the ABA Dispute Resolution Section Conference and at Loyola’s Journalist Law School.

Ray Patterson
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Patterson also participated as a panelist in a state bar program on professional perspectives on mediation and made a presentation to the Clark County Bar Association on mediation’s place in Nevada’s short trial program. For much of 2009, he sat on a steering committee of local mediation groups to plan their involvement in the February 2010 Saltman Center conference marked the first time the Saltman Center ran both academic and practitioner tracks.

> SALTMAN FELLOWS

Continued from Page 10

to protect the civil rights of women and children.

Vincent Vitatoe attended a Catholic high school in Kansas City, Mo., where the student body was predominantly Italian, and sports reigned supreme.

As a freshman, his coach instructed the football team to draw what their championship and a broken leg later, he was off to Truman State University. After a year of playing collegiate football, he decided to wrestle. He already loved mixed martial arts (MMA), but one day, the wrestling coach asked him to join the team “just to learn more about the sport.” By senior year, he became a varsity starter.

Although sports were important, he was also drawn to the academy. Debate, psychology, science, religion and business all piqued his interest. Vincent decided that studying law would provide even more ways to get lost in challenging thought. Law school in Las Vegas, the fight capital of the world, provided a curious intersection of his love for MMA and academics.

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Farewell, Peter

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Jean.sternlight@unlv.edu

Jean has published in multiple synthetic academic journals and articles, the move was a decided improvement of the second edition of her co authored casebook, Dispute Resolution: Beyond the Adversarial Model.

The second, the quest for justice remains an important theme in Sternlight’s work. She recently published an article, “Lawyered Dispute Resolution: Rethinking a Paradigm,” (2010), which asks whether lawyers are less important in ADR processes than in litigation. She concludes that lawyers can, in fact, be as important or sometimes more important in the non-litigation processes, than they are in litigation. She spoke on this topic at the 2010 ABA Dispute Resolution Section Conference.

Fourth and终于, Sternlight remains involved in issues pertaining to mandatory arbitration. She has been helping U.S. Supreme Court advocates present their arguments in several cases and gave presentations on mandatory arbitration at the ABA Dispute Resolution Section Conference and at Loyola’s Journalist Law School.

Ray Patterson
Associate Director of the Saltman Center for Conflict Resolution

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Patterson also participated as a panelist in a state bar program on professional perspectives on mediation and made a presentation to the Clark County Bar Association on mediation’s place in Nevada’s short trial program. For much of 2009, he sat on a steering committee of local mediation groups to plan their involvement in the February 2010 Saltman Center conference marked the first time the Saltman Center ran both academic and practitioner tracks.

Farewell, Peter

The Saltman Center for Conflict Resolution is sad to say goodbye to Professor Peter Brilly, our associate director of Negotiation Training, who has accepted a position at Texas Wesleyan School of Law in Fort Worth this fall. Peter was an integral part of the Center, an expert on negotiation and a wonderful colleague. Although we’ll miss him greatly, we wish him well in this new chapter of his life.
How to Play Your Hand
Lessons from Poker for Negotiators
Friday, November 5, 2010 • 7 p.m.
Cox Pavilion at Thomas & Mack Center, corner of Tropicana at Swenson

Play to win … at everything.
In life, as in poker, how you play your hand is often more important than the cards you are dealt. Before entering any game or negotiation, are you prepared with a strategy for success? This special presentation is your sure bet to learn the expert tactics employed by master poker players, seasoned gaming executives, and scholars who know what it takes to command and maintain the winning edge at the tables, in business dealings, during legal proceedings, and in life in general.

Free and open to the public; no RSVP required.
For more information, visit www.law.unlv.edu/Saltman_Events.html or call (702) 895-2486.

This event is co-sponsored by

Discussion moderated by Joe Asher, Lucky’s Race & Sports Books

Annie Duke
Professional poker player

Howard Lederer
Professional poker player
World Series of Poker bracelet winner (2000, 2001)

Jack Binion
Leading executive in the gaming industry for almost 50 years

Russell Korobkin
UCLA law professor and author of “Negotiation Theory and Strategy”