

# NEW YORK STATE BAR ASSOCIATION



# NYSBA

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Law Offices of Eric Franz  
New York City

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**Erica M. Hines, Esq.**

Heslin Rothenberg Farley & Mesiti  
Albany

## Young Lawyers Section Trial Academy

Cornell Law School Ithaca, New York  
April 5 - April 9, 2017

[www.nysba.org/yltrialacademy](http://www.nysba.org/yltrialacademy)

*Special Thank You to the Texas Young Lawyers Association for their assistance.*



# IMPORTANT INFORMATION

The New York State Bar Association Trial Academy is a five-day trial techniques program that will teach, advance and improve the courtroom skills of young and new lawyers with an emphasis on direct participation.

## HOW IT WORKS

The program will take place at Cornell Law School. The materials for the program will include both a criminal and civil fact pattern which will be provided to attendees before the program's start date. Each morning of the Trial Academy will feature a lecture on the following aspects of the trial process: Jury Selection, Opening Statements, Evidence, Foundations and Objections, Direct Examinations, Cross-Examinations, Trial Motions and Motions in Limine, and Closing Arguments. Each afternoon the lecture group will separate into small break-out groups. Prior to the start of the program each attendee will receive materials that will include which "problem" or "witness" they are to prepare for each day's break-out group. You will work with this group and your Team Leader throughout the entire Trial Academy. The break-out groups will allow you and your peers to put the theory of the lecture into practice with the feedback of your Team Leader and the rotating critique faculty. Your presentations will be recorded to allow for personal playback and review.

## REGISTRATION AND FEES

**NYSBA Members: \$875.00**

**Non-NYSBA Members: \$1,000.00**

The Trial Academy is limited to 60 participants. Registrations paid in full, dependent on space available, will be accepted until March 17, 2017.

The registration fee includes all materials and a memory card, continental breakfast each morning, NYSBA-sponsored luncheons each day, and the welcoming and closing cocktail receptions.

## DRESS CODE

Professional business attire is required for the program.

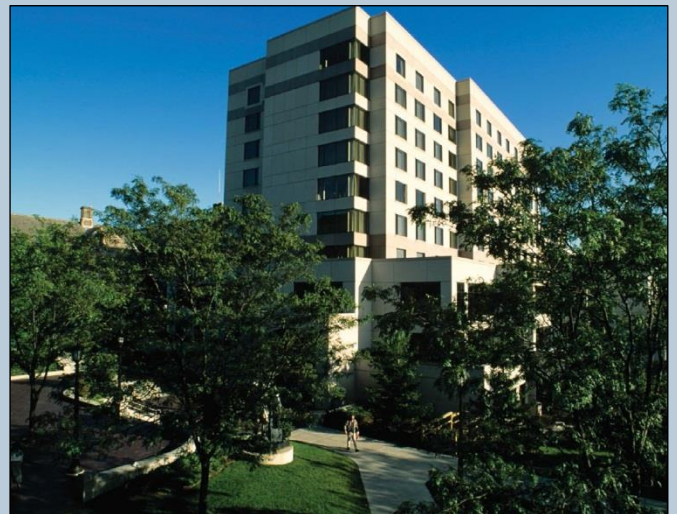
## CLE CREDIT INFORMATION

The New York State Bar Association's Meetings Department has been certified by the NYS Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York. **Under New York's MCLE rule, this program has been approved for a total of up to 37.5 MCLE credit hours, consisting of 2.0 credit hours in ETHICS and 35.5 credit hours in PRACTICAL SKILLS.** This program is transitional and therefore suitable for newly-admitted attorneys.

**Discounts and Scholarships:** Attorneys may receive financial assistance to attend this program. Under New York State Bar Association policy, attorneys who require financial assistance may apply in writing, no later than 10 working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive a discount or scholarship, depending on the circumstances. For more details, please contact: Amy Jasiewicz, New York State Bar Association, One Elk Street, Albany, New York 12207 or [ajasiewicz@nysba.org](mailto:ajasiewicz@nysba.org). Sponsoring sections of NYSBA will also be offering some scholarships to the Trial Academy.

