

Commercial Litigation Academy 2019

Earn 16.0 MCLE Credits at this Bridging the Gap program

Thursday & Friday, November 14-15, 2019

9:00 a.m. – 5:00 p.m.

Dentons US LLP
1221 6th Avenue
New York, NY 10020

NYSBACLE

Live Program & Webcast



INCLUDES
3.0 ethics credits



www.nysba.orgCommercialLitigation2019

Program Description

This two-day Academy program brings together an outstanding panel of distinguished and well-known commercial litigators, current and former in-house counsel and judges who will provide you with valuable insights on federal and state commercial litigation – from choosing the proper venue through the appellate process. There will be a focus on litigating commercial cases efficiently. You will receive training and enhance your skills in all aspects of commercial litigation, from drafting the pleadings and seeking injunctive relief, alternative dispute resolution options, disclosure and discovery (including expert discovery and e-Discovery), and finally to the trial and the appeal. The expert faculty will also discuss key ethical and evidentiary issues confronted by the commercial litigator. **Don't miss this opportunity to learn from our top-notch faculty and network with your peers at this comprehensive two-day program! Fulfills the newly admitted requirement.**

Program Chair

Kevin J. Smith, Esq., Sheppard, Mullin, Richter & Hampton LLP, New York, NY

Section Chair

Laurel R. Kretzing, Esq., Chief of the Litigation and Appeals Bureau in the Office of the Nassau County Attorney, Mineola, NY

Pricing

NYSBA Member: \$495 (both days) \$295 (one day)

Non-Member: \$695 (both days) \$395 (one day)

Newly-Admitted Attorney Member: \$395 (both days)

Commercial and Federal Litigation Section Member: \$395 (both days)

Young Lawyers Section Member: \$395 (both days)

Attendees are also invited to attend the Commercial & Federal Litigation Section's Hon. Shira A. Scheindlin Award for Excellence in the Courtroom the evening prior to the Commercial Litigation Academy on Wednesday, November 13, 2019 from 6:00 p.m. - 9:00 p.m. at the U.S. District Court Southern District of New York Daniel Patrick Moynihan United States Courthouse in NYC. The program will conclude with a cocktail reception and networking.

Learn More | www.nysba.org/ShiraSheindlin2019.

Register Online | www.nysba.org/CommercialLitigation2019

16.0 MCLE Credits

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

New York: 16.0 Total Credits: 7.0 Areas of Professional Practice, 6.0 Skills, 3.0 Ethics

California and Pennsylvania: 10.5 Substantive Law, 2.5 Ethics

New Jersey: 16.0 Total Credits: 3.0 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

Program Agenda

Day One: Thursday, November 14, 2019

- 9:00 a.m. – 9:10 a.m.** **Welcome and Introductions**
Kevin J. Smith, Esq.
Sheppard, Mullin, Richter & Hampton LLP, New York, NY
Laurel R. Kretzing, Esq.
Office of the Nassau County Attorney, Mineola, NY
- 9:10 a.m. – 10:50 a.m.** **Venue Decisions: State Court vs. Federal Court vs. Arbitration**
(2.0 MCLE Credits in Areas of Professional Practice)
Panelists:
Louis M. Solomon, Esq. | Reed Smith LLP
Bradley I. Ruskin, Esq. | Proskauer Rose LLP
Marshall H. Fishman, Esq. | Goodwin Procter LLP
Benjamin R. Nagin, Esq. | Sidley Austin LLP
- 10:50 a.m. – 11:00 a.m.** **Refreshment Break**
- 11:00 a.m. – 12:40 p.m.** **Pleadings in State Court, Federal Court, and Arbitration**
(2.0 MCLE Credits in Areas of Professional Practice)
Panelists:
Robert M. Abrahams, Esq. | Schulte Roth & Zabel LLP
Hon. Helen E. Freedman (Ret.) | JAMS
Theodore K. Cheng, Esq. | ADR Office of Theo Cheng LLC
Rena Andoh, Esq. | Sheppard, Mullin, Richter & Hampton LLP
- 12:40 p.m. – 1:30 p.m.** **Lunch (on your own)**
- 1:30 p.m. – 3:10 p.m.** **Injunctive Relief: Temporary Restraining Orders, Preliminary and Permanent Injunctions and Orders to Show Cause**
(1.0 MCLE Credits in Areas of Professional Practice, 1.0 MCLE Credit in Ethics)
Panelists:
Mark C. Zauderer, Esq. | Ganfer Shore Leeds & Zauderer LLP
Hon. Barbara R. Kapnick | New York State Supreme Court, Appellate Division, First Department
Hon. Andrew Borrok | New York State Supreme Court, Commercial Division, County of New York
Hon. O. Peter Sherwood | New York State Supreme Court, Commercial Division, County of New York
Michael B. Carlinsky, Esq. | Quinn Emanuel Urquhart & Sullivan, LLP
Kenneth E. Warner, Esq. | Warner Partners, P.C.
- 3:10 p.m. – 3:20 p.m.** **Refreshment Break**
- 3:20 p.m. – 5:00 p.m.** **Disclosure and Discovery, including E-Discovery, and Litigating Cases Efficiently**
(1.0 MCLE Credit in Skills, 1.0 MCLE Credit in Ethics)
Panelists:
Hon. Frank Maas (Ret.) | JAMS
Charles J. Moxley, Jr., Esq. | MoxleyADR LLC
Melissa Yang, Esq. | Rakower Law PLLC
Frank Nolan, Esq. | Eversheds Sutherland (US) LLP
- 5:00 p.m.** **Day One Adjournment**

