



Professor Hiro N. Aragaki, Esq.

Trainer, Arbitrator, Mediator and Facilitator

Professor Hiro N. Aragaki, Esq., FCIArb, is a dual-qualified (U.S. and U.K.) international arbitrator and mediator at JAMS. Professor Aragaki has served as a neutral for almost 20 years and handled hundreds of matters involving European, Asian, African and American parties. He has substantial experience in commercial, banking and finance, technology and entertainment disputes, and has acted as tribunal chair in nine-figure disputes. He is an internationally recognized expert who has trained judges and lawyers in conflict management and is frequently called upon to consult on alternative dispute resolution (ADR) reform projects around the world, most recently in India, Kazakhstan and Kenya. He brings energy, sharp analytic skills and a talent for thinking outside the box, and is particularly well known for shrewd case management. He is a fellow of the prestigious College of Commercial Arbitrators as well as of the Chartered Institute of Arbitrators, U.K.

In addition to his practical experience, Professor Aragaki is a tenured professor of law at Loyola Law School in Los Angeles as well as a professorial research associate at SOAS School of Law in London. His scholarship on ADR has won prestigious accolades and been published in top U.S. law journals. He has taught courses in contracts, international business transactions, ADR, international commercial arbitration, mediation, negotiation, cross-border/cross-cultural dispute resolution, and comparative and international law. He holds degrees from Yale, Stanford and Cambridge universities.

Career ADR Experience

Professor Aragaki is a sought-after international arbitrator and mediator and serves on the panels of the London Court of International Arbitration, the International Chamber of Commerce in Paris and the Singapore International Arbitration Centre, among others. Representative matters include:

- Nine-figure AAA arbitration between a registered broker-dealer and a manufacturer of renewable energy fuel cells involving claims of securities and common law fraud, indemnification, unfair competition and breach of contract (as tribunal chair)
- Eight-figure ICDR arbitration seated in Tokyo between a global sports marketing and AI solutions company and a Japanese software company involving claims for breach of a licensing agreement, trade secret misappropriation under U.S. law and copyright infringement under Japanese law (as co-arbitrator)
- Eight-figure FINRA arbitration between a health care services company and a major multinational financial institution in connection with a variety of auction rate securities products and involving claims of breach of contract, breach of fiduciary duty, fraud/misrepresentation, negligence and violations of SEC Rule 10b-5 (as co-arbitrator)
- Eight-figure, multi-day JAMS mediation between shareholders of a for-profit fashion design school involving pre-litigation claims of breach of a stock redemption agreement, breach of fiduciary duty and equitable claims (as sole mediator)
- Seven figure, multi-day JAMS mediation of a 12-year attempt to partition a Japanese family business among multiple groups of relatives and their heirs involving claims of breach of a buy/sell agreement, breach of fiduciary duties and complex motion practice in state court (as sole mediator)

Training and Speaking Engagements

- Panelist, “Mediation: An Effective Means to Resolve Your Disputes in India,” National Council of Asian Indian Associations (Dec. 2021)
- Moderator, “Resolving Entertainment Disputes: Key Challenges in Litigation and Mediation and How to Overcome Them,” Loyola-JAMS ADR Webinar Series (with Jonathan Anshell, Shawn Holley, Bruce Isaacs and Hon. Margaret Nagle) (Nov. 2021)