## Accommodations for Persons with Disabilities:

NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Megan O'Toole at [motoole@nysba.org](mailto:motoole@nysba.org).



The Statler Hotel on the Cornell University campus

# SCHEDULE OF EVENTS

## Wednesday, April 5

- 7:30 a.m. **Registration and Continental Breakfast - Sponsored by a NYSBA Section**
- 8:30 a.m. – 9:15 a.m. **Welcome and Orientation** - Moot Court Room  
*Review of Materials and Case Outline*
- 9:15 a.m. – 10:30 a.m. **LECTURE: JURY SELECTION** - Moot Court Room
- Speakers:** Elizabeth Hecht, Esq. (Civil), Mead, Hecht, Conklin & Gallagher, LLP, White Plains  
Hon. Marc Seedorf (Criminal), Law Offices of Marc A. Seedorf, Bronx
- 10:30 a.m. – 10:45 a.m. **Break**
- 10:45 a.m. – 12:00 p.m. **LECTURE: OPENING STATEMENTS** - Moot Court Room
- Speakers:** Peter J. Moschetti, Jr., Esq. (Civil), Anderson, Moschetti, Taffany, Albany  
Richard C. Collins, Esq. (Criminal), Collins Gann McCloskey & Barry PLLC, Mineola
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Jury Selection and Faculty Critique**
- 5:30 p.m. – 6:30 p.m. **Welcome Cocktail Reception** - Taylor Room, Statler Hotel

## Thursday, April 6

- 8:00 a.m. **Registration and Continental Breakfast - Sponsored by a NYSBA Section**
- 8:30 a.m. – 10:10 a.m. **LECTURE: TRIAL ETHICS** - Moot Court Room
- Moderator:** Stephen P. Younger, Esq., Patterson Belknap Webb & Tyler LLC, NYC  
**Speakers:** Hon. Guy H. Mitchell (Criminal), New York City Criminal Courts, NYC  
Hon. Kimberly O'Connor (Civil), Albany County Supreme and County Courts
- 10:10 a.m. – 10:20 a.m. **Break**
- 10:20 a.m. – 12:00 p.m. **LECTURE: DIRECT EXAMINATIONS** - Moot Court Room
- Speakers:** Jonathan D. Lupkin, Esq. (Civil), Lupkin & Associates PLLC, NYC  
Carrie H. Cohen, Esq. (Criminal) Morrison & Foerster LLP, NYC
- 12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**
- 1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Opening Statements and Faculty Critique**

# SCHEDULE OF EVENTS

## Friday, April 7

8:00 a.m. **Registration and Continental Breakfast**

8:30 a.m. – 10:10 a.m. **LECTURE: CROSS-EXAMINATIONS PART 1** - Moot Court Room

*Speakers:* **Vincent E. Doyle, III, Esq. (Civil)** Connors LLP, Buffalo  
**Sherry Levin Wallach, Esq. (Criminal)**, Cross River

10:10 a.m. – 10:20 a.m. **Break**

10:20 a.m. – 12:00 p.m. **LECTURE: CROSS-EXAMINATION PART 2** - Moot Court Room

*Speakers:* **Timothy J. Fennell, Esq. (Civil)** Amdursky, Pelky, Fennell and Wallen, PC, Oswego  
**Peter Gerstenzang, Esq. (Criminal)** Gerstenzang, Sills & Gerstenzang, Albany

12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**

1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Direct Examinations and Faculty Critique**

## Saturday, April 8

8:00 a.m. **Registration and Continental Breakfast**

8:30 a.m. – 9:20 a.m. **LECTURE: EVIDENCE, FOUNDATIONS & OBJECTIONS** - Moot Court Room

*Speakers:* **Laurie Giordano-Vahey, Esq. (Civil)** Leclair Korona Giordano Cole LLP, Rochester  
**Nick DeMartino, Esq. (Criminal)** Green & Brenneck, Syracuse

