

Auto and Truck Claims, Accidents and Litigation 2019

The Motor Vehicle Hitch:
How to Avoid It, How to Deal with It

September 5 | Albany and Webcast

September 6 | Syracuse

September 9 | NYC

September 12 | LI

September 13 | Buffalo

NYSBACLE

Live Program & Webcast



INCLUDES
1.0 ethics credit



www.nysba.org/AutoLitigation2019

Program Description

New and experienced attorneys involved in virtually all areas of the law will benefit from this extremely practical seminar. Seasoned practitioners will present an overview of the law governing depositions and will provide practice pointers on many topics relative to deposition practice under both New York and Federal court practice.

Overall Planning Co-Chairs:

Joanna M. Roberto | Gerber Ciano Kelly Brady LLP
Elizabeth Fitzpatrick | Island Companies

Faculty

Albany:

Jennifer L. Dominelli | Smith Dominelli & Guetti LLC (Local Chair)

Christopher A. Guetti | Smith Dominelli & Guetti LLC
George E. LaMarche, III | Dreyer Boyajian LaMarche Safranko
Tracy L. Bullett | Tabner, Ryan & Keniry, LLP
Jason A. Frament | Lafave, Wein & Frament PLLC
More faculty TBD*

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Benjamin C. Rabin | The Rabin Law Firm
Jane Francine Raven | The Raven Law Firm, PLLC
Matthew Joseph Kaiser | William Mattar, P.C.
Kevin Ralph Van Duser | Sugarman Law Firm LLP
James J. Gascon | Costello, Cooney & Fearon, PLLC
Lisa M. Robinson | Goldberg Segalla LLP
John P. Coghlan | Goldberg Segalla LLP

New York:

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Robert A. Glick | Brand Glick & Brand, P.C.
Andria Simone Kelly, Esq. | Ahmuty, Demers & McManus
Andrew J. Smiley, Esq. | Smiley & Smiley, LLP
Michael A. Vicario, Esq. | Law Office of Dennis C. Bartling, GEICO Staff Counsel

Long Island:

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Robert William Berbenich | Gerber Ciano Kelly Brady LLP
James Raymond Finn | Rivkin Radler LLP
Matthew Adam Lampert | Rivkin Radler LLP
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Matthew D. Shwom | Lewis Johs Avallone Aviles, LLP
Andrea M. Strain | Wilson Elser Moskowitz Edelman & Dicker
Joseph C. Baiocco | Wilson Elser Moskowitz Edelman & Dicker
Rosa M. Feeney | The Feeney Law Offices, PLLC
Matthew J. Zullo | Rappaport Glass Levine & Zullo LLP

Buffalo:

Tom P. Cunningham | Rupp Baase Pfalzgraf Cunningham (Local Chair)

Leonard D. Zaccagnino | Shaw & Shaw, P.C.
Michael Anthony Rossi | The Rossi Law Firm
Howard B. Cohen | Gross Shuman PC
Kenneth A. Krajewski | Brown & Kelly, LLP
James J. Nash | Nash Connors, P.C.
Jennifer Anne Ehman | Hurwitz & Fine, PC

*Please check our website for additional faculty.

Pricing

NYSBA Member: \$175 | Non-Member: \$275

Co-Sponsoring Section Member: \$150

Register Online

Online: www.nysba.org/AutoLitigation2019

Phone: 1.800.582.2452 (U.S. and Canada) or 518.463.3724 in Albany & surrounding area

Program Agenda

- 8:30 a.m. - 9:00 a.m. **Registration | Continental Breakfast**
- 9:00 a.m.- 9:10 a.m. **Welcome and Introduction**
- 9:10 a.m. - 10:00 a.m. **Anatomy of an Accident: Pre-Accident and Post-Accident Investigation**
- The Import and Implications of Accident Reconstruction
 - Fact Discovery
 - Abnormal Conditions
 - Failure of Control
- 1.0 Credit in Skills*
- 10:00 a.m. - 10:50 a.m. **Criminal Law that Civil Lawyers Need to Know**
- Discussion on How Criminal Proceedings and Findings Can Impact a Civil Proceeding
 - How Are a Party's Rights Impacted
 - Penalties or Sanctions
- 1.0 Credit in Skills*
- 10:50 a.m. - 11:05 a.m. **Break**
- 11:05 a.m. - 11:55 a.m. **Ethical Issues in MVA Cases Such as Representing Multiple Injured Parties, Settlements With Guardianships, Driver v. Passenger Dilemmas**
- Representing Multiple Injured Parties
 - Settlements with Guardianships
 - Driver v. Passenger Dilemmas
- 1.0 Credit in Ethics*
- 11:55 a.m. - 1:00 p.m. **Lunch** (on your own)
- 1:00 p.m. - 1:50 p.m. **Nuts and Bolts of UM and UIM**
- Basic Concepts for Preserving UM and SUM Coverage
 - Priority of Coverage
 - Petitions to Stay
- 1.0 Credit in Areas of Professional Practice*
- 1:50 p.m. - 2:40 p.m. **Liability Problems: From Spoliation to Distracted Driving**
- Spoliation of Evidence
 - Texting, Calls and Discovery in Today's Connected World
 - The Problem with Driver Complacency
- 1.0 Credit in Skills*
- 2:40 p.m. - 2:50 p.m. **Break**
- 2:50 p.m. - 3:40 p.m. **Coverage Issues Impacting Automobile Litigation**
- Coverage Under an Auto, CGL or Both?
 - The Non-Trucking Use Endorsement
 - "Other Insurance" Claims and the Interplay of Coverage Priorities
 - Minimum Insurance Requirements
 - Duty to Defend and Exploring Possible Exclusions
- 1.0 Credit in Areas of Professional Practice*
- 3:40 p.m. - 4:30 p.m. **Evaluating Damages and Use of Experts**
- Expert's Deposition and Trial Testimony
 - How the Use of a Consultant and Expert Can Change Your Case
- 1.0 Credit in Skills*

Torts, Insurance and Compensation Law Section

Join the Torts, Insurance and Compensation Law Section for resources like publications, education, and committees. Become a member and receive exclusive publications including the *TICL Journal* and the *Construction & Surety Law Newsletter*. The Section hosts annual MCLE programs. Committees focus on all aspects of Torts, Insurance and Compensation Law, including Automobile, Professional, Premises and Products Liability, plus two Law Divisions – the Construction and Surety Law Division and the Workers' Compensation Law Division.

Learn More | www.nysba.org/TICL

Program Locations

Thursday, September 5 | Albany & Webcast

New York State Bar Association | 1 Elk Street | Albany 12207

Friday, September 6 | Syracuse

Sheraton Syracuse University Hotel & Conference Center | 801 University Avenue | Syracuse 13210

Monday, September 9 | New York City

Convene Conference Center | 810 Seventh Ave. (Between 52nd and 53rd Streets) | New York 10019

Thursday, September 12 | Long Island

Melville Marriott | 1350 Walt Whitman Road | Melville 11747

Friday, September 13 | Buffalo

Hyatt Place Amherst/Buffalo | 5020 Main Street | Amherst 14226

7.0 MCLE Credits

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

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California and Pennsylvania: 5.0 Substantive Law, 1.0 Ethics

New Jersey: 7.0 Total Credits: 1.0 Ethics/Professionalism, 0.0 towards certification in civil trial law, criminal trial law, workers compensation law and/or matrimonial law

Uniform Certificates of Attendance can be issued for use in other jurisdictions.

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 www.nycourts.gov/attorneys/cle



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