



NEW YORK STATE BAR ASSOCIATION
COMMERCIAL & FEDERAL LITIGATION SECTION

6.0 MCLE Credits

3.0 in Areas of Professional Practice, 1.5 in Ethics and 1.5 in Diversity, Inclusion and the Elimination of Bias

Spring Meeting 2019

Manchester, VT

May 3-5, 2019

The Equinox Golf Resort and Spa
Manchester, Vermont

www.nysba.org/FEDSP19



Commercial and Federal Litigation Section Chair

Robert N. Holtzman, Esq., Kramer Levin Naftalis & Frankel LLP,
New York City, NY

Program Chair

Laurel R. Kretzing, Esq., Office of the Nassau County Attorney,
Mineola, NY

TOTAL CLE CREDITS:

Under New York's MCLE rule, this program has been approved for a total of **6 MCLE credits** consisting of 3.0 in Areas of Professional Practice, 1.5 in Ethics and 1.5 in Diversity, Inclusion and the Elimination of Bias for experienced attorneys. Attorneys admitted 2 years or less are not eligible to receive credit in the Diversity, Inclusion and Elimination of Bias category. This program is not transitional and does not qualify for newly admitted attorneys.



Hotel Information

The Equinox Golf Resort & Spa | 3567 Main Street, Manchester, VT

You can reserve your overnight accommodations by calling the hotel at 866-837-4219. The group code is NYSBA Commercial. The Equinox is part of the Marriott Luxury Collection.

To book online, please email Samantha Cervini at scervini@equinoxresort.com with the subject line "NYSBA Commercial". **Reservation deadline is April 12, 2019.**

SCHEDULE OF EVENTS

Friday, May 3

- 3:00 p.m. – 6:30 p.m. **Registration** – Lincoln Terrace
- 6:30 p.m. – 11:00 p.m. **Children’s Dinner** – Bennington
The children will have dinner first. After dinner there will be activities for them to partake in. Pre-Registration is required.
- 6:30 p.m. – 7:30 p.m. **Cocktail Reception** – Rockwell Patio
- 7:30 p.m. – 9:30 p.m. **Dinner** – Rockwell
Welcoming Remarks – Robert N. Holtzman, Esq., Section Chair

Saturday, May 4

- 7:00 a.m. An informal 5K run is planned for this morning for all those who are interested.
- 8:00 a.m. **Registration** – Rockwell Foyer
- 8:00 a.m. **Continental Breakfast with Exhibitors** – Rockwell Foyer
- 9:00 a.m. – 12:00 p.m. **Children’s Morning Activities** – Pre-Registration is required – Bennington
- 8:45 a.m. – 12:00 p.m. **General Session** – Rockwell
- 8:45 a.m. – 9:10 a.m. **Opening General Session Remarks** – Robert N. Holtzman, Esq., Section Chair
NYSBA Welcome – Michael Miller, Esq., NYSBA President
Program Overview – Laurel R. Kretzing, Esq., Section Chair-Elect and Spring Meeting Program Chair
- 9:10 a.m. – 10:25 a.m. **Commercial Arbitration at Its Best: How Arbitration Can Benefit Clients Maximizing the Benefits and Minimizing the Risks**
(1.5 Credits in Areas of Professional Practice)
This panel will explore contemporary commercial arbitration, including in such respects as the following:
- The strong case for commercial arbitration in many kinds of cases;
 - What contemporary commercial arbitration looks like and how it differs from court-based litigation;
 - Comparative statistics as to arbitration versus court-based litigation;
 - How to maximize the benefits and minimize the risks of commercial arbitration;
 - Arbitration soft law – the robust body of Best Practices materials available to practitioners and arbitrators providing guidance as to how to achieve the arbitral objectives of efficiency and economy without sacrificing fairness in particular cases.
- Moderator: Charles J. Moxley, Jr., Esq., Moxley ADR LLC, New York City
- Speakers: Hon. Ariel E. Belen (Ret.), JAMS, New York City
Carla M. Miller, Esq., Universal Music Group, New York City
Nancy M. Thevenin, Esq., United States Council for International Business, Jamaica
Stephen P. Younger, Esq., Patterson Belknap Webb & Tyler LLP, New York City
Jeffrey T. Zaino, Esq., American Arbitration Association, New York City
- 10:25 a.m. – 10:40 a.m. **Refreshment Break**

