

THE NEW YORK STATE BAR ASSOCIATION
COMMERCIAL AND FEDERAL LITIGATION SECTION
EXECUTIVE COMMITTEE

Minutes of the Meeting of the Executive Committee of the Commercial and Federal
Litigation Section held in accordance with the rules of the New York State Bar Association on
March 21, 2019

Members Participating in Person

Robert Holtzman, Chair
Laurel Kretzing, Chair-Elect
Anne Sekel, Treasurer
Natasha Shishov, Secretary
Hon. Melissa Crane**
Hon. Nancy Bannon**
Jeremy R. Feinberg
Hon. Karla Moskowitz
Daniel Wiig
Hon. Helen Freedman
Helene Hechtopf
Douglas Tabachnik
Vincent J. Syracuse
Kathy Kass
Deborah Edelman
Richard J. Dircks
Jay L. Himes

Members Participating by Telephone

Jonathan Fellows, Vice-Chair
Paul D. Sarkozi
Laura Sedlak
Rachel Morgenstern
Alan Mansfield
Carla Miller
Michael Fox
Lauren Wachtler

***Indicates Guest Speaker for the meeting*

Section Chair, Robert Holtzman, called the meeting to order at 6:03 pm and welcomed the Honorable Melissa Crane and Honorable Nancy Bannon, Justices of Supreme Court, New York County, as guest speakers at the meeting.

Guest Speaker: Honorable Melissa Crane and Nancy Bannon (Justices of the Supreme Court, New York County)

There are currently four Judges in the New York County Supreme Court that preside over non-Commercial Division commercial cases. By comparison, out of the last 5,983 commercial cases commenced in New York County, 1,870 were in the Commercial Division and 4,113 were not. Justices Bannon and Crane both incorporate some of the Commercial Division rules and practices into their management of commercial cases.

The Judges discussed the practices within each of their parts and addressed the statistics and nuances of dealing with non-Commercial Division commercial cases. For instance, Justice Crane hears oral argument on every motion and tries to rule from the bench. She also incorporates technology by communicating with parties via e-mail. Justice Bannon has a motion day. She assumes everyone want oral argument unless they say otherwise.

Next addressing tips for lawyers who appear in their Courtroom, the Judges suggested that litigants generally follow the Commercial Division rules and try to discuss discovery issues at conferences rather than filing a motion.

Review of Minutes

December 19, 2018 and January 30, 2019 minutes were unanimously approved.

Appointment of New Executive Committee Members

Robert Holtzman moved to appoint two new Executive Committee Members at Large: Kevin Quarantino, who will facilitate and work on enrollment of young attorneys in ComFed, and Steven A. Hochman. The motion was unanimously approved.

Appointment of New Committee Chair

Robert Holtzman moved to appoint Orna Artal as Co-Chair of the Publications Committee and Editor of the Litigator, which motion was unanimously approved. Dan Wiig, who will become Vice-Chair of the Section on June 1, 2019 is stepping down from these positions.

Review of Taking the Lead 2019: Winning Strategies and Techniques Trial Practice CLE

Lauren Wachtler reported on this program, which took place on March 11, 2019 at the Southern District of New York. This was the third annual program wherein less experienced female attorneys conducted a “Mock Trial” with more experienced women lawyers on the opposing side. Four judges presided over the Mock Trial, two of one which were Federal and two of which were State Judges. Robert Holtzman stated that if anyone is interested in running the program next year to reach out to Laurel Kretzing, the current Section Vice-Chair and Chair for the 2019 through 2020 bar year.

Spring Meeting Update

The Section's Spring Meeting will be held May 3rd through May 5th at the Equinox in Manchester, Vermont. Chief Judge Colleen McMahon of the Southern District will be the honoree. Panels are set and scheduled, and will include a commercial arbitration panel; a Women's Initiative program on working with men to advance women in the profession, which will focus on the business aspect of litigation; a trial techniques program; and social media update CLE. If any member has ideas for vendor sponsors, please reach out to Laurel Kretzing.

Smooth Moved Program Update

Carla Miller reported on this upcoming program on May 23, 2019 from 5-8pm at Lincoln Center. The George Bundy Smith Pioneer Award honorees will be Preet Bharara and Joon Kim. The CLE program will deal with increasing diversity in the alternative dispute resolution sector. A letter was sent to firms and other NYSBA Sections to encourage sponsorship. If any firm wishes to be a sponsor, please reach out to Carla Miller.

Other Business

Upcoming program were discussed:

Ethics and civility program will be held across five venues on April 9th and April 12th.

On April 30, 2019 there will be a program at 60 Centre Street entitled "The Electronic Courtroom comes to 60 Centre Street: Using Integrated Courtroom Technology in the Commercial Division."

Bench Bar Forums scheduled throughout May and June. The NYC Bench/Bar Forum will be scheduled for the end of May/beginning of June.

Meeting Adjourned at 7:18.