Torts, Insurance & Compensation Law
& Trial Lawyers Sections

The Torts, Insurance and Compensation Law Section & The Trial Lawyers Section 2026 Fall Meeting

Thursday, November 12 - Saturday, November 14, 2026

Renaissance Nashville Hotel
611 Commerce Street, Nashville, TN



7.0
MCLE Credits

NYSBA.ORG

Section Chair, TICL Section
Donald R. Gerace, Esq.
Law Office of Donald R. Gerace
Utica, New York

Section Chair, Trial Lawyers Section
Seth M. Rosner, Esq.
Seth M. Rosner, P.C.,
Garden City, New York

Program Co-Chair
Joanna M. Roberto, Esq.
Gerber Ciano Kelly Brady LLP
Garden City, New York

PROGRAM MATERIALS

- All course materials are online only via the NYSBA Learning Dashboard.
- Tip: We strongly recommend downloading materials before the program if you plan to use a laptop or tablet. Wi-Fi is available onsite, but connection speeds are not guaranteed.

How to Access Online Materials:

1. Log in to the NYSBA website at www.nysba.org
2. Hover over "**Hi, (First Name)**" (top right corner).
3. Click "**My Learning Dashboard.**"
4. Under "**My Programs,**" locate the program/webinar.
5. Click the blue "**Materials**" button.

Need help accessing your Dashboard and the Materials?
Contact the Member Resource Center at mrc@nysba.org | 800-582-2452 or 518-463-3724

MCLE ATTENDANCE & CERTIFICATE REQUIREMENTS

- Check in onsite with registration staff upon arrival.
- Sign, date, and return the MCLE Verification of Attendance form (white paper) at the end of the program each day.
- If you need out-of-state credit, please notify staff to sign the appropriate form.
- Your MCLE Certificate will be emailed after the program and available in your My Learning Dashboard.

Important MCLE Policies

- You must be present for the entire program segment to receive credit. Partial credit is not permitted.
- If you leave early, please check out with onsite staff so your attendance time can be noted.
- For more information about the CLE Rules, visit www.nycourts.gov/attorneys/CLE

PROGRAM EVALUATION

Your feedback matters. Please complete the evaluation form (yellow paper) at the conclusion of the program to help us improve future CLE offerings. Program Chairs

7.0 MCLE Credits

This program is transitional and approved for MCLE credit in New York for all attorneys, including those newly admitted.

7.0 Total Credits: 4.0 Areas of Professional Practice | 1.5 Ethics and Professionalism | 0.5 Skills | 1.0 Cybersecurity, Privacy and Data Protection (General)

The New York State Bar Association has been certified by the New York State Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York. For information about the CLE Rules, visit NYCOURTS.GOV/ATTORNEYS/CLE

AGENDA

Thursday, November 12, 2026

12:00 p.m. – 5:00 p.m. **Meeting Check-in and Exhibitor Set up** | Germantown Foyer (Meeting Room Level 2)

1:00 p.m. – 2:30 p.m. **Trial Lawyers Executive Committee Meeting** | Sylvan Park (Meeting Room Level 2)
Coffee, tea & snacks served

3:00 p.m. – 4:30 p.m. **TICL Executive Committee Meeting** | Germantown 4 (Meeting Room Level 2)
Coffee, tea & snacks served

5:30 p.m. – 7:00 p.m. **Welcome Reception** | Event Hub Container Bar (Meeting Room Level 1)
Thank you to SmartAdvocate for sponsoring this evening's cocktail reception!

Dinner on Your Own

Friday, November 13, 2026

7:30 a.m. – 8:30 a.m. **Program Check-in & Continental Breakfast** | Germantown Foyer (Meeting Room Level 2)
Thank you to Silverstar Mediation and Arbitration for sponsoring this morning's breakfast!