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- “What Is the Singapore Convention on International Settlement Agreements Resulting From Mediation, and Should Developing States Ratify It?” public lecture delivered at SOAS School of Law, University of London (Oct. 2021)
- Moderator, “How to Select the Right Arbitrator: Tips From the Experts,” Loyola-JAMS ADR Webinar Series (with William Fitzgerald, Serena Lee, Sarah Reynolds and Lester Schiefelbein) (Aug. 2021)
- Panelist, “Combining Arbitration and Mediation: Whether, When and How?” UIA World Forum of Mediation Centres (virtual forum) (with Prof. Dr. Renate Dendorfer-Ditges, Prof. Joan Stearns Johnsen and Dorothee Ruckteschler) (Jun. 2021)
- Featured in Episode #84, “The Arbitration Conversation: Prof. Amy Schmitz Interviews the Leading Minds in Arbitration,” Arbitrate.com
- Faculty, 14th Annual Arbitration Training Institute, American Bar Association Section on Dispute Resolution (Jun. 2021)
- Faculty, International Arbitration Skills Masterclass, American Bar Association (May 2021)
- “Cognitive Biases in Mediation: Understanding our ‘not so rational’ decision-making processes,” International Law Program: Fundamentals of Mediation, Pontifical Catholic University of Paraná, Brazil (with Gabriella Assmar) (Apr. 2021)
- Panelist, 2021 Peer Mediation Invitational, Western Justice Center, Pasadena, CA (Mar. 2021)
- Moderator, “Managing Employment Disputes in the Post-Pandemic Workplace: Lessons for Lawyers, Disputants and Mediators,” Loyola Law School-JAMS Webinar (with Bernard Alexander, Joan Kessler, Melissa Daugherty and Jan Schau) (Feb. 2021)
- “Is Mediation Law on the Verge of a Nervous Breakdown? Foreign, Comparative and International Perspectives,” conference in honor of Prof. Ben Davis, University of Toledo (Jan. 2021)
- “What Every Lawyer Should Know About Arbitration and International ADR,” Asian American Bar Association of the Greater Bay Area (with Cedric Chao, Mimi Lee and Serena Lee) (Jan. 2020)
- “What to Expect in the Wake of the Singapore Convention: Wearing a Mediator’s Lens,” Nairobi Centre for International Arbitration Webinar on Mediation: Time to Harness Its Effectiveness (with Justice Fred Ochieng, Funmi Roberts, Indrani Govender and Jackie Githinji) (Sep. 2020)
- Moderator, “International Developments in Mediation and Their Implications for the Continent,” SOAS Sixth Arbitration in Africa Conference, in partnership with the Centre de Médiation et d’Arbitrage de GICAM, Douala, Cameroon (with Caroline Etuk, Mohammed Hafez, Jimmy Muyanja and Michael Ostrove) (Mar. 2020)
- “Difficult Conversations: Introduction to Mediation Workshop,” SOAS School of Law, University of London (with Michael Bartlet) (Mar. 2020)
- “From A(fghanistan) to V(ietnam): Mediation Law in Comparative Perspective,” The Mediation Society of San Francisco (Jul. 2019)
- “Introduction to Negotiation,” SOAS School of Law, University of London (Feb. 2019)
- “A Primer on Mediation Law in Africa,” SOAS Fifth Arbitration in Africa Conference, in partnership with Bannaga & Fadlabi LLP and the African Institute of International Law, Arusha, Tanzania (Feb. 2019)
- “The Legal Framework of Multi-Tier Dispute Resolution: (Preliminary) Lessons From Around the Globe,” Conference on Multi-Tier Approaches to the Resolution of International Disputes: A Global and Comparative Study, Hong Kong University, Hong Kong (with Anselmo Reyes, Weixia Gu, Tom Stipanowich, et al.) (Sep. 2018)
- “The Role of Counsel in Mediation, Advocacy in Mediation: The U.S. Experience,” workshop organized by IFC and VBLC on Outlook for Commercial Mediation: An Advanced Alternative Dispute Resolution Method in East Asia, Hanoi, Vietnam (May 2018)
- Panelist, “Toward Integrating ADR Teaching, Writing, Theory and Practice,” ABA Dispute Resolution Section Annual Meeting, Washington, D.C. (Apr. 2018)
- “Lessons Learnt From Implementing Commercial Mediation in the U.S. and the U.K.,” workshop organized by IFC and VIAC on Vietnam’s existing legal framework for commercial mediation and lessons learnt from international best practices, Ho Chi Minh City, Vietnam (Mar. 2018)
- Panelist, “The New ‘Gold Standard’ in Teaching ADR: Tools, Strategies, Practices,” ABA Dispute Resolution Annual Meeting, San Francisco (Apr. 2017)
- Retained by the World Bank Group to design and deliver two mediation training courses and provide dispute systems design advice for the first court-annexed mediation program of the Commercial Court in Monrovia, Liberia (with Hon. Robert Levy, Caroline Etuk and Diana Dapaa) (Jan. and May 2017)

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- “Holistic Approach to Dispute Management: Interplay of Arbitration and Mediation,” private commercial mediation conclave, Bangalore, India (with K.G. Raghavan, Shreyas Jayasimha and Prof. Jay Folberg) (Feb. 2016)
- Co-Trainer, “Advanced Mediation Training,” Centre for Advanced Mediation Practice and Foundation for Sustainable Rule of Law Initiatives, Bangalore, India (Feb. 2016)
- Panelist, “Re-Conceptualizing and Leveraging ‘Diversity,’” ABA Dispute Resolution Section Annual Meeting, Seattle (Apr. 2015)
- Panelist, “Teaching Practical Negotiation,” ABA Dispute Resolution Section Annual Meeting, Seattle (Apr. 2015)
- Panelist, “Strategies to Reduce the Effects of Implicit Bias,” Asian Pacific American Women’s Law Association Conference, Loyola Law School (Mar. 2015)
- Invited by the Judicial Administration Training Institute of Bangladesh and the South Asian Institute of Advanced Legal and Human Rights Studies to design and deliver a mediation training course and provide dispute systems design advice for judges and lawyers in Dhaka, Bangladesh (with Prof. Mary Culbert) (July 2011)

