



NEW YORK STATE BAR ASSOCIATION
TRIAL LAWYERS SECTION



Summer Meeting 2018

MYSTIC, CT

August 2–5, 2018

Hyatt Place Mystic
224 Greenmanville Avenue

www.nysba.org/TRIASU18

Trial Lawyers Section Chair

Violet E. Samuels, Esq., Samuels & Associates, PC, Rosedale

Program Chair

Peter C. Kopff, Esq. , Peter C. Kopff, LLC, Garden City

6.0 MCLE CREDITS: 1.0 Ethics; 3.0 Skills; 2.0 Areas of Professional Practice

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

IMPORTANT INFORMATION

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

Discounts and Scholarships

New York State Bar Association members and non-members may receive financial aid to attend this program. Under this policy, anyone who required financial aid may apply in writing, not later than ten working days prior to the start of the program, explaining the basis of the hardship, and if approved, can receive a discount of scholarship, depending on the circumstances. For more details, please contact: Catheryn Teeter at cteeter@nysba.org

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 Catheryn Teeter at least 10 working days prior to the meeting start date at 518-487-5573 or cteeter@nysba.org

HOTEL INFORMATION/RESERVATIONS:

Hyatt Place Mystic

224 Greenmanville Avenue, Mystic, CT

Phone: 860-536-9997

Book Your Lodging via the Hotel Reservation Link at:

www.nysba.org/TRIASU18

Hotel Rates: \$184 Single/Double plus local & state taxes. Triple or Quad occupancy, extra \$10 per person per night. Rates include continental buffet breakfast, in room wi-fi, use of 24 hour fitness center and outdoor heated pool. Complimentary shuttle service within 5 miles of hotel.

DIRECTIONS:

From New York: Follow I-95 North take exit 90, take a right off the exit onto Route 27 (Route 27 turns into Greenmanville Avenue); hotel is a quarter-mile on left hand side just past the Shell Gas Station.

From Route 1: Turn onto Route 27 past Mystic Seaport. Hotel is a half-mile on the right hand side before Shell Gas Station.

Amtrak: Located at 2 Roosevelt Avenue, U.S. Route 1, Mystic. Several trains stop in Mystic daily from Boston and New York. Amtrak stops more frequently in New London which is 15 minutes from Mystic by cab. For departure times call Amtrak direct at 800-872-7245. The hotel offers complimentary shuttle service to/from the **Mystic station** on request.

Settled in 1654, Mystic was once a shipbuilding seaport village and a safe harbor for tall ships to weather a storm. Today, the shoreline community with iconic Bascule Bridge is reminiscent of its rich maritime past, but clad with quintessential New England charm. Old sea captain's homes dot the scenic roads along the Mystic River just outside of Downtown's booming food and drink scene.

Quaint and colorful mom and pop shops and eateries line Main Street. Diverse attractions are scattered over Mystic's 4 square miles. Mystic Seaport, Mystic Aquarium, Denison Homestead, Mystic Museum of Art and Olde Mistick Village attract numerous visitors during the milder months. The Seaport Museum is home to several ships designated National Historic Landmarks including the Charles W. Morgan, the Emma C. Berry, the schooner L.A. Dunton and the Steamship Sabino.

There are a plethora of beautiful sights and preserved land to see...Denison Pequotsepos Nature Center, Coogan Farm, Avalonia Preserves, and beautiful town trails make Mystic extraordinarily hike and bike-able. Are you feeling lucky? Mystic is 20 minutes from Foxwoods Casino and Mohegan Sun two of the largest Casinos in the nation. Rhode Island is a mere 15 minute drive from the heart of downtown.

SCHEDULE OF EVENTS

Thursday, August 2

3:00 – 5:00 p.m.

Executive Committee Meeting – Meeting Place 1 & 2

6:00 – 7:30 p.m.

Welcome Cocktail Reception – Meeting Place 1 & 2

7:30 p.m.

Dinner on Your Own

Friday, August 3

7:00 – 9:00 a.m.

Breakfast for Hotel Guests at the Hotel Cafe
(Included in Room Rate for those booking accommodations in our Room Block)

7:30 – 8:30 a.m.

Executive Committee Meeting – Meeting Place 1 & 2
Breakfast will not be served

8:00 a.m. – 12:00 p.m.

Registration – Foyer

9:00 a.m. – 12:00 p.m.

General Session – Meeting Place 1 & 2

9:00 – 9:15 a.m.

NYSBA Welcome	Trial Lawyers Section Welcome
Sherry Levin Wallach, Esq.	Violet E. Samuels, Esq.
NYSBA Secretary	Section Chair

9:15 – 10:05 a.m.

**How to be a “Super Lawyer”:
Success at Trial – Suggestions on Techniques and Handling Challenges**
Our “Blue Ribbon” panel of experts will discuss preparation and use of visual aids and records, using expert witness responses to advance Article 16 defenses, direct and cross examination of plaintiffs and experts (including difficult witnesses), working with a hostile judge, jury selection and summation.