8:30 a.m. – 8:40 a.m. **Welcome and Introductions** | Germantown 2-3 (Meeting Room Level 2)

Donald R. Gerace, Esq., Torts, Insurance and Compensation Law Section Chair
Law Office of Donald R. Gerace, Utica, NY

Seth M. Rosner, Esq., Trial Lawyers Section Chair
Seth M. Rosner, P.C., Garden City, NY

8:40 a.m. – 8:55 a.m. **Welcome and Remarks from Taa R. Grays, Esq.**, President, New York State Bar Association
Former Vice President and Associate General Counsel of Information Governance at MetLife Legal Affairs, New York, NY

8:55 a.m. – 9:45 a.m. **Verdicts, Perception & Perspective: Trends for Success and Civility in the Law**
In an era dominated by heightened social media attention, multi-million-dollar "nuclear verdicts" have transformed trial practice. While the defense bar strives to prevent runaway jury awards, plaintiffs' attorneys must navigate zealously optimizing a plaintiff's verdict and simultaneously managing client expectations. We will examine the psychological and mechanical drivers behind outlier verdicts, actionable techniques for counsel on both sides of the "v" and communication aligned with civility in the law.

Speakers:
Michael P. O'Brien, Esq.
O'Brien Law Firm, PLLC, New York, NY

Tania M. Pagan, Esq.
The Pagan Law Firm, P.C. , New York, NY

Moderators:
Donald R. Gerace, Esq.
Law Office of Donald R. Gerace, Utica, NY

Seth M. Rosner, Esq.
Seth M. Rosner, P.C., Garden City, NY

1.0 MCLE Credit Areas of Professional Practice

AGENDA

9:45 a.m. – 10:35 a.m.

LLMs, Lawsuits, and Liquidity: Detecting the Effects of Personal Injury Advertising in Crowdfunding Narratives
We use large language models to extract legal context and liquidity needs from millions of private crowdfunding narratives, then combine these measures with geographic variation in personal injury lawyer advertising. The results show how AI can recover economically meaningful outcomes from unstructured text and reveal how engagement with the legal system interacts with households' short-term financial needs.

Speakers:
Kyle Coombs
Assistant Professor of Economics, Vassar College, Poughkeepsie, NY

Brian Jonghwan Lee
Assistant Professor of Finance, Emory University, Atlanta, GA

Seth M. Rosner, Esq.
Seth M. Rosner, P.C.- Garden City, NY

1.0 MCLE Credit Cybersecurity, Privacy and Data Protection (General)

10:35 a.m. – 10:45 am.

Refreshment Break
Thank you to Otas Economic Consulting for sponsoring todays' refreshment break!

10:45 a.m. – 11:35 a.m.

Mastering Strategies & Advocacy in Mediation Nashville Style
Mediation is more than simply showing up at the table - it's an opportunity to advocate strategically, navigate challenging dynamics, and position your client for the best possible outcome. This practical and engaging session will explore proven strategies for effective mediation advocacy, from preparation and negotiation to communicating with mediators, managing expectations, resolving disputes, and documenting the final agreement.

Attendees will gain practical insights into handling difficult conversations, navigating emotional dynamics, and communicating with clarity, confidence, and purpose. The program will also take a closer look at the ethical responsibilities that come with effective mediation advocacy, including the importance of professionalism, fair dealing, and responsible communication throughout the process. Participants will leave with practical tools and techniques they can put to work immediately in their next mediation.

Speakers:
Gail Vaughn Ashworth, Esq.
Wiseman Ashworth Trauger Moore Law Group, Nashville, TN

Hon. Patricia ("Patsy") Cottrell (Ret.)
Tennessee Court of Appeals, Nashville, TN

0.5 MCLE Credit in Ethics and Professionalism | 0.5 MCLE Credit in Skills



11:35 a.m. – 12:25 p.m.

The Impact of Accident Analysis and Injury Biomechanics
This program will provide attorneys with a practical understanding of accident analysis and injury biomechanics and how these disciplines can be used to evaluate injury claims and liability. Faculty will explore the mechanics of motor vehicle crashes, injury causation and biomechanics, including whiplash and spinal injuries, as well as accident data, Event Data Recorders (EDRs), and evidence from crash investigations. The program will also address trip-and-fall, slip-and-fall, falling-object, occupational, and premises liability cases, including situations where a claimant's account may not be consistent with the physical evidence.

The program will also examine head injuries, human factors, witness reliability, evidence collection and chain of custody, and the presentation of accident evidence at trial. Attendees will gain practical insight into working with and challenging expert witnesses, including evaluating expert testimony, admissibility issues, and how accident analysis and biomechanics can be used to support or challenge arguments regarding injury and liability.