Publications

- *A Snapshot of National Legislation on Same Neutral Med-Arb and Arb-Med Around the Globe*, in MULTI-TIER APPROACHES TO THE RESOLUTION OF INTERNATIONAL DISPUTES: A GLOBAL AND COMPARATIVE STUDY (Anselmo Reyes & Weixia Gu, forthcoming)
- *The Critical Theory Legacy of Jean Sternlight’s Panacea or Corporate Tool?* in DISCUSSIONS IN DISPUTE RESOLUTION: THE FOUNDATIONAL ARTICLES (Art Hinshaw, Andrea Schneider & Sarah Cole, eds., 2021)
- *The Metaphysics of Arbitration: A Reply to Hensler & Khatam*, 18 NEV. L.J. 541 (2018)
- *Arbitration Reform in India: Challenges and Opportunities*, in THE DEVELOPING WORLD OF ARBITRATION (Weixia Gu & Anselmo Reyes, 2018)
- *Arbitration: Creature of Contract, Pillar of Procedure*, 8 PENN ST. Y.B. ARB. & MEDIATION 2 (2016) (peer-reviewed journal; solicited submission)
- *Constructions of Arbitration’s Informalism: Autonomy, Efficiency, and Justice*, 2016 J. DISP. RESOL. 141 (2016) (solicited submission)
- *Does Rigorously Enforcing Arbitration Agreements Promote “Autonomy”?*, 91 IND. L.J. 1143 (2016)
- *The Federal Arbitration Act as Procedural Reform*, 89 N.Y.U. L. REV. 1939 (2014)
- *Equal Opportunity for Arbitration*, 58 UCLA L. REV. 1189 (2011)
- *Arbitration’s Suspect Status*, 159 U. PA. L. REV. 1233 (2011)
- *The Mess of Manifest Disregard*, 119 YALE L.J. ONLINE 1 (2009)
- *Deliberative Democracy as Dispute Resolution? Conflict, Interests, and Reasons*, 24 OHIO STATE J. ON DISP. RESOL. 406 (2009)
- *The Negotiation Process*, in A LITIGATOR’S GUIDE TO EFFECTIVE USE OF ADR IN CALIFORNIA (CEB Press 2007) (2005)

Honors, Memberships and Professional Activities

- Fellow, College of Commercial Arbitrators (2020–present; invitation-only fellowship of nationally and internationally recognized commercial arbitrators)
- Fellow, Chartered Institute of Arbitrators (2016–present; recognition of outstanding commitment to international arbitration, requiring successful completion of intensive training course and award-writing examination)
- Higginbotham Fellow, American Arbitration Association (2013–2014; awarded to “up-and-coming” diverse ADR professionals)
- Sloan Fellow, Center for Mediation in Law, Mill Valley (2002–2005)

- Member, ICC Institute of World Business Law
- Member, International Bar Association
- Member, American Society for International Law
- Member, ABA Section on Dispute Resolution
- Member, ABA Section on International Law (Vice Chair, International Arbitration Subcommittee; Member, International Mediation Subcommittee)
- Member, American Bar Association Rule of Law Initiative (Central European and Eurasian Law Initiative Council; Africa Law Initiative Council (2018–2020))
- Board Member, Foundation for Sustainable Rule of Law Initiatives (international foundation to promote sustainable mediation programs, especially in countries with overburdened and backlogged court systems)
- Member, AALS Section on Dispute Resolution Executive Committee (2015–2021)
- Board Member, California Dispute Resolution Council (2018–2020)
- Member, California State Bar Standing Committee on Alternative Dispute Resolution (2013–2016)

Background and Education

- Stanford Law School, J.D. (with distinction) (1997); Associate Editor, *Stanford Law Review*
- University of Cambridge, M.Phil., Social & Political Theory (1992); Doctoral Studies, Faculty of Politics, Psychology, Sociology and International Studies (formerly Social and Political Sciences) (1992–1994)
- Yale University, B.A., *magna cum laude*, Philosophy (1990); Marshall-Allison Prize (awarded at graduation for promise in arts and letters); Robert C. Bates Research Fellowship and Yale College Richter Fellowship (1989)