

# SCHEDULE OF EVENTS

## Friday, May 5, 2023

5:00 p.m. – 6:30 p.m.

### **Registration**

6:30 p.m. – 7:30 p.m.

### **Welcome Cocktail Reception**

7:30 p.m. – 8:30 p.m.

### **Joint Commercial and Federal Litigation and Dispute Resolution Sections Welcome Dinner –**

A consideration of the current state of freedom of the press from someone on the front lines. Among other topics, Mr. Bertoni will discuss recent attacks on *New York Times v. Sullivan*, as well as pending Florida legislation regarding libel standards, and the *Dominion v. Fox* litigation.

#### **Speaker:**

**Fabio Bertoni, Esq.**, General Counsel, The New Yorker

## Saturday, May 6, 2023

8:00 a.m.

### **Registration**

### **Continental Breakfast**

### **Visit with Exhibitors**

8:45 a.m. – 1:15 p.m.

### **General Session**

8:45 a.m. – 9:00 a.m.

### **General Session Opening Remarks and Program Overview:**

**Ignatius Grande, Esq.**, Commercial and Federal Litigation Section Chair

**Noah Hanft, Esq.**, Dispute Resolution Section Chair

**Anne B. Sekel**, Commercial and Federal Litigation Section Program Chair

**Jeffrey K. Anderson, Esq.**, Dispute Resolution Section Program Chair

9:00 a.m. – 10:20 a.m.

### **The Litigation-Arbitration Debate**

A discussion among corporate in-house counsel, judges, ADR practitioners and private litigators regarding the advantages, disadvantages and other considerations that inform the decision to litigate in court or to engage in arbitration.

This two-part panel will include first a presentation regarding the characteristics of arbitration that lead in-house counsel to select it, such as the flexibility, efficiency and confidentiality afforded by arbitration, the potential restrictions on the scope of discovery, and expense saving.

The second part of the panel will address the characteristics of in-court litigation and the circumstances under which an in-house counsel might select court litigation over arbitration, such as the desire to make “good law” in the “right” cases, the ability to dispose of a case by motion, the right of appeal, and the benefits that public filing and open court proceedings may bring in certain circumstances.

#### **Moderator:**

**William Crosby**, SVP, Associate General Counsel, Managing Attorney and LATAM Regional Coordinator, Interpublic Group

#### **Panelists:**

**Honorable Mae D’Agostino**, United States District Court Judge, Northern District of New York

**Lisa D. Love**, Mediator, Arbitrator, Neutral Evaluator, JAMS

**Marc P. Madonia**, Senior Counsel, Starr Companies

1.0 Credit in Areas of Professional Practice; 0.5 Credit in Skills

10:30 a.m. – 11:30 a.m.

### **THERE HAS TO BE A BETTER WAY: Changing How We Practice to Obtain Professional Satisfaction**

Numerous factors can drive attorneys, particularly litigators, to leave the practice of law: dealing with a demanding familial situation, caring for an aging parent or a young child, frequent travel, lengthy trials or arbitrations, the demands of business development, long hours, and relentless stress.

This panel will comprise a candid and thorough discussion of how litigators at all stages of practice can create a working atmosphere that embraces diversity of all kinds and promotes workplace integrity and professional satisfaction. The panel will discuss the structural and cultural changes law firms can make to keep more practitioners engaged and productive, including effectively leveraging work-from-home policies and other benefits that promote a flexible working environment.

The panel will suggest practical steps and professional development training that firms can provide to its litigators and will discuss the benefits that can be achieved through ADR practice

#### **Moderator:**

**Kim Wolf Price**, Attorney Professional Development and Diversity Officer  
Bond, Schoeneck & King PLLC

#### **Panelists:**

**Rachel Gupta**, Gupta Dispute Resolutions, LLC  
Honorable Angela Iannacci, Associate Justice, Supreme Court of the State of New York, Appellate Division, Second Judicial Department

**Viktoriya Liberchuk**, Associate, Farrell Fritz, P.C.  
Kevin Schlosser, Shareholder and Chair of the Litigation & Dispute Resolution Department, Meyer, Suozzi, English & Klein, P.C.

*1.0 Credit in Law Practice Management*

11:30 a.m. – 11:40 a.m.

#### **Break**

11:40 a.m. – 12:10 p.m.