SCHEDULE OF EVENTS

- 10:40 a.m. – 11:55 a.m. **Working With Men to Advance Women in the Profession**
(1.5 credits in Diversity, Inclusion and the Elimination of Bias).
This program will be an interactive discussion about topics relating to advancing women in the profession with a focus on how men and women can work together on diversity and inclusion. The program will include hypotheticals with audience participation on a variety of areas such as how to be and the difference between an ally, a sponsor, and a mentor, and the importance of introducing women to your clients and transitioning your clients to women.
- Moderators: Lauren J. Wachtler, Esq., Phillips Nizer LLP, New York City
Tracee E. Davis, Esq., Zeichner Ellman & Krause LLP, New York City
- Speakers: Rachel Silverman, Hub6 Advisors, New York City
Carrie H. Cohen, Esq., Morrison & Foerster LLP, New York City
- 12:00 p.m. – 2:00 p.m. **Buffet Luncheon** (for all attendees, spouses, guests, children) – Colonnade
- 12:00 p.m. – 2:00 p.m. **Task Force on Women’s Initiatives Luncheon**
Pre-Registration required; No CLE
- 1:00 p.m. **The Equinox Golf Course** – Tee times have been reserved beginning at 1:00 p.m. Prior sign up required on registration form. Individual fees payable at Golf Pro Shop.
- 2:00 p.m. – 6:00 p.m. **Afternoon Free for Recreation**
- 6:30 p.m. – 10:00 p.m. **Children’s Dinner** – Bennington
- 6:30 p.m. – 7:30 p.m. **Cocktail Reception** – Lincoln Gardens
- 7:30 p.m. – 9:30 p.m. **Gala Dinner** – Colonnade
Presentation of the Robert L. Haig Award for Distinguished Public Service
Hon. Colleen McMahon, US District Court-NY Southern
- Recipient:

Sunday, May 5

- 8:30 a.m. **Registration** – Rockwell Foyer
- 8:30 a.m. **Continental Breakfast with Exhibitors** – Rockwell Foyer
- 9:00 a.m. – 12:00 p.m. **Children’s Morning Activities** – Pre-Registration is required – Bennington
- 9:00 a.m. – 12:00 p.m. **General Session** – Rockwell
- 9:00 a.m. – 10:25 a.m. **Lessons for the Trial Lawyer from my Cousin Vinny**
(1.5 credits in Areas of Professional Practice)
This panel will show brief clips from “My Cousin Vinny”. Each clip will be followed by a discussion lead by a member of the panel as to the lessons one could learn from the clip. Clips to be included are:
- Know your Court / Judge — what to do when you are in unfamiliar jurisdiction (or in front of unfamiliar judge). (Scene — driving to Alabama. Scene 2 — in front of Judge for first time)
 - Preparation — tips for preparation. (Scene — Vinny in bed with law books)
 - What’s permissible and impermissible— (Scenes — Trotta’s voir dire and hand motions and repetition in front of jury)
 - Dealing with surprise (scenes — Prosecution expert witness re tires, Vinny asking questions of witness where he doesn’t know answer)
 - Candor to the tribunal (Scene - Jerry Gallo/ callo, Lisa sending improper fax).

