

# NEW YORK STATE BAR ASSOCIATION



# NYSBA

## SECTION CHAIR

**John P. Christopher, Esq.**

Sahn Ward Coschignano, PLLC  
Glen Head

## PROGRAM CO-CHAIRS

**Erin K. Flynn, Esq.**

McCabe, Weisberg & Conway, LLC  
New Rochelle

**Terrence L. Tarver, Esq.**

Tarver Law Firm, P.C.  
Garden City

## Young Lawyers Section Trial Academy

Cornell Law School  
Myron Taylor Hall- Moot Courtroom 3<sup>rd</sup> Fl  
Ithaca, New York

April 4 - April 8, 2018

*Under New York's MCLE rule, this program has been approved for a total of up to 37.5 MCLE credit hours, consisting of 2.0 credit hours in ETHICS and 35.5 credit hours in PRACTICAL SKILLS in New York State only. This program is transitional and therefore suitable for newly-admitted attorneys.*

[www.nysba.org/yltrialacademy](http://www.nysba.org/yltrialacademy)

*Special Thank You to the Texas Young Lawyers Association for their assistance.*



# IMPORTANT INFORMATION

The New York State Bar Association Trial Academy is a five-day trial techniques program that will teach, advance and improve the courtroom skills of young and new lawyers with an emphasis on direct participation.

## HOW IT WORKS

The program will take place at Cornell Law School. The materials for the program will include both a criminal and civil fact pattern which will be provided to attendees before the program's start date. Each morning of the Trial Academy will feature a lecture on the following aspects of the trial process: Jury Selection, Opening Statements, Evidence, Foundations and Objections, Direct Examinations, Cross-Examinations, Trial Motions and Motions in Limine, and Closing Arguments. Each afternoon the lecture group will separate into small break-out groups. Prior to the start of the program each attendee will receive materials that will include which "problem" or "witness" they are to prepare for each day's break-out group. You will work with this group and your Team Leader throughout the entire Trial Academy. The break-out groups will allow you and your peers to put the theory of the lecture into practice with the feedback of your Team Leader and the rotating critique faculty. Your presentations will be recorded to allow for personal playback and review.

## REGISTRATION AND FEES

**NYSBA Young Lawyer Section Members: \$850.00**

**NYSBA Members: \$900.00**

**Non-NYSBA Members: \$1,000.00**

The Trial Academy is limited to 60 participants. Registrations paid in full, dependent on space available, will be accepted until March 16, 2018.

The registration fee includes all materials and a memory card, continental breakfast each morning, NYSBA-sponsored luncheons each day, and the welcoming and closing cocktail receptions.

## DRESS CODE

Professional business attire is required for the program.

## CLE CREDIT INFORMATION

**Under New York's MCLE rule, this program has been approved for a total of up to 37.5 MCLE credit hours, consisting of 2.0 credit hours in ETHICS and 35.5 credit hours in PRACTICAL SKILLS.** This program is transitional and therefore suitable for newly-admitted attorneys.

This program is accredited for MCLE credit in New York State only. Attorneys seeking credit in other jurisdictions may contact the governing body for CLE in their respective locations for credit application details.

**Discounts and Scholarships:** Attorneys may receive financial assistance to attend this program. Under New York State Bar Association policy, attorneys who require financial assistance may apply in writing, no later than 10 working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive a discount or scholarship, depending on the circumstances. For more details, please contact: Amy Jasiewicz, New York State Bar Association, One Elk Street, Albany, New York 12207 or [ajasiewicz@nysba.org](mailto:ajasiewicz@nysba.org). Sponsoring sections of NYSBA will also be offering some scholarships to the Trial Academy.

**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 Amy Jasiewicz at [ajasiewicz@nysba.org](mailto:ajasiewicz@nysba.org).