### **Interactive Demonstration and Discussion of New Virtual Oral Argument Platform for New York State Supreme Courts**

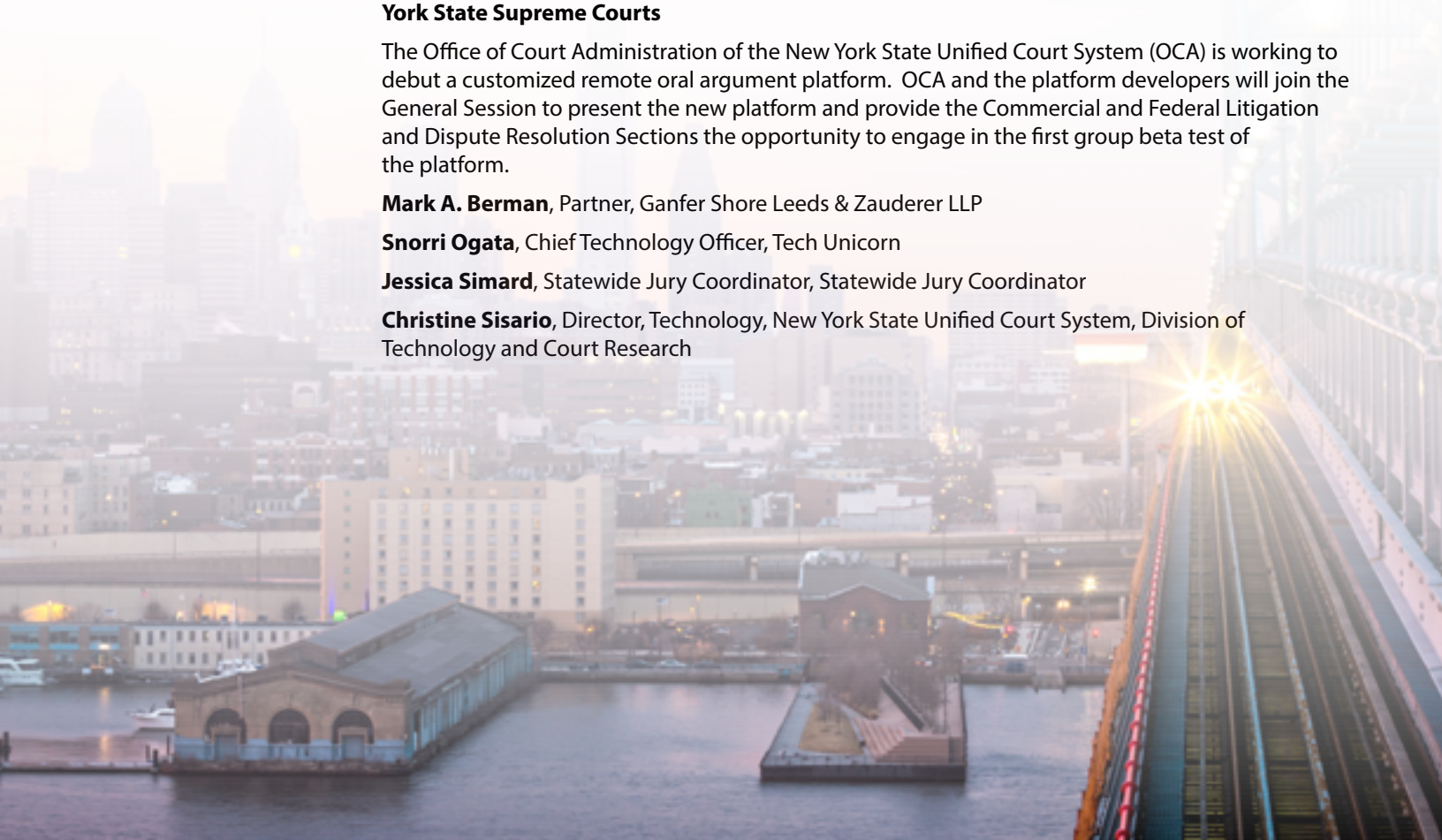
The Office of Court Administration of the New York State Unified Court System (OCA) is working to debut a customized remote oral argument platform. OCA and the platform developers will join the General Session to present the new platform and provide the Commercial and Federal Litigation and Dispute Resolution Sections the opportunity to engage in the first group beta test of the platform.

**Mark A. Berman**, Partner, Ganfer Shore Leeds & Zauderer LLP

**Snorri Ogata**, Chief Technology Officer, Tech Unicorn

**Jessica Simard**, Statewide Jury Coordinator, Statewide Jury Coordinator

**Christine Sisario**, Director, Technology, New York State Unified Court System, Division of Technology and Court Research



# SCHEDULE OF EVENTS

12:15 p.m. – 1:15 p.m.

## **Court-Annexed Mediation and Presumptive ADR**

Perspectives from litigators and mediators on the types and nature of the mediation programs available in the U.S. District Courts in New York and the Commercial Division of the New York State Supreme Court.

The discussion will include an overview of the mediation referral process (and tips for navigating the various courts programs), issues to consider in the selection of the mediator, how to effectively prepare and participate in the mediation, and strategizing next steps if the mediation is unsuccessful.

