



NYSBA CLE

9:00 a.m. – 4:00 p.m.

Friday, April 7, 2017

Melville, L.I.

Friday, April 7, 2017

Syracuse

Friday, April 21, 2017

New York City | Webcast

Friday, April 21, 2017

Buffalo

Friday, April 28, 2017

Albany

Webcast

This program will also be streamed as a live webcast.



INCLUDES
1.0 ethics credits

Auto and Truck Claims, Accidents, & Litigation

Topics to be covered include:

- Client contact and investigation
- Starting the lawsuit, discovery, and depositions
- Uninsured Motorist (UM) and Supplementary Uninsured Motorist (SUM) coverage arbitration
- Evaluating damages and use of biomechanical experts
- Ethical concerns in mediation and ADR proceedings

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Committee on Continuing Legal
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www.nysba.org/AutoLitigation2017



Program Description

Trying or resolving a motor vehicle case requires an understanding of the latest developments and trends in automobile tort law. Designed to familiarize attorneys with the intricacies of automobile litigation in New York State, this seminar will include an overview of the latest developments in underinsured and uninsured motorist coverage, mediation and

ADR proceedings, and the use of biomechanical experts.

Experienced practitioners will provide practical information you can use to prepare an automobile case from the claim stage through discovery and trial. Register today and guarantee your seat at the program!

Who Should Attend: Personal injury attorneys, both plaintiff and defense; insurance company attorneys; arbitrators and mediators.

Agenda

8:30 a.m. - 9:00 a.m.

Registration

9:00 a.m. - 9:10 a.m.

Welcome and Introductions

9:10 a.m. - 10:00 a.m.

Client Contact and Investigation

What evidence to collect in evaluating the claim; Pertinent DOT and DMV regulations; toxicology reports; criminal law implications; and pre-suit negotiation.

(1.0 MCLE Credit in Skills)

10:00 a.m. - 10:50 a.m.

Starting the Lawsuit, Discovery and Depositions

How and when to start the lawsuit; corporate representatives in truck wreck cases; persuasion in collision cases for both plaintiff and defense; MCS-90; and preparing for and conducting depositions.

(1.0 MCLE Credit in Skills)

10:50 a.m. - 11:05 a.m.

Refreshment Break

11:05 a.m. - 12:00 p.m.

UM/SUM

The nuts and bolts of Uninsured Motorist (UM) and Supplementary Uninsured Motorist (SUM) coverage arbitration; update on current trends, developments and verdicts; and serious injury threshold with no-fault coverage.

(1.0 MCLE Credit in Professional Practice)

12:00 p.m. - 1:00 p.m.

Lunch (on your own)

1:00 p.m. - 2:00 p.m.

Evaluating and Addressing Causation

Distracted driving; anatomy of a truck; use of windshield & driver-facing cameras; effect of recruitment, hours, and training, and how to address spoliation.

(1.0 MCLE Credit in Skills)

2:00 p.m. - 2:55 p.m.

Evaluating Damages and Use of Biomechanical Experts

Pros and Cons of using this expert, evidence needed for foundation, use of damage photographs, status of the law on admissibility.

(1.0 MCLE Credit in Skills)

2:55 p.m. - 3:10 p.m.

Refreshment Break

3:10 p.m. - 4:00 p.m.

Ethical Concerns in Mediation and ADR Proceedings

Ethics in litigation, mediation and practice; when to mediate and when to try a case; employing negotiation tactics; ethical considerations for lawyers representing clients.

(1.0 MCLE Credit in Ethics)

4:00 p.m.

Adjournment

Program Faculty

Overall Planning Chair

Joanna M. Roberto, Esq.

Goldberg Segalla, LLP
Garden City

Program Planning Co-Chairs

Syracuse Session

Renata Kowalczyk, Esq.

Brown & Kelly, LLP
Buffalo

New York City Session

Robert J. Permutt, Esq.

Nationwide Insurance
NYC

Buffalo Session

Alyssa Jordan, Esq.

Rupp Baase Pfalzgraf
Cunningham LLC
Buffalo

Albany Session

Mark P. Donohue, Esq.

