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New York City

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NYSBA

Commercial and Federal Litigation Section

Spring Meeting

The Sagamore
Bolton Landing, NY
May 15 - 17, 2015

This MCLE program offers **up to 6**
MCLE credit hours consisting of **4.5** in
Professional Practice and **1.5** in Ethics.





CLE Information

The New York State Bar Association's Meetings Department has been certified by the NYS Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York. Under New York's MCLE rule, this program will qualify for **UP TO a total of 6 MCLE credits consisting of 4.5 in Professional Practice and 1.5 in Ethics**. This program is not transitional and is **not** suitable for MCLE credit for newly-admitted attorneys.

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 program, explaining the basis of his/her hardship, and if approved, can receive a discount or scholarship, depending on the circumstances. For more details, please contact: Lori Nicoll, New York State Bar Association, One Elk Street, Albany, New York 12207. 518.487.5563 or Inicoll@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 Lori Nicoll at 518.487.5563 or Inicoll@nysba.org.

SCHEDULE OF EVENTS

Friday, May 15

All events this weekend will be held in the Main Hotel

- 4:00 p.m. **Registration - Empire**
- 6:30 p.m. **Cocktail Reception - Mountain Terrace**
- 7:30 p.m. **Dinner and Celebration of NDNY 200th Anniversary - Bellvue**
Richard S. Hartunian, U.S. Attorney for the Northern District of New York, will introduce our Dinner Speaker **Hon. Mae D'Agostino**, United States District Judge, Northern District of New York

Saturday, May 16

- 7:00 a.m. An informal 5K run is planned for this morning for all those who are interested. We will convene at 7:00 a.m. at the hotel entrance and start the run promptly at 7:10 a.m. Walkers are welcome too!
- 8:00 a.m. **Registration - Dollar Island Lobby**
- 8:00 – 10:00 a.m. **Continental Breakfast - Dollar Island Terrace**
- 9:00 a.m. – 12:00 p.m. **General Session - Dollar Island**
- 9:00 – 9:10 a.m. **Welcoming Remarks**
Paul D. Sarkozi, Esq., Section Chair
- New York State Bar Association Welcome**
David P. Miranda, Esq., President-Elect, New York State Bar Association
- Program Overview**
James M. Wicks, Esq., Section Chair-Elect and Spring Meeting Program Chair
- 9:10 – 10:25 a.m. ***The Use of Technology in Court (1.5 Professional Practice)***
Learn about the newest technologies and how they can be effectively used during oral argument, jury selection and at trial. State and federal judges, as well as practitioners, will share their experiences with technology being used in their courtroom, including animation, video demonstratives, charts, graphics, and use of the internet. The panel will also include technology vendors who will discuss the strengths and weaknesses of the newest technologies, and what they can do.
- Moderator: **Mark A. Berman, Esq.**
Ganfer & Shore LLP
New York City
- Panelists:
- | | |
|---|--|
| Hon. Timothy S. Driscoll
Justice
New York State Supreme Court
Commercial Division
Nassau County | Hon. William H. Pauley III
United States District Judge
Southern District of New York |
| Hon. Saliann Scarpulla
Justice
New York County Supreme Court
Commercial Division
New York County | Tracee E. Davis, Esq.
Zeichner Ellman & Krause LLP
New York City |
| Gene Klimov
Chief Technology Officer
DOAR
New York City | Bob Rivas
Executive Director, MatterPoint
Aquipt
Philadelphia, PA |

SCHEDULE OF EVENTS

Saturday, May 16 (continued)

10:25 – 10:45 a.m.

Refreshment Break

10:45 a.m. – 12:00 p.m.

Exploring Attorney Client Privilege Among General Counsel (1.5 Professional Practice)

The panel will explore the contours of the attorney-client privilege in the context of the role of General Counsels, both in law firms and companies.

Moderator:

Michael S. Ross, Esq.

Law Offices of Michael S. Ross
New York City

Panelists:

Jonathan D. Lupkin, Esq.

Rakower Lupkin PLLC
New York City

Carla M. Miller, Esq.

Universal Music Group
New York City

Clifford S. Robert, Esq.

Robert & Robert PLLC
Uniondale

12:00 – 2:00 p.m.

Buffet Lunch - Shelving Rock Terrace

1:33 p.m.

Golf - Honored by Golf Magazine as one of its Silver Medal Resorts, the 18-hole Sagamore Golf Course commands stunning views of Lake George and was designed and built under Donald Ross's personal supervision in 1928. Fees are on an individual basis and payable onsite to the golf shop. We have reserved six tee times and will arrange for foursomes, a closest to the pin competition and a longest drive competition (separate for men and women). ***If interested, sign up on Meeting Registration Form.***

2:00 – 6:00 p.m.

Afternoon Free for Recreation and Spa Activities

6:30 p.m.

Cocktail Reception - Veranda Lower Terrace

7:30 p.m.

Gala Dinner - Bellvue

Presentation of the Robert L. Haig Award for Distinguished Public Service

Presenter:

Sharon M. Porcellio, Esq.

Bond Schoeneck & King, PLLC
Buffalo, NY

Recipient:

Hon. William M. Skretny

U.S. District Judge (former Chief Judge)
for the Western District of New York

SCHEDULE OF EVENTS

Sunday, May 17

8:30 a.m.

Registration - Dollar Island

8:30 – 10:30 a.m.

Continental Breakfast - Dollar Island Terrace

9:00 a.m. – 12:00 p.m.

General Session - Dollar Island

9:00 – 10:25 a.m.

