

**NEW YORK STATE BAR ASSOCIATION  
MINUTES OF EXECUTIVE COMMITTEE  
CONFERENCE CALL MEETING  
MARCH 7, 2013**

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**Members Participating:** Doyle, Finerty, Gaffney, Gerstman, Gorgos, Gutekunst, Gutierrez, James, Lau-  
Kee, Millon, Miranda, Myers, Romero, Safer, Schraver, Slezak, and Wallach.

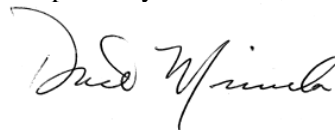
Guest: Evan Goldberg.

Mr. James presided as President of the Association.

1. Consideration of request for *amicus curiae* participation in *Auqui v. Seven Thirty One Limited Partnership*. Evan A. Goldberg, a NYSBA member and an officer of the New York State Trial Lawyers Association (NYSTLA), outlined NYSTLA's request that NYSBA consider joining NYSTLA in a motion to reargue this case, decided by the New York State Court of Appeals. Mr. Goldberg outlined the court's decision, which gave collateral estoppel effect to the Workers' Compensation Board's determination of length of disability in a third-party personal injury action. After discussion, a motion was adopted to approve filing a separate motion to reargue on behalf of NYSBA. Mr. Romero was asked to work with Mr. Goldberg and the NYSBA Trial Lawyers Section to identify a member to prepare the papers. Ms. Gerstman, Mr. Myers and Mr. Doyle were appointed to serve as a subcommittee to review the filing.

There being no further business to come before the Executive Committee, the meeting was adjourned.

Respectfully submitted,



David P. Miranda  
Secretary