Program Agenda

Day Two: Friday, November 15, 2019

- 9:00 a.m. – 9:05 a.m.** **Welcome and Introductions**
Kevin J. Smith, Esq.
Sheppard, Mullin, Richter & Hampton LLP, New York, NY
Laurel L. Kretzing, Esq.
Office of the Nassau County Attorney, Mineola, NY
- 9:05 a.m. – 10:45 a.m.** **Expert Discovery in State and Federal Court**
(1.0 MCLE Credit in Skills, 1.0 MCLE Credit in Ethics)
Panelists:
Leslie D. Corwin, Esq. | Eisner LLP
Mark S. Gottlieb, CPA/ABV/CFF, ASA, CVA, CBA, MST | Mark S. Gottlieb, CPA, PC.
James J. Beha II, Esq. | Morrison & Foerster LLP
Shawn J. Rabin, Esq. | Susman Godfrey, LLP
- 10:45 a.m. – 10:55 a.m.** **Refreshment Break**
- 10:55 a.m. – 12:35 p.m.** **Dispositive Motions including Motions to Dismiss, Judgment on the Pleadings, and Summary Judgment Motions**
(1.0 MCLE Credit in Skills, 1.0 MCLE Credit in Areas of Professional Practice)
Panelists:
Mark A. Berman, Esq. | Ganfer Shore Leeds & Zauderer LLP
Robert S. Friedman, Esq. | Sheppard, Mullin, Richter & Hampton LLP
Jared M. Gerber, Esq. | Cleary Gottlieb Steen & Hamilton LLP
Robert N. Holtzman, Esq. | Kramer Levin Naftalis & Frankel LLP
Hon. Linda S. Jamieson | New York State Supreme Court, Commercial Division, County of Westchester
- 12:35 p.m. – 1:25 p.m.** **Lunch (on your own)**
- 1:25 p.m. – 3:05 p.m.** **Trials (Including Evidence Rules in Discussion)**
(1.0 MCLE Credit in Skills, 1.0 MCLE Credit in Areas of Professional Practice)
Panelists:
Lauren E. Aguiar, Esq. | Skadden, Arps, Slate, Meagher & Flom LLP
Hon. Shirley W. Kornreich (Ret.) | JAMS
Jeffrey A. Rosenthal, Esq. | Cleary Gottlieb Steen & Hamilton LLP
David R. Marriott, Esq. | Cravath, Swaine & Moore LLP
- 3:05 p.m. – 3:15 p.m.** **Refreshment Break**
- 3:15 p.m. – 4:05 p.m.** **Civil Appeals and Argument**
(1.0 MCLE Credit in Skills)
Panelists:
Robert J. Giuffra, Jr., Esq. | Sullivan & Cromwell LLP
Suzanne O. Galbato, Esq. | Bond, Schoeneck & King, PLLC
Hon. Judith J. Gische | New York State Supreme Court, Appellate Division, First Department
Michael C. Rakower, Esq. | Rakower Law PLLC
More TBD
- 4:10 p.m. – 5:00 p.m.** **Mediation**
(1.0 MCLE Credit in Skills)
Panelists:
Paul D. Sarkozi, Esq. | Tannenbaum Helpert Syracuse & Hirschtritt LLP
Danielle C. Lesser, Esq. | Morrison Cohen LLP
Jeremy R. Feinberg | Special Referee, New York State Supreme Court, County of New York
Gregory A. Markel, Esq. | Seyfarth Shaw LLP
- 5:00 p.m.** **Day Two Adjournment**

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Information and Policies

Cancellations Are Easy: Full refunds are given with notice three days prior to the program date. Registrations cancelled less than three business days from the program date will be assessed a cancellation fee of \$25.00.

Tuition Assistance: Any New York attorney who has a genuine financial hardship may apply for tuition assistance for a CLE program. Learn more at www.nysba.org/TuitionAssistance.



Accommodations for Persons 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 Cindy O'Brien at cobrien@nysba.org.

www.nysba.org/CLEProgramPolicies



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NYSBA Law Practice Management

Whether you're a solo practitioner or a managing partner at a national law firm, you'll find law practice management resources to meet your day-to-day practice needs. Checklists, best practices, publications, and continuing legal education programs provide up-to-date information and practical tips to help you better manage your law practice.

Starting a Practice | Managing Your Practice | Protecting Your Practice | Technology and Your Practice
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www.nysba.org/LPM

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4 WAYS TO REGISTER

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Member Resource Center
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Albany, NY 12207
- Fax** 518.463.5993
Download an order form online at
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- Online** www.nysba.org/CLE
www.nysba.org/CommercialLitigation2019

Please Note

- Registrations cancelled less than three days from the program date will be assessed a \$25.00 cancellation fee.