Panelists:

Alfred P. Vigorito, Esq., Vigorito, Barker, Porter & Patterson, LLP, Valhalla
J. K. Hage, III, Esq., Hage & Hage LLC, Utica
W. Russell Corker, Esq., Law Offices of W. Russell Corker, PC, Huntington
John L.A. Lyddane, Esq., Dorf & Nelson LLP, Rye
Alicia Ouellette, Esq., President and Dean, Albany Law School, Albany

10:05 – 10:15 a.m.

Refreshment Break

10:15 – 11:55 a.m.

Panel Presentation Continues

1:00 – 5:15 p.m.

Golf at Lake of Isles, 1 Clubhouse Road, North Stonington
Since opening in 2005, Lake of Isles has consistently been ranked as one of the top golf facilities in the country. The Rees Jones designed layout gives guests the ultimate golf experience. **\$205 per person.** Fees include: greens fees, golf cart and box lunch.
Preregistration required. Course directions will be provided. Meet in lobby to car pool to course.

12:25 – 5:15 p.m.

Optional Activity: Mystic Seaport Museum, 75 Greenmanville Avenue
Tickets: \$24 per person. **Preregistration required.**

6:30 – 10:00 p.m.

**Cocktail Reception & Lobster Bake at
Mystic Yachting Center**, 100 Essex Street
Join us at the Yachting Center located at the Mystic Shipyard with panoramic views of the river from it's lovely wrap-around porch. We will be regaled with tales of the sea and songs from chanteyman and banjo picker, **Don Sineti**. Don served as a consultant for the 20th Century Fox movie, “Master And Commander, The Far Side of The World”. Meet in lobby for bus – it will make two trips to the Yachting Center at 6:15 pm sharp and 6:25 pm. **Preregistration required.**



SCHEDULE OF EVENTS

Saturday, August 4

- 7:00 – 9:00 a.m. **Breakfast** for Hotel Guests at the Hotel Cafe
(Included in Room Rate for those booking accommodations in our Room Block)
- 8:30 a.m. – 12:00 p.m. **Registration** – Foyer
- 9:00 a.m. – 12:00 p.m. **General Session – Meeting Place 1 & 2**
- 9:00 – 9:10 a.m. Program Introduction
Peter C. Kopff, Esq., Program Chair
- 9:10 – 10:00 a.m. **2018 ETHICS UPDATE**
- Speaker: **Patrick Connors**, Albert and Angela Farone Distinguished Professor in New York Civil Practice, Albany Law School, Albany
- 10:00 – 10:15 a.m. Refreshment Break
- 10:15 – 11:05 a.m. **2018 CPLR Update**
- Speaker: **Patrick Connors**, Albert and Angela Farone Distinguished Professor in New York Civil Practice, Albany Law School, Albany
- 11:05 – 11:55 a.m. **Social Media Discovery**
Screening of clients, adverse parties, evidentiary issues and recent case law including *Forman v Henkin* 30 NY3D 656 (2018)
- Speaker: **Robert Gibson, Esq.**, Heidell, Pittoni, Murphy & Bach, LLC, White Plains
- 1:00 – 5:00 p.m. **Golf at Pequot Golf Course**, 127 Wheeler Road, Stonington
\$55 per person. Fees include greens fees, golf cart and box lunch. **Preregistration required.** Course directions will be provided. Meet in lobby at 12:20 p.m. to car pool to course.
- 3:30 – 5:00 p.m. **Optional Activity: Group Cruise on The Steamboat Sabino**, Mystic Seaport
The steamboat *Sabino* is the oldest wooden, coal-fired steamboat in regular operation in the U.S. Built in 1908 in East Boothbay, Maine, she spent most of her career ferrying passengers and cargo between Maine towns and islands. Still powered by the two-cylinder Paine compound steam engine installed in 1908, The *Sabino* was purchased by Mystic Seaport in 1974 to serve as a working exhibit. She was designated a National Historic Landmark in 1992. She recently received *extensive* restoration before returning to service in August 2017. **Preregistration required. Tickets: \$18 per person.**
- 6:30 p.m. – 10:00 p.m. **Cocktail Reception & Dinner at Mystic Museum of Art**, 9 Water Street, Mystic
Two shuttle runs from the hotel: 6:15 p.m. and 6:30 p.m. Meet in Lobby.

Sunday, August 5

- 7:00 – 10:00 a.m. Breakfast for Hotel Guests at the Hotel Cafe
(Included in Room Rate for those booking accommodations in our Room Block)
- Checkout



DINING

Oyster Club

13 Water St., 860-415-9266, www.oysterclubct.com

Daily changing menu, sourced almost exclusively from local farmers, fisherman and artisans, Oyster Club believes that "our food has a story." This waterfront spot overlooking the Marina is no stranger to top-rated lists. Voted one of *Travel + Leisure's Best Oyster Bars in America in 2014*. Lunch: Friday & Saturday, 12pm – 3pm; Dinner: Friday & Saturday 5pm – 10pm; Sunday – Thursday: 5pm – 9pm and Saturday & Sunday Brunch.