# 2018 SCHEDULE OF EVENTS

## Wednesday, April 4

- 7:30 a.m. **Myron Taylor Hall, Moot Courtroom, 3<sup>rd</sup> Floor**  
**Registration and Continental Breakfast - Sponsored by a NYSBA Section**
- 8:30 a.m. – 9:15 a.m. **Welcome and Orientation** - Moot Courtroom  
Young Lawyers Section Chair John P. Christopher, Esq.  
Trial Academy Program Co-Chairs Erin K. Flynn, Esq. and Terrance Tarver, Esq.  
NYSBA President Sharon Stern Gerstman, Esq.
- 9:15 a.m. – 10:30 a.m. **LECTURE: JURY SELECTION** - Moot Courtroom
- Speakers:* **Elizabeth Hecht, Esq. (Civil)**, Mead, Hecht, Conklin & Gallagher, LLP, White Plains  
**TBD (Criminal)**
- 10:30 a.m. – 10:45 a.m. **Break**
- 10:45 a.m. – 12:00 p.m. **LECTURE: OPENING STATEMENTS** - Moot Courtroom
- Speakers:* **Peter J. Moschetti, Jr., Esq. (Civil)**, Anderson, Moschetti, Taffany, Albany  
**Richard D. Collins, Esq. (Criminal)**, Collins Gann McCloskey & Barry PLLC, Mineola
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Jury Selection and Faculty Critique**
- 5:30 p.m. – 6:30 p.m. **WELCOME COCKTAIL RECEPTION (ALL WELCOME TO ATTEND)** - Taylor Room, Statler Hotel
- 6:30 pm – 8:00 p.m. Criminal Justice Section Executive Committee Meeting – Yale/Princeton Room, Statler Hotel

## Thursday, April 5

- 8:00 a.m. **Myron Taylor Hall, Moot Courtroom, 3<sup>rd</sup> Floor**  
**Registration and Continental Breakfast - Sponsored by a NYSBA Section**  
**Faculty Demonstration of Opening Statements**
- 8:30 a.m. – 10:10 a.m. **LECTURE: TRIAL ETHICS** - Moot Court Room
- Moderator:* **Kaylin L. Whittingham, Esq.**, Whittingham Law, NYC
- Speakers:* **Hon. Guy H. Mitchell (Crim)**, Justice of the Supreme Court Criminal Term, NYC  
**Hon. Kimberly O'Connor (Civil)**, Albany County Supreme and County Courts
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **LECTURE: DIRECT EXAMINATIONS** - Moot Courtroom
- Speakers:* **Jonathan D. Lupkin, Esq. (Civil)**, Lupkin & Associates PLLC, NYC  
**Carrie H. Cohen, Esq. (Criminal)** Morrison & Foerster LLP, NYC
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Opening Statements and Faculty Critique**
- 5:15 p.m. – 7:15 p.m. **Young Lawyers Section Executive Committee Meeting** - Pennsylvania Room, Statler Hotel

# 2018 SCHEDULE OF EVENTS

## Friday, April 6

- 8:00 a.m. **Registration and Continental Breakfast – Moot Courtroom**  
**Faculty Demonstration of Direct Examination – Moot Courtroom**
- 8:30 a.m. – 10:10 a.m. **LECTURE: [CROSS-EXAMINATIONS PART 1](#)** - Moot Courtroom
- Speakers:* **Vincent E. Doyle, III, Esq. (Civil)** Connors LLP, Buffalo  
**Sherry Levin Wallach, Esq. (Criminal)**, Bashian & Farber, LLP, White Plains
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **LECTURE: [CROSS-EXAMINATION PART 2](#)** - Moot Courtroom
- Speakers:* **Timothy J. Fennell, Esq. (Civil)** Amdursky, Pelky, Fennell and Wallen, PC, Oswego  
**Peter Gerstenzang, Esq. (Criminal)** Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Direct Examinations and Faculty Critique**

## Saturday, April 7

- 8:00 a.m. **Registration and Continental Breakfast – Moot Courtroom**  
**Faculty Demonstration of Cross Examination – Moot Courtroom**  
**Presented by: *Eric H. Sills, Esq., Gerstenzang, Sills, Davis Cohn & Gerstenzang, Albany***
- 8:30 a.m. – 9:20 a.m. **LECTURE: [EVIDENCE, FOUNDATIONS & OBJECTIONS](#)** - Moot Courtroom
- Speakers:* **Laurie Giordano-Vahey, Esq. (Civil)** Leclair Korona Giordano Cole LLP, Rochester  
**Nick DeMartino, Esq. (Criminal)** Green & Brenneck, Syracuse
- 9:20 a.m. – 10:10 a.m. **LECTURE: [TRIAL MOTIONS & MOTIONS IN LIMINE](#)** - Moot Courtroom
- Speakers:* **Michael P. O'Brien, Esq. (Civil)** O'Brien Law Firm PLLC, NYC  
**TBD (Criminal)**
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 **LECTURE: [CLOSING ARGUMENTS](#)**  
**Prof. Michael L. Fox, (Civil)** Assistant Professor, Mount Saint Mary College, Newburgh  
**Peter Gerstenzang, Esq. (Criminal)** Gerstenzang, Sills, Davis, Cohn & Gerstenzang, Albany
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Cross-Examinations and Faculty Critique**
- 5:00 p.m. – 6:30 p.m. **CLOSING COCKTAIL RECEPTION (All Welcome to Attend), Myron Taylor Hall, Student Lounge**