SCHEDULE OF EVENTS

- Moderator: Jonathan D. Lupkin, Esq., Lupkin LLP, New York City
- Speakers: Hon. Norman St. George, New York State Supreme Court, Mineola
Hon. Deborah H. Karalunas, Onondaga County Supreme Court, Syracuse
Hon. Timothy Driscoll, New York State Supreme Court, Mineola
Tracee Davis, Esq., Zeichner Ellman & Krause, LLP, New York City
- 10:25 a.m. – 10:40 a.m. **Refreshment Break**
- 10:40 a.m. – 11:55 a.m. **Social Media Update 2019: Lessons in Ethics and Evidence for the Bench & Bar**
(1.5 credits in Ethics)
- Social media law experts will discuss the latest social media law issues and the recently updated NYSBA Social Media Ethics Guidelines including:
- Handling social media issues early to ensure better outcomes
 - How social media use and evidence relates to cases
 - Attorneys' ethical use of social media to investigate, advertise and more
 - Social media discovery: Forman v. Henkin and its progeny, and
 - Social media and the judiciary
- Moderator: Hon. Deborah H. Karalunas, Onondaga County Supreme Court, Syracuse
- Speakers: Ignatius Grande, Esq., Berkeley Research Group, New York City
Samantha Ettari, Esq., Kramer Levin Naftalis & Frankel LLP, New York City
Scott L. Malouf, Esq., Law Offices of Scott L. Malouf, Rochester
Hon. Lisa M. Smith, US District Court Southern District of NY, New York City
- 12:00 p.m. **Adjournment & Departure**



CLE INFORMATION

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Discounts and Scholarships

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who requires financial aid may apply in writing, not later than ten working days prior to the start of the program, explaining the basis of the hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Kristina Gagnon at kmgagnon@nysba.org.

Accommodations for Persons with Disabilities

NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Kristina Gagnon at 518-487-5669 or kmgagnon@nysba.org.

THINGS TO DO

THE GOLF CLUB AT THE EQUINOX

Experience our challenging par-71, 6423-yard golf course set amongst the picturesque Green Mountains. Guests may make tee times upon confirming hotel reservations. Lessons and rental clubs are available. [Learn More](#)

TENNIS CLUB AT THE EQUINOX

Grab a friend and play a tennis match on one of our three plexi-cushion courts. Racquet rentals and tennis balls are available for sale. Clinics, group and private lessons are also offered. *Please contact concierge for additional information.*

GREEN MOUNTAIN FALCONRY SCHOOL

Take advantage of the rare opportunity to handle a trained hawk and learn about the art of falconry from master falconer Rob White. Guests of all ages are welcome; individuals must be 12 years of age or older to handle birds.

LAND ROVER DRIVING EXPERIENCE

Learn the technique of off-road driving in all conditions through the beautiful Green Mountains. Participants go through several challenges on different types of terrain based on their skill level. [Book your experience online.](#)

ORVIS FLY FISHING SCHOOL

Pick up a fly rod, and our instructors will show you how to best set up, select your fly, tie knots and more on our fully stocked casting ponds and the Battenkill River. Trips with one and two people for two or four hours are available.

ORVIS SHOOTING SCHOOL

Beginning and experienced shooters can learn new techniques with our instructive methods based on the English Churchill technique. Our complete shooting system is applicable to upland hunting, waterfowling, and sporting clays.

BOATING

Rent paddleboats and canoes at the beautiful Emerald Lake and Lake Shaftsbury. Or, try a leisurely canoe ride down the Battenkill River. [Please contact concierge for additional information.](#)

BROMLEY'S SUN MOUNTAIN ADVENTURE PARK

Bring the whole family classic summertime fun. Bromley's Sun Mountain Adventure Park features New England's longest zipline, Vermont's longest water-slide raft ride, America's longest triple-track Alpine Slide, climbing walls, mini-golf and much more. Open weekends only from late-May through mid-October. *Please contact concierge for additional information.*

HIKING

Explore the trails of scenic Mt. Equinox within walking distance from the resort. The famous Appalachian and Long Trails are also just four miles away. Nearby Merck Forest offers 2,900 acres of woodlands, meadows, ponds, and streams. *Please contact concierge for additional information.*

HORSEBACK RIDING

Enjoy a one-hour, scenic trail ride through the Green Mountains just a 25-minute drive from our resort. Individual horseback riding is available by appointment. *Please contact concierge for additional information.*