Speakers:
Donald R.Gerace, Esq.
Law Office of Donald R. Gerace, Utica, NY

Dr. Kevin Toosi, MD, PhD
University of Pittsburgh, Pittsburgh, PA

Stephen Toner, Esq.
Toner Law Group, PLLC, New York, NY

1.0 MCLE Credit Areas of Professional Practice

12:25 p.m. **Afternoon on Your Own**

6:00 p.m. - 7:00 p.m. **Cocktail Reception** - Event Hub Container Bar
Thank you to Resolute Systems, LLC for sponsoring this evening's cocktail reception!

7:00 p.m. - 9:00 p.m. **Dinner and Keynote Presentation** | SoBro (Meeting Room Level 1)

Keynote Presenter:
Sherie Edwards, President
Nashville Bar Association, Nashville, TN

Saturday, November 14, 2026

7:30 a.m. – 8:50 a.m. **Program Check-in & Continental Breakfast** | Germantown Foyer (Meeting Room Level 2)
Thank you to Lexitas for sponsoring this morning's breakfast!

8:50 a.m. – 9:00 a.m. **Welcome and Introductions** | Germantown 2-3 (Meeting Room Level 2)

Seth M. Rosner, Esq., Trial Lawyers Section Chair
Seth M. Rosner, P.C., Garden City, NY

Donald R. Gerace, Esq., Torts, Insurance and Compensation Law Section Chair
Law Office of Donald R. Gerace, Utica, NY

AGENDA

9:00 a.m. – 9:50 a.m.

The Settlement Decision in the Shadow of Trial—Managing Risk, Resolving Cases, and Confronting the Nuclear-Verdict Reality

This program will address the increasing risk of exceptional jury awards; the steps lawyers, carriers, and parties can take throughout discovery, motion practice, and pretrial proceedings to reduce that risk; and the circumstances in which even thoughtful preparation and serious settlement efforts cannot eliminate it. Attendees will leave with a practical framework for deciding when to continue negotiating, when to recalibrate settlement expectations, and when a case must be tried with a clear-eyed understanding of the potential consequences.

Speakers:
Hon. Adam Silvera
Deputy Chief Administrative Judge for the New York City Courts

Hon. George Silver (Ret.)
Silverstar Mediation and Arbitration, LLC, New York, NY

Moderator:
Brian Brown, Esq.
Avanzino & Moreno, P.C., Brooklyn, NY

1.0 Credit Areas of Professional Practice

9:50 a.m. – 10:40 a.m

Redefining Advocacy Skills for Today's Juries

Attorneys are not trained to think like jurors, and today's juries do not decide cases the way that lawyers and judges often assume they do. As a result, attorneys may view juries as unpredictable, misjudge case value, or present cases in ways that fail to resonate with jurors. This program examines the psychology of jury decision-making and the evolving advocacy skills lawyers need to effectively and ethically select juries, counsel clients, conduct voir dire, and present their cases. Participants will explore how behavioral science can be used consistently with the Rules of Professional Conduct, with particular emphasis on competence, candor, fairness to the tribunal, ethical client counseling, and the responsible use of jury research. Among the topics covered are:

- Developing the jury story through creative discovery and ethical jury research
- Controlling the focus of the case by framing the issues ethically and without misleading jurors
- Building credibility through an investigative rather than an adversarial approach, emphasizing candor and professional responsibility
- Building rapport and obtaining juror information ethically during voir dire
- Creating context for client conduct and decision-making while counseling clients ethically using jury psychology and behavioral research
- Creating better case positioning for mediation through ethical client counseling and realistic case evaluation
- Simplifying and telling a better case story while maintaining fairness and candor to the tribunal
- Persuasion and presentation skills that communicate meaning without appealing to bias or misleading the jury
- New research and ethical strategies for presenting damages evidence and arguments
- The ethical use of behavioral science, jury research, and emerging technologies in trial practice

Presenter:
Richard Gabriel
Decision Analysis Litigation Strategy, Topanga, CA

Moderator:
Joanna M. Roberto, Esq.
Gerber Ciano Kelly Brady LLP, Garden City, NY

1.0 Credit Ethics and Professionalism

10:40 a.m. – 10:50 a.m.

Refreshment Break

10:50 a.m. – 11:30 a.m.

Observations from the Bench and Advice from The Advocate
Join Justices James E. d'Auguste, James G. Clynes, and Brendan T. Lantry for an interactive discussion moderated by Michelle Kern-Rappy Esq. on effective advocacy, trial preparation and mediation. Attendees will have the opportunity to ask questions and engage directly with the panelists on issues that arise in everyday practice.