## Sunday, April 8

- 8:00 a.m. **Registration and Continental Breakfast – Moot Courtroom**  
**Faculty Demonstration of Closing Arguments – Moot Courtroom**
- 8:15 a.m. – 12:00 p.m. **BREAKOUT GROUPS - Individual Presentations on Closing Arguments and Faculty Critique**
- 12:00 p.m. **Boxed lunches to go - Sponsored by the Young Lawyers Section**



# 2018 FACULTY

## TEAM LEADERS

Anthony Colleluori  
*Raiser & Kenniff*

Ernesto Marrero, Jr.  
*EmblemHealth*

Prof. Michael L. Fox, Assistant Professor  
*Mount Saint Mary College*

Thomas J. O'Hern  
*Office of Thomas J. O'Hern, Esq.*

Sherry Levin Wallach  
*NYSBA Secretary*  
*Bashian & Farber, LLP*

## LECTURE SPEAKERS

Carrie H. Cohen  
*Morrison Foerster, NYC*  
*Former Assistant U.S. Attorney, SDNY*

Richard D. Collins  
*Collins Gann McCloskey & Barry PLLC*

Nicholas J. DeMartino  
*Team Green Lawyers*

Vincent E. Doyle III  
*Former NYSBA President*  
*Connors, LLP*

Timothy J. Fennell  
*Amdursky, Pelky, Fennell and Wallen, PC*

Prof. Michael L. Fox, Assistant Professor  
*Mount Saint Mary College*

Peter Gerstenzang  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Laurie Giordano-Vahey  
*Leclair Korona Giordano Cole, LLP*

Elizabeth Hecht  
*Mead, Hecht, Conklin & Gallagher, LLP*

Hon. Deborah H. Karalunas  
*Onondaga County Supreme Court*

Jonathan D. Lupkin  
*Lupkin & Associates PLLC*

Hon. Guy H. Mitchell  
*Justice, Supreme Court Criminal Term, NYC*

Peter Moschetti  
*Anderson, Moschetti & Taffany, PLLC*

Michael P. O'Brien  
*O'Brien Law Firm, PLLC*

Hon. Kimberly O'Connor  
*Acting Supreme Court Justice, Albany County*

Sherry Levin Wallach  
*NYSBA Secretary*  
*Bashian & Farber, LLP*

Kaylin L. Whittingham  
*Whittingham Law*

## CRITIQUE FACULTY

Allan J. Ahearne  
*The Ahearne Law Firm, PLLC*

Christopher J. Bakes  
*Lewis Brisbois*

Ronald J. Bekoff  
*Hession, Bekoff & Cooper, LLP*

Sally G. Blinken  
*Venable LLP*

T. Andrew Brown  
*Brown & Hutchinson*

Hon. Jerald S. Carter (Ret.)  
*Nassau County Court*

Thomas J. Charron  
*Superior Court of Cobb County*

Catherine A. Christian  
*New York County District Attorney's Office*

Mary Clark-Dirusso  
*Westchester County District Attorney's Office*

Hon. William C. Donnino (Ret.)  
*Nassau County Supreme Court*

David M. Chidekel  
*Brooklyn Bar Association*

Benjamin S. Clark  
*NYS Office of the Attorney General*

Carrie H. Cohen  
*Morrison Foerster, NYC*

Richard D. Collins  
*Collins, McDonald & Gann, P.C.*

Julia D'Agostino  
*Nassau County Family Court*

C. Harris Dague  
*NYS Office for People with Developmental Disabilities*

Elena DeFio-Kean  
*DeFio Kean, PLLC*

Nicholas J. DeMartino  
*Team Green Lawyers*

Russell Dombrow  
*Dombrow Law Firm*

Vincent E. Doyle III  
*Connors, LLP*

Timothy J. Fennell  
*Amdursky, Pelky, Fennell and Wallen, PC*

Erin K. Flynn  
*McCabe, Weisberg & Conway, LLC*

Marc Gann  
*Collins Gann McCloskey & Barry PLLC*

Eric M. Galarneau  
*Albany County District Attorney's Office*

Karen Gerstenzang  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Peter Gerstenzang  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Laurie Giordano-Vahey  
*Leclair Korona Giordano Cole, LLP*