McCabe, Collins, McGeough,
Fowler, Levine & Nogan LLP
Albany

Local Panels

Long Island Session

Jonathan A. Dachs, Esq. | Shayne, Dachs, Sauer & Dachs, LLP | Mineola

Joseph G. Dell, Esq. | Dell & Dean, PLLC | Garden City

Brian J. Donnelly, Esq. | Ahmuty, Demers & McManus LLP | NYC

Michael Jaffe, Esq. | Pazer, Epstein, Jaffe & Fein, P.C. | NYC

Vincent J. Petrozzo, Esq. | Keller, O'Reilly & Watson, P.C. | Woodbury

Michael Vicario, Esq. | Geico | NYC

Syracuse Session

Kenneth M. Alweis, Esq. | Goldberg Segalla, LLP | Syracuse

Eileen E. Buholtz, Esq. | Connors, Corcoran & Buholtz, PLLC | Rochester

Phyllis A. Hafner, Esq. | Burden, Hafner & Hansen, LLC | Buffalo

Sarah E. Hansen, Esq. | Burden, Hafner & Hansen, LLC | Buffalo

Lisa M. Robinson, Esq. | Goldberg Segalla, LLP | Syracuse

New York City Session

Garry Brock, Jr., Esq. | CED Technologies, Inc. | Annapolis, MD

Jonathan A. Dachs, Esq. | Shayne, Dachs, Sauer & Dachs, LLP | Mineola

Terrence McCartney, Esq. | Reiner Slaughter & McCartney | Rye, NY

Jill C. Owens, Esq. | Goldberg Segalla, LLP | White Plains

Tina Pecuszok, Esq. | Nationwide Insurance | Toledo, OH

Andrew Smiley, Esq. | Smiley & Smiley, LLP | NYC

Buffalo Session

David R. Adams, Esq. | Hurwitz & Fine, P.C. | Buffalo

Paul J. Callahan, Esq. | Brown & Kelly, LLP | Buffalo

Sarah E. Hansen, Esq. | Burden, Hafner & Hansen, LLC | Buffalo

Matthew A. Lenhard, Esq. | Rupp Baase Pfalzgraf Cunningham LLC | Rochester

Daniel J. Marren, Esq. | Confidential Law Clerk to New York State Supreme Court Justice, Hon. Paula L. Feroletto | Buffalo

James J. Nash, Esq. | Nash Connors, P.C. | Buffalo

Albany Session

Alexander E. Mainetti, Esq. | Mainetti, Mainetti & O'Connor, P.C. | Kingston

Robert Rausch, Esq. | Maynard, O'Connor, Smith & Catalinotto LLP | Albany

Mark R. Sonders, Esq. | E. Stewart Jones Hacker Murphy | Troy

Paul H. Wein, Esq. | LaFave, Wein & Frament, PLLC | Guilderland

6.0 MCLE CREDITS: 1.0 Professional Practice; 4.0 Skills; 1.0 Ethics

This **basic-level** course has been approved for MCLE credit in **New York** for all attorneys, **including** newly admitted (less than 24 months).

This program has also been approved for MCLE credit by the **State Bar of California** and the **Pennsylvania Continuing Legal Education Board** for **4.5** credit hours of substantive law and **1.0** credit hour of ethics. All inquiries regarding MCLE credits may be directed to **(518) 487-5606**.

This program has been approved by the **Board on Continuing Legal Education of the Supreme Court of New Jersey** for 6.4 hours of total CLE credit. Of these, 1.0 qualify as hours of credit for ethics/professionalism, and 0 qualify as hours of credit toward certification in civil trial law, criminal trial law, workers' compensation law and/or matrimonial law. This course does not qualify under any of the nine specified new admit areas, in five of which New Jersey attorneys admitted in 2009 or thereafter, in their first full two-year compliance period, must take 15 of their 24 required credit hours (see [BCLCE Reg. 201:2](#)).

The New York State Bar Association has been certified as an accredited provider of Continuing Legal Education in the states of New York, New Jersey, Pennsylvania and California.

IMPORTANT NOTICE: PARTIAL CREDIT FOR PROGRAM SEGMENTS NOT ALLOWED. Under the New York State Continuing Legal Education Board Regulations and Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

Information and Policies

Pre-Registration Strongly Advised: You can save money and guarantee your seat and course materials by registering early. Registrations received at the door are subject to an additional \$15.00 registration fee. Seating is limited in all locations and registrations are taken on a first-come, first-served basis.

Cancellations Are Easy – Full Refunds Are Given: Your full registration fee will be refunded if you give us notice no later than the close of business (4:45 p.m. EST) three business days prior to the date of the program for which you registered. Registrations cancelled less than three business days from the program date will be assessed a cancellation fee of \$25.00. To cancel, call or email the Member Resource Center at **(800) 582-2452** or mrc@nysba.org. If you do not cancel and do not attend the program, access to a complete set of course materials in PDF format will be forwarded to you via e-mail in consideration of the registration fee. Non-registrants may purchase program materials after the final program date.

MCLE Credit: This program is acceptable for MCLE credit in New York and many other MCLE jurisdictions.

Tuition Assistance: Any New York attorney who has a genuine financial hardship may apply for tuition assistance for a CLE program by completing a Tuition Assistance Request Form and returning it to the CLE Department no later than five working days prior to the program date, explaining the basis of his/her hardship. If granted, the attorney will receive tuition assistance, depending on the individual's circumstances. To download a

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Recording of NYSBA Seminars in Any Form Is Strictly Prohibited.



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Use the order form located next to the address section on back page:

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New York State Bar Association
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Albany, NY 12207

Fax **518.463.5993**

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Program Locations

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April 7, 2017
Long Island
PC: OEP23

Melville Marriott
1350 Walt Whitman Road
Melville, LI, NY 11747
(631) 423-1600

Friday
April 21, 2017
Buffalo
PC: OEP22


Adam's Mark Hotel Buffalo
120 Church Street
Buffalo, NY 14202
(716) 845-5100

Friday
April 7, 2017
Syracuse
PC: OEP26


Sheraton Syracuse University Hotel
801 University Avenue
Syracuse, NY 13210
(315) 475-3000

Friday
April 28, 2017
Albany
PC: OEP21

New York State Bar Association
1 Elk Street
Albany, NY 12207
(518) 463-3200

Friday
April 21, 2017
New York City
PC: OEP24
Live &  Webcast

New York Society of Security Analysts
1540 Broadway, Suite 1010
New York, NY 10036
(212) 541-4530

 See our Spring 2017 schedule online at www.nysba.org/cle

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