



**Commercial and Federal  
Litigation Section**

**Section Chair**

**Carrie H. Cohen**

U.S. Attorney's Office for the  
Southern District of New York  
New York City

**Program Chair**

**Peter Brown**

Thelen Reid Brown  
Raysman & Steiner LLP  
New York City

# Commercial and Federal Litigation Section

## COMMERCIAL LITIGATION ISSUES FOR THE 21st CENTURY

### Spring Meeting

The Equinox  
Manchester, VT

May 2 - 4, 2008

**WITH ADDITIONAL  
PROGRAMMING ON**

**Practical Commercial  
Litigation Topics for Newly  
Admitted Lawyers**

**Offered in conjunction with the  
YOUNG LAWYERS SECTION**

**This program provides up to 6.5 MCLE credit hours. Experienced litigators** can earn up to 3.5 credits in Practice Management, 2.0 credits in Skills and 1.0 credits in Ethics. **Junior litigators** can earn up to 3.0 credits in Skills and 1.0 credits in Ethics. Only the credits in Skills and Ethics are transitional.



# SCHEDULE OF EVENTS

## Friday, May 2

3:00 p.m.

**Registration**

6:30 p.m.

**Cocktail Reception - *Rockwell Room***

7:30 p.m.

**Opening Banquet - *Rockwell Room***

**Welcoming Remarks**

**CARRIE H. COHEN**, Section Chair

**PETER BROWN**, Section Chair-Elect and Program Chair

**SHERRY LEVIN WALLACH**, Section Chair-Elect, Young Lawyers Section

**Keynote Speaker**

**PETER BOGDANOS, ESQ.**

Assistant District Attorney

Manhattan District Attorney's Office

New York City

Author "Thieves of Baghdad" -- Mr. Bogdanos relates his personal experiences as a Marine officer in Iraq where he was in charge of the investigation of the April 2003 looting of the National Museum of Iraq.

## Saturday, May 3

8:00 a.m.

**Registration**

8:45 a.m. - 12:15 p.m.

**General Session - *Rockwell ABC***

**COMMERCIAL LITIGATION ISSUES FOR THE 21st CENTURY**

8:45 a.m.

**Welcoming Remarks**

**CARRIE H. COHEN**, Section Chair

**TRACK A (For Experienced Litigators) - *Rockwell BC***

9:00 a.m. - 10:15 a.m.

***How the Courts Supervise Electronic Discovery:  
Mock Presentations in State and Federal Court***

Speakers:

**HONORABLE KARLA MOSKOWITZ**

Appellate Division

First Department

**CONSTANCE BOLAND, ESQ.**

Nixon Peabody LLP

New York City

**NEIL L. LEVINE, ESQ.**

Whiteman Osterman & Hanna LLP

Albany

**JOHN G. HORN, ESQ.**

Harter Secrest & Emery LLP

Buffalo

**STEPHEN P. YOUNGER, ESQ.**

Patterson Belknap Webb & Tyler LLP

New York City

# SCHEDULE OF EVENTS

## **Saturday, May 3 (continued)**

10:15 a.m. - 11:10 a.m. ***Social Networks, Bloggers and Internet Jurisdiction***

Speakers:

**DAVID E. McGRATH, ESQ.**

Assistant General Counsel  
New York Times Company  
New York City

**NANCY MERTZEL, ESQ.**

Thelen Reid Brown Raysman  
& Steiner LLP  
New York City

**PETER PIZZI, ESQ.**

Connell Foley LLP  
Roseland, NJ

11:10 a.m. - 11:30 a.m. **Refreshment Break**

11:30 a.m. - 12:20 p.m. ***How to Use Effective Graphics at Trial***

Speakers:

**DAVID HOFFMAN**

TrialGraphics/Kroll Ontrack  
Chicago, IL

**attorney - tbd**

### **TRACK B (For Junior Litigators) - *Rockwell A***

10:15 a.m. - 11:15 a.m. ***Conducting An Effective Deposition***

Speakers:

**PAUL D. SARKOZI, ESQ.**

Hogan & Hartson LLP  
New York City

**LISA A. COPPOLA, ESQ.**

Rupp Baase Pfalzgraf Cunningham  
& Coppola, LLC  
Buffalo

11:15 a.m. - 11:30 a.m. **Refreshment Break**

11:30 a.m. - 12:20 p.m. ***Arguing Your First Motion in the Commercial Division***

Speakers:

**HONORABLE STEPHEN G. CRANE**

Associate Justice, Appellate Division  
Second Department (retired)  
JAMS  
New York City

**RICHARD A. WILLIAMSON, ESQ.**

Flemming Zulack Williamson & Zauderer LLP  
New York City

**CAROL E. HECKMAN, ESQ.**

Harter Secrest & Emery LLP  
Buffalo

12:20 p.m. - 1:45 p.m.