Hon. Erin Gall  
*Oneida County Supreme Court*

Sarah E. Gold  
*Gold Law Firm*

Hon. John S. Hall, Jr.  
*Warren County Surrogate's Court*

Elizabeth Hecht  
*Mead, Hecht, Conklin & Gallagher, LLP*

Patrick Hennessey  
*Patrick Hennessey Law Firm*

Hon. Debra A. James  
*New York State Supreme Court*

Hon. Deborah H. Karalunas  
*Onondaga County Supreme Court*

Scott M. Karson  
*Lamb & Barnosky LLP*

Matthew J. Kelly  
*Roemer Wallens Gold & Mineaux LLP*

Sean P. Kelly  
*Law Office of Michael T. Kelly*

Donald T. Kinsella  
*Law Offices of Donald T. Kinsella*

Jonathan D. Lupkin  
*Lupkin & Associates PLLC*

Peter Moschetti  
*Anderson, Moschetti & Taffany, PLLC*

Shadi Masri  
*Albany County District Attorney's Office*

Benjamin M. Mastaitis  
*Albany County District Attorney's Office*

Hon. Robert A. McDonald  
*Nassau County Court*

Gene V. Primomo  
*Office of the Federal Public Defender*

Katelyn Primomo-Millwood  
*The Legal Project*

Hon. Guy H. Mitchell  
*Supreme Court Criminal Term, NYC*

Mark J. Moretti  
*Phillips Lytle LLP*

Philip W. Mueller (Ret.)  
*Schenectady County District Attorney's Office*

Michael P. O'Brien  
*O'Brien Law Firm PLLC*

Hon. Kimberly O'Connor  
*Albany County Supreme Court*

Danielle Neroni Reilly  
*Law Offices of Danielle Neroni*

Dennis B. Schlenker  
*Law Office of Dennis B. Schlenker*

Jessica Segal  
*Stenger, Roberts, Davis & Diamond, LLP*

Steven Sharp  
*Albany County District Attorney's Office*

Eric H. Sills  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Tucker C. Stanclift  
*Stanclift Law PLLC*

Terrence L. Tarver  
*Tarver Law Firm, PC*

Hon. Patricia A. Williams  
*Bronx County Supreme Court*

## JUROR/WITNESS COORDINATOR

Kevin Thomas Kelly, Esq.  
*Law Office of Kevin T. Kelly*

# TRAVEL INFORMATION

Cornell Law School is located in central New York on the Ithaca campus of Cornell University. The campus can be reached by car, air, or train.

## By Car

**From Points North (Including Syracuse and Watertown)** – Syracuse, NY is approximately 60 miles north of Cornell University with an *estimated driving time of 1 hour and 30 minutes*.

**From Points East (Including Albany and Boston)** – Albany, NY is approximately 160 miles east of Cornell University with an *estimated driving time of 2 hours and 30 minutes*.

**From Points South (Including New York City)** – New York City is approximately 220 miles southeast of Cornell University with an *estimated driving time of 5 hours*.

**From Points West (Including Buffalo and Rochester)** – Buffalo, NY is approximately 150 miles west of Cornell University with an *estimated driving time of 3 hours*.

## By Air

**The Ithaca Tompkins Regional Airport** is located on Brown Road in Ithaca, NY, a 10-minute drive from the Cornell University campus. The area is serviced by US Airways and Northwest Airlines.

**Syracuse Hancock International Airport** in Syracuse, NY, is approximately 60 miles north of Cornell University with an *estimated driving time of 1 hour and 30 minutes*.

**Greater Rochester International Airport** in Rochester, NY, is approximately 100 miles northwest of Cornell University with an *estimated driving time of 2 hours*.