Drawing on their experience from the bench, the panel will discuss what judges find most persuasive in written submissions and oral argument, common pitfalls encountered by litigators, and the advocacy approaches that build credibility with the court. The discussion will also explore the relationship between trial readiness and obtaining favorable litigation outcomes.

Presenters:
Hon. James G. Clynes
New York County Supreme Court, Civil Term, 1st Judicial District, New York, NY

Hon. James E. d'Auguste
New York County Supreme Court, Civil Term, 1st Judicial District, New York, NY

Hon. Brendan T. Lantry
New York County Supreme Court, Civil Term1st Judicial District, New York, NY

Moderator:
Michele Kern-Rappy, Esq.
KernRappy Dispute Resolution, New York, NY

1.0 Credit in Area of Professional Practice

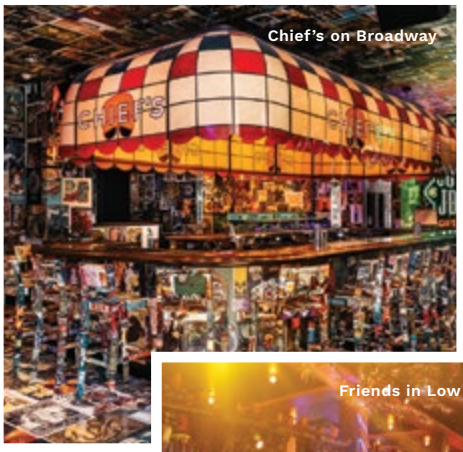


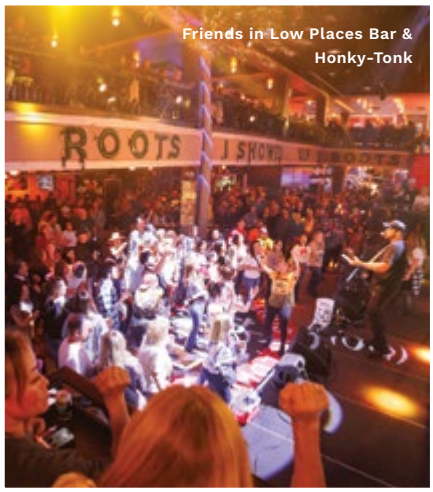


GUIDE TO

nashville's neon neighborhood

As of June 2026


Chief's on Broadway


Friends in Low Places Bar & Honky-Tonk

BROADWAY

Acme Feed & Seed
101 Broadway
615-915-0888

Whiskey River Saloon
111 Broadway
629-250-3396

Ashley McBryde's Redemption Bar at Chief's on Broadway
200 Broadway
629-255-0948

Chief's on Broadway
200 Broadway
629-255-0948

Redneck Riviera Bar & BBQ
208 Broadway
615-436-4070

Jelly Roll's Goodnight Nashville
209 Broadway
615-622-5177

Kid Rock's Big Honky Tonk & Rock 'n' Roll Steakhouse
221 Broadway
615-248-2706

Ole Red Nashville
300 Broadway
615-780-0900

Luke's 32 Bridge
301 Broadway
615-514-2031

Posty's Nashville
305 Broadway
615-806-6042

Whiskey Bent Saloon
306 Broadway
615-935-2245

Jason Aldean's Kitchen + Rooftop Bar
307 Broadway
615-514-1537

Miranda Lambert's Casa Rosa
308 Broadway
615-309-6295

Tin Roof Broadway
316 Broadway
615-242-4446

Honky Tonk Central
329 Broadway
615-726-9095

Dierks Bentley's Whiskey Row
400 Broadway
629-203-7822

JBJ's Nashville
405 Broadway
407-451-4017

Lucky Bastard Saloon
408 Broadway
615-254-5452

Friends in Low Places Bar & Honky-Tonk
411 Broadway
615-669-4711

The Stage on Broadway
412 Broadway
615-726-0504

Robert's Western World
416 Broadway
615-244-9552

Hank Williams Jr Boogie Bar
419 Broadway
407-451-4017

Second Fiddle
420 Broadway
615-248-4818

AJ's Good Time Bar
421 Broadway
615-678-4080

Tootsie's Orchid Lounge
422 Broadway
615-742-9095

Legends Corner
428 Broadway
615-248-6334

Rippy's Honky Tonk
429 Broadway
615-244-747

Bootleggers Inn
501 Broadway



Hank Williams Jr Boogie Bar


Lainey Wilson's Bell Bottoms Up

2ND AVENUE

Doc Holliday's Saloon
112 2nd Ave N
615-953-2245

Category 10
120 2nd Ave N

Barstool Nashville
123 2nd Ave S
561-262-3500

DraftKings Sports & Social
128 2nd Ave N, 1st Floor
615-467-6079

PBR Cowboy Bar
128 2nd Ave N, 2nd Floor
615-467-6079

Play Playground
128 2nd Ave N, 3rd-4th Floor
615-623-9898

3RD AVENUE