**Buffet Lunch - *Colonnade***

***Presentation of Section Award for Excellence in Commercial Brief Writing***

1:45 p.m. - 6:00 p.m.

**Recreation and Spa Activities**

# SCHEDULE OF EVENTS

## Saturday, May 3 (continued)

6:30 p.m. **Cocktail Reception - *Lincoln Gardens***

7:30 p.m. **Gala Dinner - *Colonnade***

**Presenter:** **Presentation of the Robert L. Haig Award for Distinguished Public Service**  
**HONORABLE KEVIN T. DUFFY**  
United States District Judge  
Southern District of New York  
New York City

**Recipient:** **HONORABLE P. KEVIN CASTEL**  
United States District Judge  
Southern District of New York  
New York City

10:00 p.m. **After Dinner Drinks and Conversation**

## Sunday, May 4

8:00 a.m. **Registration**

9:00 a.m. - 12:15 p.m. **General Session - *Rockwell ABC***

9:00 a.m. - 9:50 a.m. ***Mediation Strategies - Introduction to Mediating the Complex Case***

**Speakers:** **HONORABLE JOHN C. LIFLAND**  
United States District Judge  
District of New Jersey (retired)  
JAMS  
New York City

**JEFF KICHAVERN, ESQ.**  
JAMS  
Inland Empire, CA

**CHRISTINE LEPERA, ESQ.**  
Mitchell Silberberg & Knupp LLP  
New York City

### **TRACK A (For Experienced Litigators) - *Rockwell BC***

9:50 a.m. - 11:00 a.m. ***In-House Counsel Panel: Using Better Communications and Common Sense to Enhance the Client Relationship***

**Speakers:** **WILLIAM H. CROSBY, JR., ESQ.**  
Assistant General Counsel  
The Interpublic Group of  
Companies, Inc.  
New York City

**KAREN L. DOUGLAS, ESQ.**  
Divisional Counsel  
Corning Incorporated  
Corning

**STANLEY PIERRE-LOUIS, ESQ.**  
Associate General Counsel  
Viacom, Inc.  
New York City

**JILL BOND, ESQ.**  
General Counsel  
Rich Products Corporation  
Buffalo

11:00 a.m. - 11:15 a.m. **Refreshment Break**

# SCHEDULE OF EVENTS

## Sunday, May 4 (continued)

11:15 a.m. - 12:15 p.m. **Legal Ethics - New Issues Raised by Emails, Blogs and MySpace**

Speakers:

**FREDERICK LEE WHITMER, ESQ.**

Thelen Reid Brown Raysman  
& Steiner LLP  
New York City

**ADAM I. COHEN, ESQ.**

FTI Consulting, Inc.  
New York City

**GREGORY P. SILBERMAN, ESQ.**

Kaye Scholer LLP  
New York City

**JEREMY R. FEINBERG, ESQ.**

Statewide Special Counsel for  
Ethics and the Commercial Division  
New York City

**JAMES M. WICKS, ESQ.**

Farrell Fritz PC  
Uniondale

### **TRACK B (For Junior Litigators) - *Rockwell A***

9:50 a.m. - 11:00 a.m. **Civil Appeals: Strategies and Process in the New York Courts**

Speakers:

**JONATHAN D. LUPKIN, ESQ.**

Flemming Zulack Williamson  
& Zauderer LLP  
New York City

**PREETA D. BANSAL, ESQ.**

Skadden Arps Slate Meagher & Flom LLP  
New York City

12:15 p.m.

**Adjourn**

## Important Information

**Under New York's MCLE rule**, this program has been approved for a total of **6.5 MCLE credits**. **Experienced litigators** can earn up to 3.5 credits in Practice Management, 2.0 credits in Skills and 1.0 credits in Ethics. **Junior litigators** can earn up to 3.0 credits in Skills and 1.0 credits in Ethics. Only the credits in Skills and Ethics are transitional.

**Discounts and Scholarships:** New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. ***This discount applies to the educational portion of the program only.*** Under that policy, any member of our Association or non-member who has a genuine basis of his/her hardship, if approved, can receive a discount or scholarship, depending on the circumstances. To apply for a discount or scholarship, please send your request in writing to Lori Nicoll at: New York State Bar Association, One Elk Street, Albany, New York 12207.

# EQUINOX RECREATION

## The Spa at The Equinox

Reflecting the energy of lush landscapes and the healing power of the crystal-clear Equinox Springs, our luxury spa takes indulgence and rejuvenation to new heights. Pamper yourself with a comprehensive menu of signature massage therapies, facials, and body treatments - created to awaken your senses and soothe your soul. To book your spa service go to: [www.equinoxresort.com/spa](http://www.equinoxresort.com/spa) or call 800-362-4747.