9:20 a.m. – 10:10 a.m. **LECTURE: TRIAL MOTIONS & MOTIONS IN LIMINE** - Moot Court Room

*Speakers:* **Michael P. O'Brien, Esq. (Civil)** O'Brien Law Firm PLLC, NYC  
**Xavier R. Donaldson, Esq. (Criminal)** Donaldson & Chilliast LLP, NYC

10:10 a.m. – 10:20 a.m. **Break**

10:20 a.m. – 12:00 **LECTURE: CLOSING ARGUMENTS**  
**Michael L. Fox, Esq. (Civil)** Adjunct Professor Mount Saint Mary College, Huguenot  
**Peter Gerstenzang, Esq. (Criminal)** Gerstenzang, Sills & Gerstenzang, Albany

12:00 p.m. – 1:00 p.m. **NYSBA Section Sponsored Luncheon**

1:00 p.m. – 4:45 p.m. **BREAKOUT GROUPS - Individual Presentations on Cross-Examinations and Faculty Critique**

5:00 p.m. – 6:30 p.m. **CLOSING COCKTAIL RECEPTION**

## Sunday, April 9

8:00 a.m. **Registration and Continental Breakfast**

8:15 a.m. – 12:00 p.m. **BREAKOUT GROUPS - Individual Presentations on Closing Arguments and Faculty Critique**

12:00 p.m. **Young Lawyers Section Boxed lunches to go**



# 2016 FACULTY

**Many of these distinguished faculty members  
will return for the 2017 Trial Academy.**

The Trial Academy provides a unique and valuable opportunity for you to learn from and make connections with NYSBA leadership and leading litigators, advocates and judges from every region of New York.

## TEAM LEADERS

Anthony Colleluori  
*Raiser & Kenniff*

Xavier R. Donaldson  
*Donaldson & Chilliast LLS*

Michael L. Fox  
*Adjunct Professor, Mt. Saint Mary College*

Thomas J. O'Hern  
*Office of Thomas J. O'Hern, Esq.*

Sherry Levin Wallach  
*Wallach & Rendo LLP*

## LECTURE SPEAKERS

T. Andrew Brown  
*Brown & Hutchinson*

Richard D. Collins  
*Collins Gann McCloskey & Barry PLLC*

Nicholas J. DeMartino  
*Attorney General's Office*

Xavier R. Donaldson  
*Donaldson & Chilliast LLS*

Vincent E. Doyle III  
*Past President, NYSBA  
Connors & Vilardo, LLP*

Timothy J. Fennell  
*Amdursky, Pelky, Fennell and Wallen, PC*

Michael L. Fox  
*Adjunct Professor, Mt. Saint Mary College*

Peter Gerstenzang  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Elizabeth Hecht  
*Mead, Hecht, Conklin & Gallagher, LLP,  
White Plains*

Hon. Deborah H. Karalunas  
*Onondaga County Supreme Court*

Michael P. O'Brien  
*O'Brien & Jacobs, PLLC*

Hon. Jenny Rivera  
*New York State Court of Appeals*

Hon. Marc Seedorf  
*Seedorf & Scheld*

Hon. George J. Silver  
*New York State Supreme Court*

Sherry Levin Wallach  
*Wallach & Rendo LLP*

## CRITIQUE FACULTY

James R. Barnes  
*Burke & Casserly, P.C.*

Ronald J. Bekoff  
*Hession, Bekoff & Cooper, LLP*

Sally G. Blinks  
*Venable LLP*

T. Andrew Brown  
*Brown & Hutchinson*

Jennifer Buckley  
*Saratoga County District Attorney's Office*

Hon. Jerald S. Carter  
*Nassau County Court*

Thomas J. Charron  
*Superior Court of Cobb County*

Catherine A. Christian  
*New York County District Attorney's Office*

Mary Clark-Dirusso  
*Assistant District Attorney, Westchester  
County District*

