

The New York State Bar Association
presents a continuing legal education program on

Keeping Pace: A Guide for the Up-to-Date Litigator



LIVE PRESENTATIONS

Friday, May 5, 1995
Syracuse

Friday, May 12, 1995
Rochester

Friday, May 12, 1995
New York City

Wednesday, May 24, 1995
Albany

Friday, June 2, 1995
Uniondale, L.I.

VIDEO REPLAYS

Wednesday, May 31, 1995
Buffalo

Thursday, June 15, 1995
Fishkill

Friday, June 16, 1995
Riverhead, L.I.

Wednesday, June 21, 1995
Corning

Program Description

The civil trial attorney's tools are constantly changing! Case law, strategies, and techniques evolve on an almost daily basis. This seminar will provide updates for you on recent developments in several major areas of litigation. The presentations will offer insights into the art of blending new rules and technologies with classic trial tactics. One valuable feature of this seminar is that both the plaintiff's and defendant's perspectives of each topic will be discussed.

Bound course materials, prepared especially for this seminar, will be given to registrants on the morning of the seminar.

Program Agenda

8:30-9:00 a.m.	REGISTRATION (outside of meeting room)		
9:00-9:15	WELCOME AND INTRODUCTION		
9:15-10:15	<p>WRONGFUL DEATH CASES: Trial Tactics and Controlling Case Law Special techniques needed to prove and defend death cases How to establish causation—use of autopsy and medical examiner's report —exploration of the recent Appellate Division decisions and how the decisions translate into presentation of proof at trial —an update on "Noseworthy" and challenge to proof —specific approaches to <i>voir dire</i>, opening statements and summations —a survey of limits on monetary awards</p>	<p>—seatbelt defense and accident reconstruction —use of experts to prove and defend the auto case</p>	<p>Speakers: Beth A. Brownson, Esq. (Syracuse) James E. Reid, Esq. (Syracuse) Cheryl A. Heller, Esq. (Rochester) Lucille A. Fontana, Esq. (New York City) Louise E. Dunn, Esq. (Albany) Jean Marie Hazelton, Esq. (Uniondale, L.I.) Elliott C. Winograd, Esq. (Uniondale, L.I.)</p>
	Speakers: Anthony S. Bottar, Esq. (Syracuse) Peter T. Rodgers, Esq. (Rochester) Evan E. Torgan, Esq. (New York City) Brian J. Shoot, Esq. (New York City) Thomas J. DiNovo, Esq. (Albany) Robert C. Minion, Esq. (Uniondale, L.I.)	12:45-2:00	LUNCH (on your own)
		2:00-3:15	<p>ECONOMICS GO TO TRIAL Use of economics and actual witnesses at trial Update on qualifications and proper foundation for testimony Techniques to heighten the effect of economic evidence, including present value and discount rates New cases dealing with how inflation comes into play on projections and verdicts in wrongful death and personal injury cases Preparation of economic experts and how the expert can help you prepare for trial Major economic issues for the trial attorney —taxes —CPLR 50A & 50B —collateral source hearings —pension benefits</p>
10:15-10:30	COFFEE BREAK		
10:30-11:30	<p>MUNICIPAL LIABILITY: Municipalities as Parties How to go to trial for and against the town, county, state New developments in prior written notice Jury selection consideration—the taxpayers as jurors Implications of CPLR Article 16 —how the courts have interpreted this statute and the effects on trial strategy —specific case treatment: roadway design defect and highway maintenance lawsuits</p>		<p>Speakers: James Lantier, Esq. (Syracuse) William G. Gandy, Esq. (Rochester) Emmet J. Agoglia, Esq. (New York City and Uniondale, L.I.) John K. Powers, Esq. (Albany)</p>
	Speakers: Stephen T. Helmer, Esq. (Syracuse) Sheldon W. Boyce, Jr., Esq. (Rochester) Anthony P. Gentile, Esq. (New York City) Brian J. Shoot, Esq. (New York City) Joyce C. Tarantino, Esq. (Albany) Lawrence J. Brennan, Esq. (Uniondale, L.I.)	3:15-3:30	COFFEE/SOFT DRINK BREAK
		3:30-4:30	<p>EVIDENTIARY CPLR UPDATE Exploration of recent case decisions regarding hearsay, hearsay exceptions, expert testimony, best evidence, and demonstrative evidence Recent CPLR legislator and court decisions regarding discovery practice, personal jurisdiction, and service of process</p>
11:30-12:45 p.m.	THE AUTOMOBILE CASE		<p>Speakers: John V. Bell, Esq. (Syracuse) Brian M. Zorn, Esq. (Rochester) Ben B. Rubinowitz, Esq. (New York City)</p>

**Program Faculty
Overall Planning Chairs**

Prof. MICHAEL J. HUTTER, Jr.
Albany Law School
Albany
(Upstate Chair)

ARLENE ZALAYET, Esq.
Law Offices of Arlene Zalayet
Mineola
(Downstate Chair)

Local Chairs

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Faraci, Lange Johns & Schwarz
Rochester
(Rochester Co-Chair)

JOSEPH A. REGAN, Esq.
Faraci, Lange, Johns & Schwarz
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(Rochester Co-Chair)

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Gair, Gair, Conason, Steigman
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(New York City Chair)

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Syracuse
(Syracuse Chair)

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ELLIOTT C. WINOGRAD, Esq.
Carole A. Burns & Associates
Mineola
(Uniondale, L.I. Chair)

Speakers

(in alphabetical order)

EMMET J. AGOGLIA, Esq.
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Asarch & Asarch
Lynbrook

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Michaels, Bell & Smolak
Auburn

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Syracuse

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Chamberlain, D'Amada, Oppenheimer
& Greenfield
Rochester

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Bureau of Tort and Civil Rights Litigation
Office of the County Attorney
Mineola

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Clark Gagliardi & Miller
White Plains

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Godosky & Gentile
New York City

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Attorney at Law
Southampton

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Hallenbeck, Lascell, Norris & Zorn
Rochester

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Albany Law School
Albany

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Michell & Hughes
Syracuse

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Smith, Sovik, Kendrick
& Sugnet
Syracuse

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Williston Park

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Rochester

Program Locations

IMPORTANT INFORMATION: If you plan to register at the door, or just a few days prior to the program, please call us at 1-800-582-2452 (in Albany and surrounding area, dial 463-3724) to verify the date and location of the program in case there has been a postponement, cancellation, or other change. Those who preregister well in advance of the program will automatically be notified of any such changes and will receive a complete refund up to the day prior to the program, if they cannot attend and notify us of their cancellation. Please preregister as early as possible.

Friday
May 5, 1995
Syracuse
HOLIDAY INN CARRIER CIRCLE
6501 College Drive
East Syracuse, NY 13057
(315) 437-2761

Friday
May 12, 1995
Rochester
HOLIDAY INN ROCHESTER SOUTH
Holidome & Convention Center
1111 Jefferson Road
Rochester, NY 14623
(716) 475-1510

Friday
May 12, 1995
NEW YORK MARRIOTT-EAST SIDE
525 Lexington Avenue at 49th Street
New York, NY 10017

Video Replays:

Wednesday
May 31, 1995
Buffalo
BUFFALO HILTON
120 Church Street
Buffalo, NY 14202
(716) 845-5100

Thursday
June 15, 1995
Fishkill
HOLIDAY INN FISHKILL
Hotel & Conference Center
Route 9 and Interstate 84
Fishkill, NY 12524
(914) 896-6281

Friday
RAMADA INN EAST END