**Greater Binghamton Airport** in Binghamton, NY, is approximately 40 miles south of Cornell University with an *estimated driving time of 1 hour and 15 minutes*.

**Elmira-Corning Regional Airport** in Horseheads, NY, is approximately 37 miles south of Cornell University with an *estimated driving time of 1 hour*.

## By Train

**Syracuse Amtrak Station** in Syracuse, NY is located approximately 80 minutes from Ithaca. Syracuse is connected to the Empire (N.Y.C.-Niagara Falls), Lake Shore Limited (Chicago- Boston), and Maple Leaf (N.Y.C.-Toronto) routes.

## Parking Information

On-campus parking except in metered areas, is by permit only. A limited amount of non-permit parking is available after 5 p.m., including the Hoy Road parking garage and the north campus A lot. Short-term parking permits are available for \$10 per day from any information and parking booth, *Monday–Friday, 7:30 a.m.–5:00 p.m.*

## Hotel Information

Hotel accommodations are **not** included in the registration fee. A limited number of rooms may be available at the Statler Hotel on the Cornell University campus. To make a hotel reservation at the Statler, call the Statler Hotel Reservations Department at **1-800-541-2501** and indicate you are with the **New York State Bar Association** group.

For alternate hotel accommodations please visit [www.campustravel.com/university/cornell](http://www.campustravel.com/university/cornell) for local recommendations.



## MEETING REGISTRATION FORM

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

E-mail Address \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_

### FEES

NYSBA Young Lawyer Section Member:	\$850.00
NYSBA Member:	\$900.00
Non-NYSBA Member:	\$1,000.00

The registration fee includes all materials including books, writing journals and memory cards, continental breakfast each morning, NYSBA-sponsored luncheons each day, and the welcoming and closing cocktail receptions.

### PAYMENT INFORMATION

Check or money order enclosed in the amount of \$ \_\_\_\_\_  
(Make checks payable to New York State Bar Association)

Charge \$ \_\_\_\_\_ to  American Express  Discover  
 MasterCard  Visa Expiration \_\_\_\_\_

Card Number \_\_\_\_\_

Authorized Signature \_\_\_\_\_

### CLE Credit Information

Under New York's MCLE rule, this program has been approved for a total of up to 37.5 MCLE credit hours, consisting of 2.0 credit hours in ETHICS and 35.5 credit hours in SKILLS. This program is transitional and therefore suitable for newly admitted attorneys.

This program is accredited for MCLE credit in New York State only. Attorneys seeking credit in other jurisdictions may contact the governing body for CLE in their respective locations for credit application details.

## TRIAL ACADEMY

*Presented by the  
Young Lawyers Section*

April 4 - April 8, 2018

Cornell Law School

Ithaca, New York

DIETARY NEEDS \_\_\_\_\_

### Hotel Reservations:

Hotel accommodations are not included in the registration fee. A limited number of rooms may be available at the Statler Hotel on the Cornell University campus. To make a hotel reservation at the Statler, call the Statler Hotel Reservations Department at 1-800-541-2501 and indicate you are with the New York State Bar Association group.

### Cancellation Notice:

Notice of cancellation must be received by **March 16, 2018** in order to obtain a refund for full registration fees.

### Email or mail this form with registration fee(s) to:

Amy Jasiewicz  
New York State Bar Association  
One Elk Street  
Albany, New York 12207  
Phone: 518.487.5682  
[ajasiewicz@nysba.org](mailto:ajasiewicz@nysba.org)



# Special Thanks to Our Sponsors



## **PLATINUM SPONSOR**

Young Lawyers Section

## **GOLD SPONSORS**

Business Law Section

Family Law Section

## **SILVER SPONSORS**

Corporate Counsel Section

Criminal Justice Section

General Practice Section

Labor and Employment Law Section

Real Property Law Section

Senior Lawyers Section

Torts, Insurance and Compensation Law Section

## **BRONZE SPONSORS**

Antitrust Law Section

Commercial and Federal Litigation Section

Intellectual Property Law Section

Trusts and Estates Law Section

***Special Thanks to Cornell Law School for  
Hosting the 9<sup>th</sup> Annual Trial Academy***



NEW YORK STATE BAR ASSOCIATION  
SECTION SERVICES DEPARTMENT  
1 Elk Street, Albany, NY 12207