Carrie H. Cohen  
*U.S. Attorney's Office SDNY*

Richard D. Collins  
*Collins, McDonald & Gann, P.C.*

James Davis  
*Saratoga County District Attorney's Office*

Nicholas J. DeMartino  
*Attorney General's Office*

Vincent E. Doyle III  
*Connors & Vilardo, LLP*

Hon. Paul Feinman  
*NYS Appellate Division, First Department*

Timothy J. Fennell  
*Amdursky, Pelky, Fennell and Wallen, PC*

Michael L. Fox  
*Adjunct Professor, Mt. Saint Mary College*

Marc Gann  
*Collins Gann McCloskey & Barry PLLC*

Karen Gerstenzang  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Peter Gerstenzang  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Sarah E. Gold  
*Gold Law Firm*

Hon. John S. Hall, Jr.  
*Warren County Surrogate's Court*

Anthony J. Harwood  
*Anthony J. Harwood Law Firm*

Scott M. Karson  
*Lamb & Barnosky LLP*

Matthew J. Kelly  
*Roemer Wallens Gold & Mineaux LLP*

Kevin Kuehner  
*The Kuehner Law Firm, PLLC*

Jonathan D. Lupkin  
*Lupkin & Associates PLLC*

Hon. Robert A. McDonald  
*Nassau County Court*

Hon. Edward R. Mevec  
*NYS Department of Corrections and Community  
Supervision*

David P. Miranda  
*Heslin Rothenberg Farley & Mesiti PC*

Hon. Guy H. Mitchell  
*NYC Criminal Court, Manhattan*

Mark J. Moretti  
*Phillips Lytle LLP*

Philip W. Mueller  
*District Attorney's Office, Judicial Building*

Michael O'Brien  
*Michael O'Brien, Attorney At Law*

Mary Beth Ott Attorney  
at Law

Gene Primomo  
*Assistant Federal Defender  
Northern District of New York*

Danielle Neroni Reilly  
*Law Offices of Danielle Neroni*

Andrea Carapella Rendo  
*Wallach & Rendo, LLP*

Hon. Jenny Rivera  
*New York State Court of Appeals*

Lisa R. Schoenfeld  
*Schlissel Ostrow Karabatos PLLC*

David M. Schrauer  
*Nixon Peabody LLP*

Hon. Marc Seedorf  
*Seedorf & Scheld*

Jessica Segal  
*Dutchess County District Attorney*

Eric H. Sills  
*Gerstenzang, Sills, Davis, Cohn & Gerstenzang*

Hon. George J. Silver  
*New York State Supreme Court*

Tucker C. Stancliff  
*Stancliff Ludemann & McMorris, P.C.*

Thomas P. Valet  
*Rheingold, Valet, Rheingold, McCartney &  
Giuffra, PC*

# TRAVEL INFORMATION

Cornell Law School is located in central New York on the Ithaca campus of Cornell University. The campus can be reached by car, air, or train.

## By Car

**From Points North (Including Syracuse and Watertown)** – Syracuse, NY is approximately 60 miles north of Cornell University with an *estimated driving time of 1 hour and 30 minutes*.

**From Points East (Including Albany and Boston)** – Albany, NY is approximately 160 miles east of Cornell University with an *estimated driving time of 2 hours and 30 minutes*.

**From Points South (Including New York City)** – New York City is approximately 220 miles southeast of Cornell University with an *estimated driving time of 5 hours*.

**From Points West (Including Buffalo and Rochester)** – Buffalo, NY is approximately 150 miles west of Cornell University with an *estimated driving time of 3 hours*.

## By Air

**The Ithaca Tompkins Regional Airport** is located on Brown Road in Ithaca, NY, a 10-minute drive from the Cornell University campus. The area is serviced by US Airways and Northwest Airlines.

**Syracuse Hancock International Airport** in Syracuse, NY, is approximately 60 miles north of Cornell University with an *estimated driving time of 1 hour and 30 minutes*.

**Greater Rochester International Airport** in Rochester, NY, is approximately 100 miles northwest of Cornell University with an *estimated driving time of 2 hours*.

**Greater Binghamton Airport** in Binghamton, NY, is approximately 40 miles south of Cornell University with an *estimated driving time of 1 hour and 15 minutes*.