Lainey Wilson's Bell Bottoms Up
120 3rd Ave S

4TH AVENUE

Morgan Wallen's This Bar and Tennessee Kitchen
107 4th Ave N
615-915-0888

TOP TEN





10 THINGS YOU CAN ONLY DO IN NASHVILLE

1 **Hear the Music Where Music Lives:** We're proud of the title "Music City" – nowhere else can you hear such diverse sounds as Americana, country, rockabilly, jazz, blues, classical, gospel, and rock n' roll. In fact, there are **more than 250 live music venues** in Nashville.

2 **Hit the Hall:** Kick off your Nashville experience with a day at the **Country Music Hall of Fame and Museum**. The world's largest popular music museum offers ever-changing exhibits featuring the legends of country music past and today's hottest stars.

3 **Ride the Row:** Take a tour of Music Row and visit historic **RCA Studio B**, the famous recording studio where Elvis recorded over 200 songs. Roy Orbison, Dolly Parton, The Everly Brothers, Eddy Arnold, and many more recorded classic hits here.

4 **Visit the Home of The Greek Gods:** In Nashville's **Centennial Park**, you'll find the world's only full-scale reproduction of the ancient **Parthenon** in Athens, Greece.

5 **Hear Nashville's Newest Sound:** The long-awaited **National Museum of African American Music** is a 56,000-square-foot facility that encourages visitors to discover the central role African Americans have played in shaping and creating all genres of American music, from classical to country to jazz and hip hop.

6 **Take in A Songwriters-In-The-Round Show:** One of the most unique ways to hear music in Nashville is at a songwriters' show. Several singer/songwriters will play **"in-the-round"** as they sit on stage accompanied only by a microphone, a guitar, and their immense talent.

7 **Visit the Ryman Auditorium:** The **Ryman Auditorium**, also called the "Mother Church of Country Music," has had artists as diverse as Jon Bon Jovi and Patsy Cline perform on its legendary stage since 1892.

8 **Take A Timeless Journey:** The stars of the **Grand Ole Opry** take the famous six-foot circle of wood and perform every Tuesday, Friday, and Saturday night. With over 90 years of history, the Opry is the world's longest-running broadcast.

9 **Salute:** Three U.S. Presidents called Tennessee home: Andrew Jackson, James K. Polk, and Andrew Johnson. You can revisit the past at **Andrew Jackson's Hermitage: Home of the People's President**. Polk is buried on the grounds of the historic State Capitol building in downtown Nashville.

10 **Visit Nashville's Neon Neighborhood:** Tootsie's Orchid Lounge, Legends Corner, The Second Fiddle, The Stage, Layla's Bluegrass Inn, Robert's Western World, and more are all experts at serving up cool longnecks and hot country music. Willie Nelson, Kris Kristofferson, Dierks Bentley, and others began their careers on **Lower Broadway**.