## Fitness Center at The Equinox

The Equinox has a state of the art fitness center, which offers guests the opportunity to maintain their workout routines while on vacation. Enjoy the mountain views as you lounge by the 75-foot heated indoor pool or relax in the outdoor Jacuzzi. Take a class in the movement studio or use of the equipment -- which includes Cybex, free weights, and a variety of cardiovascular equipment. Or curl up in a window seat while you sip a refreshing beverage or gaze into the Vermont stone fireplace -- before or after one of the many luxurious spa treatments.

## The British School of Falconry

The British School of Falconry at The Equinox the first school of its kind in the United States and where you'll learn how to handle and fly a hawk. As a participant, you'll get to practice your newfound skills in the hunting field, working in harmony with a specially trained dog. Discover the role falconers play in the conservation of raptors, and enhance your appreciation of these magnificent birds in their natural state.

## The Archery School at The Equinox

A rare opportunity for guests to learn this ancient sport of archery. In recent years, archery has garnered a loyal and dedicated following as a leisure pursuit. Testing both the skill of the participant and the balance and craftsmanship of the equipment, the challenge of mastering one of mankind's oldest hunting weapons holds broad appeal for both sexes and a variety of ages. Having mastered the mounting and drawing of a bow, novices at The Archery School can soon experience the thrill of releasing their first arrow at a simple target, under controlled and safe conditions.

## The Equinox Golf Club

Guests can enjoy crisp mountain views at this par-71, 6423-yard Vermont golf course, which boasts challenging play on every fairway, sand trap, and green. It is ranked 10th in New England Golf Journal's listing of the "100 Best Public Golf Courses in New England". Guests may make tee times upon confirming their hotel reservations.

## Tennis

Enjoy play on three newly surfaced, plexi-cushion courts. Court time can be booked through The Spa at 802-362-7881.

**For more information on any of the above recreation/activities, go to: [www.equinoxresort.com](http://www.equinoxresort.com)**

## AREA ATTRACTIONS

### Manchester Designer Outlets- Manchester Center

Manchester Designer Outlets signifies the newest trend in today's shopping experience: boutique-like specialty stores with everything from designer label fashions to luxury home furnishings, distinct gifts and stylish accessories. Shopping here is a whirlpool of culture, style and sophistication.

Hours: Monday - Saturday 10 am - 6 pm, Sunday 10 am - 5 pm

### Manchester Factory Stores - Battenkill & Highridge Plazas

Route 7A. Enjoy spectacular savings at Manchester's premier designer outlet stores, including Bose, Van Heusen, Natori, Nine West, Anne Klein, Reebok, Gap, and more.

Hours: Monday - Saturday 10 am - 6 pm, Sunday 10 am - 5 pm

### Elaine Beckwith Gallery - 3923 VT Route 30, Main Street - Jamaica

Celebrating excellence and diversity of vision in fine art since 1993, the gallery provides a relaxed atmosphere where the enjoyment of art is our guiding principle. Representing over 30 artists in a collection that includes painting, sculpture and hand-pulled prints.

Hours: 10 am – 5:30 pm

### Hawkins House Craftsmarket - 262 North Street - Bennington

Southern Vermont's most extraordinary selection of handcrafted jewelry in silver and gold including work of jewelry designers Ed Levin, Jeff Gray, and more. Browse two buildings and a modern expansion filled with unique and beautiful gift items.

Hours: Saturday 10 am - 5:30 pm, Sunday 12 pm - 5:30 pm

### Frog Hollow, Vermont State Craft Center - 4716 Main Street

Showcases Vermont's finest contemporary craft, featuring artisans working in pottery, glass, jewelry, fiber-arts, 2-D, wood and more. Pottery Studio offers private and group instruction for all ages, as well as birthday parties. Free craft demonstrations and exhibitions.

Hours: 10 am - 5 pm

### Hildene, The Lincoln Family Home -1005 Hildene Road - Manchester

Hildene was home to Abraham Lincoln's descendants until 1975. Hear a 1908 Aeolian organ and enjoy picturesque views from the formal garden.

Hours: 9:30 am - 4:30 pm

### Robert Frost Stone House Museum - 121 Historic Route 7A - Shaftsbury

The home of American poet Robert Frost in the 1920s, where he wrote "Stopping by Woods on a Snowy Evening," on a hot June morning. Literary, historical and educational exhibits about Robert Frost. Located 15 minutes from Frost's gravesite in Bennington.

Hours: Tuesday - Sunday 10 am - 5 pm

### Arlington Gallery's Norman Rockwell Exhibition - 3772 Historic Route 7A - Arlington

Rockwell's models are your hosts. Hundreds of examples of Rockwell's printed works on display with a 15 minute film.

Hours: 9 am - 5 pm

**For other area attractions, go to: [www.manchestervermont.net](http://www.manchestervermont.net)**