**Elmira-Corning Regional Airport** in Horseheads, NY, is approximately 37 miles south of Cornell University with an *estimated driving time of 1 hour*.

## By Train

**Syracuse Amtrak Station** in Syracuse, NY is located approximately 80 minutes from Ithaca. Syracuse is connected to the Empire (N.Y.C.-Niagara Falls), Lake Shore Limited (Chicago-Boston), and Maple Leaf (N.Y.C.-Toronto) routes.

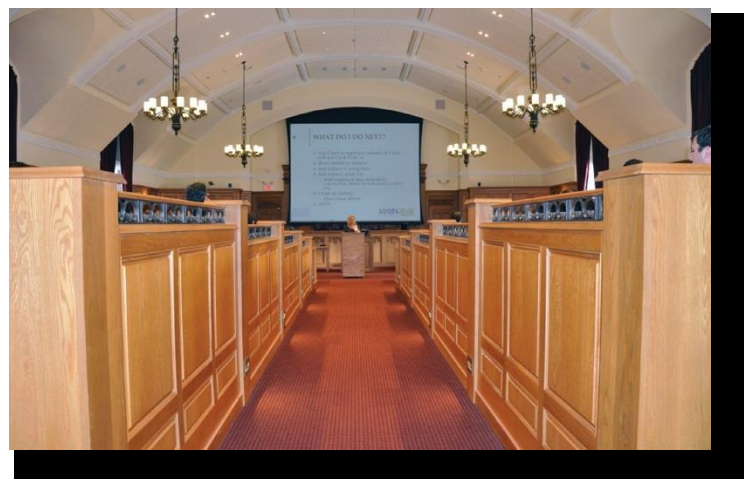
## Parking Information

On-campus parking except in metered areas, is by permit only. A limited amount of non-permit parking is available after 5 p.m., including the Hoy Road parking garage and the north campus A lot. Short-term parking permits are available for \$10 per day from any information and parking booth, *Monday–Friday, 7:30 a.m.–5:00 p.m.*

## Hotel Information

Hotel accommodations are **not** included in the registration fee. A limited number of rooms may be available at the Statler Hotel on the Cornell University campus. To make a hotel reservation at the Statler, call the Statler Hotel Reservations Department at **1-800-541-2501** and indicate you are with the **New York State Bar Association** group.

For alternate hotel accommodations please visit [www.campustravel.com/university/cornell](http://www.campustravel.com/university/cornell) for local recommendations.



**MEETING REGISTRATION FORM**

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

E-mail Address \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_

**FEES**☐ **NYSBA Members:** **\$875.00**☐ **NON-NYSBA Members:** **\$1000.00**

The registration fee includes all materials including books, writing journals and memory cards, continental breakfast each morning, NYSBA-sponsored luncheons each day, and the welcoming and closing cocktail receptions.

**PAYMENT INFORMATION**

Check or money order enclosed in the amount of \$ \_\_\_\_\_  
(Make checks payable to New York State Bar Association.)

☐ Charge \$ \_\_\_\_\_ to ☐ American Express ☐ Discover☐ MasterCard ☐ Visa Expiration \_\_\_\_\_

Card Number \_\_\_\_\_

Authorized Signature \_\_\_\_\_

**CLE Credit Information**

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**TRIAL ACADEMY**

*Presented by the Young  
Lawyers Section*

April 5 - April 9, 2017

Cornell Law School

Ithaca, New York

☐ **DIETARY NEEDS** \_\_\_\_\_**Hotel Reservations:**

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**Cancellation Notice:**

Notice of cancellation must be received by **March 17, 2017** in order to obtain a refund for full registration fees.

**Email or mail this form with registration fee(s) to:**

Megan O'Toole  
New York State Bar Association  
One Elk Street  
Albany, New York 12207  
Phone: 518.487.5743  
motoole@nysba.org





NEW YORK STATE BAR ASSOCIATION  
**SECTION SERVICES DEPARTMENT**  
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