downtown dining guide

As of June 2026


Ophelia's Pizza + Bar

1ST AVE

Experience ZuZu
215 1st Ave S

2ND AVE

Doc Holliday's Saloon
112 2nd Ave N
615-953-2245

Category 10
120 2nd Ave N

Barstool Nashville
123 2nd Ave S
561-262-3500

DraftKings Sports & Social
128 2nd Ave N, 1st Floor
615-467-6079

Play Playground
128 2nd Ave N, 3rd-4th Floor
615-623-9898

Mel's Drive-In Nashville
152 2nd Ave N
629-702-1182

3RD AVE

Sun Diner
107 3rd Ave S
615-742-9099

Lainey Wilson's Bell Bottoms Up
120 3rd Ave S
740-375-5800

Black Tap Craft Burger and Beer
140 3rd Ave S
615-808-0969

The Southernaire Market & Deli
150 3rd Ave S
615-490-8077

The Southern Steak & Oyster
150 3rd Ave S
615-636-2626

The Diner Nashville
200 3rd Ave S
615-782-7150

Bakersfield Tacos
201 3rd Ave S
615-522-0970

Champy's
204 3rd Ave S
615-225-8040

Gray & Dudley (The Bankers Alley Hotel)
222 3rd Ave N
615-610-6460

3rd and Lindlsey Nashville
818 3rd Ave S
615-259-9891

4TH AVE

Morgan Wallen's This Bar and Tennessee Kitchen
107 4th Ave N

Gannons Nashville
170 4th Ave N
615-920-6792

Trade Room (Noelle)
200 4th Ave N
615-649-5000

Lona (Noelle)
200 4th Ave N
615-610-7835

Church + Union
201 4th Ave N, Ste. 101
615-864-0977

Stateside Kitchen (Dream Nashville)
210 4th Ave N
615-622-0660

Sushi by Bou (Dream Nashville)
210 4th Ave N
615-622-0660

Vatos Tacos (Dream Nashville)
210 4th Ave N
615-622-0660

Jeff Ruby's Steakhouse
300 4th Ave N
615-434-4300

Fourth & U Restaurant and Bar (Double Tree by Hilton Nashville Downtown)
315 4th Ave N
615-244-8200

Yolan (The Joseph Nashville)
403 4th Ave S
615-231-0405

Four Walls (The Joseph Nashville)
405 4th Ave S
615-231-0405

Martin's Bar-B-Que Joint SoBro
410 4th Ave S
615-288-0880

Listening Room Cafe
618 4th Ave S
615-259-3600

5TH AVE

The Palm Nashville
140 5th Ave S
615-742-7256

REP. JOHN LEWIS WAY

Trattoria Il Mulino (Hilton Nashville Downtown)
425 Rep. John Lewis Way S
629-401-6346

Bajo Taco Restaurant + Bar
216 Rep. John Lewis Way S
615-577-7717

Marquee
223 Rep. John Lewis Way N
615-445-7400

Bob's Steak & Chop House (Omni Hotel)
250 Rep. John Lewis Way S
615-761-3707

Kitchen Notes (Omni Hotel)
250 Rep. John Lewis Way S
615-782-5300

Barlines (Omni Hotel)
250 Rep. John Lewis Way S
615-761-3644

Al Taglio
321 Rep. John Lewis Way S
615-401-1400

JWB Grill (Margaritaville Hotel Nashville)
425 Rep. John Lewis Way S
629-401-6346

6TH AVE

Drusie & Darr (The Hermitage Hotel)
231 6th Ave N
615-345-7116

KOSHO by Tabu
538 6th Ave S
629-702-2423

6th & Peabody
423 6th Ave S
615-647-8272

7TH AVE

TENN (Holston House)
118 7th Ave N
615-392-1234

Hand Cut Nashville
135 7th Ave S
615-465-2435

8TH AVE

NashHouse Southern Spoon & Saloon
114 8th Ave S
615-649-8022

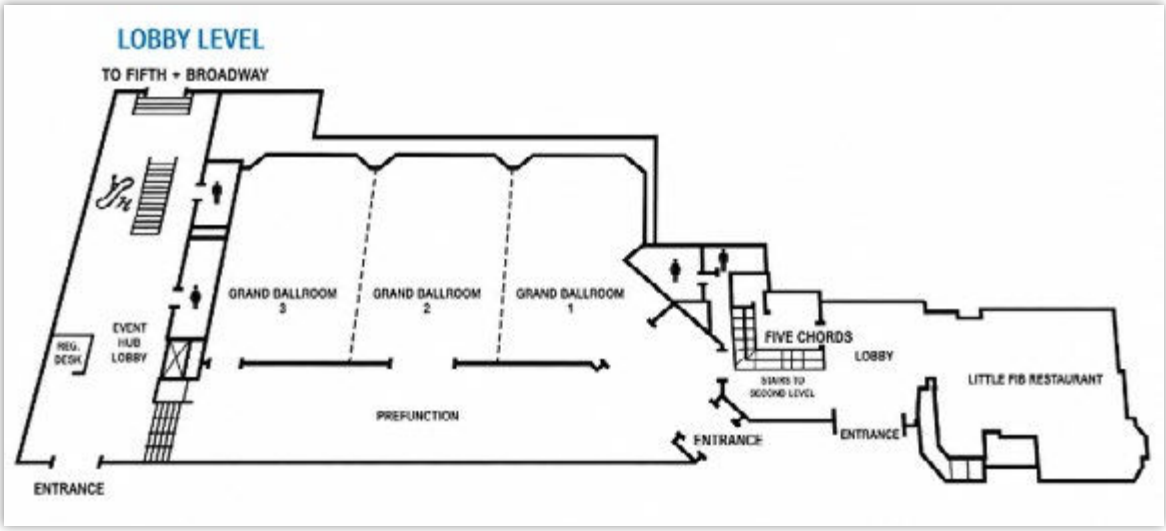
Bourbon Steak by Michael Mina (JW Marriott)
201 8th Ave S, 34th floor
629-208-8440

