

Mediator Bio Peter Kamminga

Professor Kamminga (Ph.D. LL.M.) specializes in mediating high-profile civil litigation. He has successfully mediated, and co-mediated dozens of high-stakes complex civil disputes referred by private parties and courts on a variety of matters, all with aggregate values of multi-million or billions of dollars. He works with numerous U.S. Fortune 500 companies, European multinationals, and government agencies, as well as mid-size U.S. and European-based companies.

Dr. Kamminga received his legal education at Ivy League law schools in the US (Harvard and Columbia) and at top-universities in Europe. He combines practical dispute resolution experience with in-depth legal knowledge of U.S. and European law.

Dr. Kamminga has advised a number of government agencies and private entities on optimizing and designing their contractual environment for large projects, designing procurement to facilitate cooperation with their counterparts, addressing complex claim questions, and designing systems tailored to resolving high-volume disputes efficiently. He designed codes of conduct, elaborate procurement strategies, and developed dispute management systems for government agencies such as the Dutch Ministries of Economics, Infrastructure and Justice, and worked with public and private parties in the insurance and construction industries.

Dr. Kamminga now works on resolving complex construction disputes, insurance coverage cases, contract, securities and financial matters, and other high-stakes disputes. He brings extensive knowledge and broad international experience in U.S. and European contract, insurance and construction law, corporate and financial law. Private and public parties regularly seek his assistance on practical and conceptual issues related to contract law, negotiation and dispute resolution processes.

Experience and Qualifications

- As mediator he mediates and co-mediates complex civil cases nationwide, including construction defect, contract, insurance coverage and government contract disputes.
- He assists parties (private and public entities) in designing dispute resolution processes uniquely tailored to their needs in disputes involving complex issues.
- He designs dispute resolution systems for large multi-million euro infrastructure projects in the Netherlands and in the U.S.
- One of three authors and designers of claim-handling procedures for personal injury claims now used by 90% of personal injury insurers in the Netherlands.
- Co-authored the Dutch Dispute Resolution Board procedures and served as member of a dispute resolution board for one of the largest transportation infrastructure projects in Netherlands in the last 30 years.
- Engages in pro bono work as a court-appointed mediator at the Brooklyn, Manhattan, and New York Small Claims Courts.

Representative matters:

- Construction and Transportation Infrastructure: Mediation and early neutral advice in large construction disputes, including large development projects, rail, tunnel, bridge and road

construction, and matters involving power plants and other public and private construction projects.

- Financial Markets and Financial Fraud: A variety of investment and shareholder disputes involving some of the largest hedge funds, investment banks, private equity funds, and Fortune 500 companies, as well as public agencies such as the FDIC, including cases involving bank fraud schemes.
- Government Contracts: Contract disputes involving one of the largest defense contractors in the U.S.; experienced with government contracts, including working with the Ministries of Economics, Infrastructure and Justice in Europe, as well as with the European Union and local governments in EU and U.S. on dispute resolution matters.
- New Energy: Cases involving a world-leading company on clean energy.
- Oil & Gas: Cases involving some of the world's largest oil and gas companies.
- Personal Injury: Assists insurance companies, personal injury lawyers, and victims with claim-handling process design; main author of the dispute resolution section of the Dutch Code of Conduct for handling severe personal injury cases.
- Securities Class Actions: Disputes related to Lehman Brothers, several of the largest Fortune 100 companies, and many other NYSE and NASDAQ corporations. Part of team that settled numerous securities actions arising out of the Lehman Brothers bankruptcy and numerous individual securities related matters.

Honors, Memberships, and Professional Activities

- Associate Professor of Law, VU Amsterdam University
- Faculty Fellow, Program on Negotiation, Harvard Law School
- Scientific Counsel, GEMME (Organization for Judge Mediators)
- Academic faculty affiliations, Stanford University, UC Hastings College of the Law, San Francisco
- Former co-chair, "Future of ADR" committee, ABA, IC Dispute Resolution Section
- Former legal advisor, De Brauw Blackstone Westbroek
- Former in-house counsel, ACTinium

- Awarded the prestigious [Weinstein JAMS International Fellowship](#) (2011).
- Invited to become a Faculty Fellow at the Harvard Law School Program on Negotiation (2011); he was awarded a major research grant for his empirical research on efficient negotiation and contracting of complex infrastructure projects

Publications

- Kamminga, Y.P. (2015). "Using Mediation in Multi-Party Disputes or Why Complex Matters Still Go to Litigation." In Cecchi Dimeglio P. and Brenneur, B. (Eds.), *Interdisciplinary Handbook of Dispute Resolution*, Brussels: Larcier.
- Kamminga, Y.P. (2015). "Rethinking Contract Design: Why Incorporating Non-Legal Drivers of Contractual Behavior in Contracts May Lead to Better Results in Complex Defense Procurement," *Journal of Public Procurement* (2) 15: 208-237
- Kamminga, Y.P. (2014). "[The Next Level in Contract Design: Incorporating Non-Contractual Mechanisms when Negotiating and Drafting Complex Contracts,](#)" UC Hastings Research Paper No. 115, August 27, 2014.
- Kamminga, Y.P. (2012). "The Netherlands as Securities Mediation Hub?" *Weinstein Fellow Newsletter*, nr. (1) 14-15.

- Kamminga, Y.P. and Cecchi Dimeglio, P. (2012). "Value Creation in Water Resource Management: Cooperative Rather than Competitive Approaches to Water Management," in Islam, S. & Susskind, L. and associates, Water Diplomacy: Managing the Complexity of Water Networks Through Negotiation, Resources for the Future. Earthscan, Taylor & Francis Group, 2012.
- Kamminga, Y.P. (2011). ["Inter-Firm Negotiations and Conflict,"](#) Canadian Journal of Arbitration and Mediation (RCAM/CJAM), p. 144-165.
- Kamminga, Y.P. (2009). ["Keeping Infrastructure Projects on Track with Effective Governance Structures,"](#) Gouda: PSI Bouw.
- Van Zeeland, C.M.C., Kamminga, Y. P., Barendrecht, J. M. (2009). ["A Code of Conduct for Negotiating Personal Injury Claims: Structuring the Shadow of Tort Law,"](#) in Winkel, F.A. et. al. Victimization in a Multidisciplinary Key: Recent Advances in Victimology, Tilburg: Wolf Publishers.
- Kamminga, Y.P. & Berg, van den M.A.M.C. (2006). ["Optimizing Contracting for Alliances in Infrastructure Projects,"](#) International Construction Law Review. 59-77.

Education

- LL.B and LL.M from the Law School at Groningen University in the Netherlands; studied law at Georg August University in Gottingen Germany
- LL.M, Columbia University
- Ph.D. at Tilburg and Brussels University
- Post-graduate research fellowships at Stanford Law School and Harvard Law School
- Faculty affiliations at Harvard University, Stanford University, and UC Hastings College of the Law
- Accredited by the Mediators Federation Netherlands

Languages

- English, Dutch, and good working knowledge of German and French