Attorney Fee Disputes (1.5 Professional Practice)

Attorneys' fees provisions are increasingly litigated in New York State and Federal court as a result of contractual or statutory provisions. Hear from a bench / bar panel about the important considerations and common pitfalls in determining entitlement to and the amount of such fees, together with practical tips on how to avoid protracted litigation on this subject

Moderator:

Jeremy R. Feinberg, Esq.

Special Referee
New York County Supreme Court
Civil Division
New York City

Panelists:

Hon. Frank Maas

United States Magistrate Judge
United States District Court
Southern District of New York

Hon. Vito M. DeStefano

Justice
New York State Supreme Court
Commercial Division
Nassau County

Richard P. Byrne, Esq.

L'abbate, Balkan, Colavita & Contini, LLP
Garden City

Michael Cardello III, Esq.

Moritt Hock & Hamroff LLP
Garden City

10:25 – 10:45 a.m.

Refreshment Break

10:45 a.m. – 12:00 p.m.

The Ethics of Outsourcing Legal Services (1.5 Ethics)

With changes in technology and law firm economics, it is now common for law firms of all sizes to engage outside attorneys and paralegals for short-term assignments. This program will examine and navigate the Rules of Professional Conduct and interpretive opinions on the best practices for engaging outside lawyers and non-legal assistants to participate in a client representation.

Moderator:

Professor Patrick M. Connors

Professor of Law
Albany Law School
Albany

Panelists:

Beverly S. Braun, Esq.

Jaekle Fleischmann & Mugel, LLP
Buffalo

Anthony J. Harwood, Esq.

Rakower Lupkin PLLC
New York City

Dennis R. McCoy, Esq.

Hiscock & Barclay LLP
Buffalo

Seth P. Robert, Esq.

Brown Robert, LLP
Fort Lauderdale, FL

12:00 p.m.

Adjournment & Departure

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THINGS TO DO

The Adirondack Museum

One of the largest museums in upstate New York, the Adirondack Museum is the place for Adirondack visitors to deepen their appreciation for what's special about the region and to explore how people have lived, worked, traveled, and played in the Adirondacks from the 19th century right up until today! Interactive, hands-on activities abound making the stories of the Adirondacks and its people highly engaging for children as well as adults. Must see for all families visiting the Adirondacks. www.adkmuseum.org

National Museum of Dance

As the only one of its kind in the United States, this museum is dedicated entirely to preserving the history and tradition of dance. It is located in a beautiful 1918 historic building in Saratoga Spa State Park, formerly the Washington Bath House, and its presence, both inside and outside, is quite captivating. Within the museum, established in 1986, find photographs, videos, costumes, biographies, artifacts and archives, as well as exhibitions including C.V. Whitney Hall of Fame. www.dancemuseum.org

Lake George Shoreline Cruise

2 Kurosaka Lane, Lake George. 518-668-4644. May-Oct. Admission Fee. www.lakegeorgeshoreline.com Narrated day and evening sightseeing and entertainment cruises aboard five enclosed cruise ships.

www.lakegeorgeshoreline.com

Lake George Steamboat Company

Steel Pier, Beach Rd., Lake George. 518-668-5777 or 800-553-BOAT. May-Oct. Admission Fee. Narrated one- to four-hour scenic cruises aboard classic ships: the 1907 M/V Mohican; the SS Minne-Ha-Ha, an authentic steamboat paddlewheeler; and the 190-foot Lac du Saint Sacrement, a reproduction of classic 19th century Hudson River day vessel.

www.lakegeorgesteamboat.com

The Factory Outlets of Lake George

The Factory Outlets of Lake George with over 50 designer and famous name outlet stores offer 20% - 70% off retail prices. Shoppers will find a wide variety of designer and name-brand clothing and accessories, baby clothes, footwear, housewares, camping equipment, and more. The Factory Outlets of Lake George are located just off I-87, Adirondack Northway Exit 20.

www.factoryoutletsoflakegeorge.com

Adirondack Winery in Lake George

At Adirondack Winery, their mission as a small, family-owned business is to provide their customers with delicious, award-winning, quality wines that are all hand-crafted locally. They provide an unparalleled selection of wines with something to satisfy every palate, from unique, fruit-infused wines to traditional white and red varietals and more!

www.adirondackwinery.com

The Spa at The Sagamore

Awaken your sense of health and well-being among the natural beauty of the Adirondacks. Natural woods and soft, neutral tones welcome guests to a tranquil sanctuary with 14 treatment rooms, a relaxing hydrotherapy area and irresistible treatments designed to nurture the body and revitalize the spirit. www.thesagamore.com/spa

Fitness Center at The Sagamore

Located in the south wing of our Lake George hotel, The Sagamore Resort's glass enclosed Fitness Center has everything you need to keep up with your daily fitness routine. State-of-the-art cardiovascular and strength training equipment are complemented by a full selection of free weights and daily fitness classes. Access to the Fitness Center is complimentary and available to all guests 16 years of age and over. www.thesagamore.com/play-fitness

Sagamore Kids Club

Designed for children ages four to 12, The Sagamore Kids Club (SKC) is the perfect addition to your stay. The fun-filled camp allows your children to make new friends and enjoy a dynamic range of Lake George activities from crafts and sports to nature hikes and scavenger hunts. Our qualified counselors will make your child feel like part of The Sagamore family while they learn about local wildlife, play games and work on creative projects that they get to take home at the end of the day. This program is included in your resort fee and we encourage you to let your children participate. To sign your child up for the Sagamore Kids Club, please stop by The Rec.

www.thesagamore.com/sagamore-kids-club

For more information on things to do in the area and at The Sagamore check out these websites.

www.thesagamore.com/play
www.lakegeorge.com/boltonlanding
hwww.lakegeorge.com/things-to-do



NEW YORK STATE BAR ASSOCIATION
MEETINGS DEPARTMENT

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