Stompin' Grounds Restaurant and Market (JW Marriott)
201 8th Ave S
629-208-8450

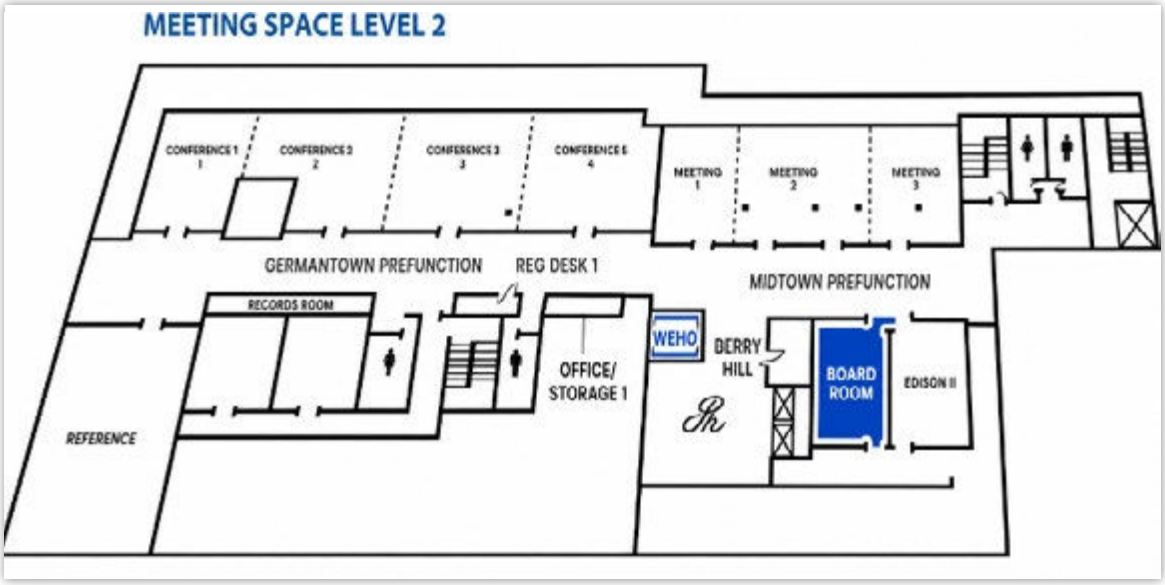
10TH AVE

Philipe Chow Nashville
209 10th Ave S, #235
615-671-2469

RENAISSANCE NASHVILLE HOTEL MAP







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ECONOMIC CONSULTING LLC

FORENSIC ECONOMIST

OTAS Economic Consulting, LLC is owned by a Ph.D. economist and Master Analyst of Financial Forensics (MAFF) with 10+ years of experience providing high-quality economic consulting in litigated matters.

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- Business destruction

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150 Years NYSBA
Annual CONFERENCE
THE NEW YORK STATE BAR ASSOCIATION

Torts, Insurance and Compensation Law and Trial Lawyers Sections Program

Thursday, January 21, 2027
9:00 a.m. - 4:15 p.m. | MCLE Program
5:00 p.m. - 6:30 p.m. | Awards Reception
New York Hilton Midtown

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PROGRAM SUPPORTER

SEIBOLD
& ASSOCIATES

NOTES

NOTES



NEW YORK STATE BAR ASSOCIATION
TORTS, INSURANCE & COMPENSATION LAW SECTION
AND TRIAL LAWYERS SECTION

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