MOUNTAIN BIKING

Tour Manchester Village on a bicycle from our golf club, or take a trek of The Equinox Preservation Trust. *Please contact concierge for additional information.*

WALKING & JOGGING

Request a map from our concierge to guide you on walking and jogging routes around historic Manchester Village. *Please contact concierge for additional information.*

NEW YORK STATE BAR ASSOCIATION

Commercial & Federal Litigation Section Spring Meeting – Registration Form

May 3-5, 2019 | The Equinox, a luxury collection Golf Resort & Spa | Manchester Village, VT

Name: _____ Email: _____ Phone: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

FEES

Attorney Registration Fee: (admitted 10 + years)	\$750.00 _____
Spouse/Guest Registration Fee:	\$275.00 _____
Non-NYSBA member Registration Fee:	\$900.00 _____
Children Fee: (ages 7 - 12)	\$ 95.00 _____
Children Fee: (ages 13 - 18)	\$150.00 _____
Special Young Lawyers Fee	\$325.00 _____
Gala/Award Dinner Only:	\$175.00 _____
Sponsor Table for Gala Dinner:	\$1,250.00 _____

Name of Reserved Firm Table

Special Dietary Needs

Are You a First Time Attendee? _____

SOCIAL EVENTS

Cocktail Reception/Dinner: Friday, May 3 _____ (No. attending)

Buffet Luncheon with all attendees: Saturday, May 4 _____ (No. attending) **or**

Advancing Women in the Profession luncheon: Saturday, May 4 _____ (No. attending)

Cocktail Reception/Dinner: Saturday, May 4 _____ (No. attending)

GOLF

Equinox Golf Course: 1:00 p.m. Saturday, May 4. **Fees are on an individual basis and payable to golf course.**

Name: _____ Handicap _____

Name: _____ Handicap _____

CHILDREN ACTIVITIES

Children's Dinner: Friday, May 4 _____ (No. attending)

(Names/ages of children)

Children Activities at Rec Center Saturday, May 4 _____ (No. attending)

(Names/ages of children)

Children's Dinner: Saturday May 4 _____ (No. attending)

(Names/ages of children)

Children's Activities at Rec Center Sunday, May 4 _____ (No. attending)

(Names/ages of children)

Go to www.nysba.org/FEDSP19 to register online

REGISTRATION FEE INCLUDES

Attorney registration fee includes Friday's cocktail reception/dinner, Saturday's MCLE programming, continental breakfast, materials, coffee break, buffet lunch & cocktail reception/dinner. Sunday's MCLE programming and coffee break.

Spouse/guest registration fee includes Friday's cocktail reception/dinner, Saturday's buffet lunch and cocktail reception/dinner at hotel.

Children's registration fee includes Friday/Saturday dinner, Saturday's buffet lunch & all activities at the Rec Center.

CANCELLATION NOTICE

*Notice of cancellation must be received by **Friday, April 26, 2019** in order to obtain a refund for registration fees.*

BOOK YOUR OWN HOTEL ROOM

Book your hotel room directly with THE EQUINOX 872-854-7605

You can also go online to book your room.

Hotel cut-off date is Friday, April 12th.

PAYMENT INFORMATION

Check or Money order enclosed.
(Make checks payable to New York State Bar Association)

Charge \$ _____ to: American Express

Discover MasterCard Visa

Card number: _____

Expiration date: _____

Authorized Signature: _____

FAX OR MAIL THIS FORM WITH REGISTRATION FEE(S) TO

*Kristina Gagnon, Section Liaison
New York State Bar Association
One Elk Street
Albany, New York 12207
Phone: 518.487.5669
Fax: 518.463.5993
Email: kmgagnon@nysba.org*





NEW YORK STATE BAR ASSOCIATION
COMMERCIAL & FEDERAL LITIGATION SECTION
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Commercial & Federal Litigation Section

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Register now!

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