Moderator:

Jennifer Lupo, Managing Member, Lupo Law, Arbitration & Mediation PLLC

Panelists:

Chris McDonald, Principal, ADR Office of Chris McDonald

Jean Norton, Regional ADR Coordinator, New York State Supreme Court, 1st, 2nd, 11th, 12th, and 13th Judicial Districts

Courtney Rockett, Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

Danielle Shalov, ADR Administrator, United States District Court for the Eastern District of New York

*1.0 Credit in Skills*

1:15 p.m. – 2:00 p.m.

## **Lunch**

2:00 p.m. – 6:30 p.m.

## **Afternoon Free for Individual Recreation**

2:00 p.m.

## **Golf**

Pennsauken Country Club

3800 Haddonfield Road

Pennsauken, NJ 08109

\$45 per person. Fee includes nine holes of golf and a golf cart. *Pre-registration is required.*

2:30 p.m.

## **Group visit to the Philadelphia Museum of Art**

Meet your colleagues in the hotel lobby at 2:30 and walk to the Museum. Tickets for admission range from \$23 to \$25 and can be purchased upon arrival at the Museum.

*Choose from 27 exhibits, including:*

- Ink and Brush: The Beauty and Spirit of Japanese Calligraphy
- Rhythms of Nature: The Art & Design of DRIFT
- Medieval Treasures from the Glencairn Museum
- Oneness: Nature & Connectivity in Chinese Art
- Baroque: The Art of Drama

6:30 p.m. – 7:30 p.m.

## **Joint Commercial and Federal Litigation and Dispute Resolution Sections Cocktail Reception**

7:30 p.m. – 9:30 p.m.

**Dispute Resolution Section Dinner** – Harper's Garden, 31 S. 18th Street, Philadelphia, PA 19103

7:30 p.m. – 9:30 p.m.

## **Commercial and Federal Litigation Section Gala Dinner**

### **Welcome Remarks:**

**Ignatius Grande**, Commercial and Federal Litigation Chair

### **NYSBA Welcome:**

**Sherry Levin Wallach**, President, NYSBA

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

Presenter:

[TBD]

Recipient:

Honorable Edwina G. Richardson-Mendelson

Deputy Chief Administrator Judge for Justice Initiatives, New York State Unified Court System

# SCHEDULE OF EVENTS

## Sunday, May 7, 2023

8:30 a.m.

### Registration

### Continental Breakfast

### Visit with Exhibitors

9:00 a.m. – 10:00 a.m.

### Litigating, Arbitrating and Mediating for High Profile Clients

A discussion of how litigation poses particular challenges for clients in the public eye (both individuals and institutions), and whether the practitioner should consider arbitration or mediation as an alternative to litigation.

This panel will address the considerations involved in these representations, including the heightened measures that may be necessary to protect confidentiality, what to do when the press is involved (and how to manage your client's reputation in the court of public opinion), preventing jury bias and the role that ADR can play in ensuring a confidential and fair outcome for your client

The panel also will discuss how these issues are applicable to all clients.

#### Moderator:

**Clifford Robert**, Principal, Robert & Robert, PLLC

#### Panelists:

**Fabio Bertoni**, General Counsel, The New Yorker Magazine

**Honorable Timothy S. Driscoll**, Justice, Supreme Court of the State of New York, Commercial Division, Nassau County

**Luke Nikas**, Partner, Quinn Emanuel, Urquhart & Sullivan, LLP

**Michael S. Ross**, Principal, Law Offices of Michael S. Ross

*0.5 Credit in Areas of Professional Practice; 0.5 Credit in Ethics*

10:00 a.m. – 11:20 a.m.

### Artificial Intelligence in Litigation, Arbitration and Mediation

An exploration of the ways that artificial intelligence (AI) can facilitate effective litigation strategy, and instances where it may not further your client's interests. The panel will consider the role of AI-enabled software and other technologies in litigation, arbitration and mediation and the impact of AI on cybersecurity, privacy and data security.

Learn about the uses (and potential pitfalls) of AI tools like Chat GPT and online AI-assisted dispute resolution.

The panel also will consider the ethics of AI and how client information and confidences can be maintained appropriately when using AI-based technologies.

#### Moderator:

**James A. Sherer**, Partner, Baker & Hostetler LLP

#### Panelists:

**Bennett B. Borden**, Partner and Chief Data Scientist, DLP Piper

**Maura Grossman**, Research Professor, School of Computer Science, University of Waterloo

**Colin Rule**, CEO, Mediate.com and Arbitrate.com

*1.0 Credit in Cybersecurity and 0.5 in Ethics*

11:30 a.m.

### Adjournment and Departure