Bravo Bravo

20 East Main Street, 860-536-3226, www.bravobravoct.com

Seafood with an Italian twist is this four-star restaurant's claim to fame. Zagat-rated with views of life on Main Street entertaining guests for lunch and dinner, you can find this local Mystic favorite inside historic downtown's The Whaler Inn.

Kitchen Little at Mystic River Marina

36 Quarry Road, 860-536-2122, www.kitchenlittle.org

Enjoy bistro style indoor dining and panoramic view of the Mystic River on the outdoor patio deck. Plenty of seafood in well-priced menu items like clam chowder and fresh lump crab omelets. Iconic and beloved, some consider it an institution, not a restaurant. Serving breakfast and lunch Monday – Friday; breakfast only Saturday and Sunday to 1 pm.

Captain Daniel Packer Inne Restaurant & Pub

32 Water St., 860-536-3555

Over 250 years old, dubbed DPI by locals, equally as revered as the restaurant, itself, is the downstairs pub with its own menu. History is paired with classic seafood dishes as diners are swept back in time at this fabled Mystic Seaport restaurant. Daily Lunch 11am - 4pm; Dinner 5 pm – 10 pm

Franks Gourmet Grille

6 Whitehall Ave., 860-415-4666, <http://franksgourmetmystic.com>

Italian, American & seafood. Experts Choice Best New Restaurant by *Connecticut Magazine* for 2015. Open Sunday, Tuesday – Thursday 11:30 am – 9:00 pm and Friday and Saturday 11:30 am – 10:00 pm

Latitude 41 Restaurant & Tavern

105 Greenmanville Ave., 860-572-5303, www.coastalgourmetct.com/latitude41

Located on the shores of the Mystic River, our welcoming ambiance captures a fresh essence of the maritime experience. Dine in the main dining room, enjoy casual fare in the tavern, or dine al fresco. Serving new American cuisine, using the highest quality local ingredients. Thursday 11:30 am-9 pm Friday & Saturday 11:30 am-10 pm; Sunday 11 am-9 pm. The Shipyard Tavern Happy Hour Fridays 4 to 6 PM

S & P Oyster Company

1 Holmes St., 860-536-2674, www.sp-oyster.com

Traditional New England Seafood with a South American Flair. Call ahead for priority seating. Sunday – Thursday: 11:30 am – 9:30 pm; Friday – Saturday: 11:30 am – 10:30 pm

Mystic Pizza

56 West Main St., 860-536-3700, www.mysticpizza.com

You saw the movie, now visit! Italian to eat-in or to-go. Open daily 10:00am – 11:00 pm.



ACTIVITIES

Mystic Aquarium

55 Coogan Blvd., 860.572.5955; www.mysticaquarium.org

Get closer to an incredible variety of marine life than you ever thought possible at the Mystic Aquarium! See New England's only beluga whale exhibit, a full one acre habitat viewed through 20 ft. long underwater windows. The African penguins, seals and sea lions are awaiting your arrival as well. Other things to see include numerous tanks with a variety of species, a unique Jellyfish exhibit, "Return to the Titanic", Deep Sea 3D theater ride, and much more!

Mystic Seaport Museum

75 Greenmanville Avenue, 888-973-2767; www.mysticseaport.org

The largest maritime museum (40 acres) in New England, the Mystic Seaport Museum attracts more than 400,000 visitors each year. Home to the Charles W. Morgan, the oldest surviving wooden sailing whale ship, and over 60 original historical buildings. Visit the historical maritime museum that brings you back to life on the coast in the 19th century. Venture aboard historic ships, take a walk down a re-created 19th century village, and watch vessel restoration in action at the preservation shipyard.

Downtown Mystic

Explore everything historic Downtown Mystic has to offer. Browse a unique selection of clothing, books, home decor & more at 80 independently-owned shops. Experience the diverse culinary landscape of the area's best restaurants. Go kayaking along the Mystic River or catch a free summer concert at Mystic River Park. Eat, stay, shop & play!

Mystic Museum of Art

9 Water Street, 860-536-7601; www.mysticmuseumofart.org

Mystic Museum of Art is a 100+ year establishment serving as an arts and culture center for SE CT. It is host to many events throughout the year and an extensive educational program for youth and adults. MMoA is located in a great spot on the west bank of the Mystic River.

Schooner Argia Mystic Cruises

12 Steamboat Wharf, 860.536.0416; www.argiamystic.com

Departing from Steamboat Wharf in downtown Mystic offering four sailing trips per day. 2 hour cruises. Guests will enjoy excellent views of islands, lighthouses, and nature while sailing in completely protected waters. The captain and crew will provide you with snacks and fun info about the area. You are welcome to bring a picnic basket, beer, or wine with you. Don't miss a chance to sail aboard the lovely ARGIA, an icon of the Mystic area for decades.

Denison Pequotsepos Nature Center

109 Pequotsepos Road, 860-536- 1216; <https://dpnc.org>

Experience nature first hand, whether it be on the more than 10 miles of trails on land owned by the Denison Homestead and Avalonia Nature Conservancy, in the Natural History museum, Nature store or as part of the Center's many programs.







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