

# 2018

## Winter/Spring Program Catalog

Live Programs & Webcasts

NEW YORK  
CITY BAR

CITY BAR CENTER FOR CLE

42 W. 44th Street  
New York, NY 10036  
212-382-6663



[www.nycbar.org/cle](http://www.nycbar.org/cle)

# TABLE OF CONTENTS

---

## ADR/MEDIATION/ARBITRATION

Advanced Commercial Mediation Training .....	11
Basic Mediation Training: Conflict Resolution Theory & Techniques .....	07
Negotiation Skills & Strategies for Everyday Bargaining .....	10
Neuroscience in Mediation & Negotiation .....	08
Real Estate Arbitration Law & Practice: Cases & Controversies .....	06
Securities Arbitration & Mediation: Hot Topics 2018 .....	09

## ANTITRUST

Hot Topics in NY Antitrust: Class Certification and Fraud-Based Antitrust Investigations .....	12
--	----

## BANKING

Regulation of Financial Institutions: Translating Law into Compliance .....	13
---	----

## BRIDGE-THE-GAP

16-Hour Bridge-the-Gap: Corporate & Litigation .....	15
New Jersey Bridge-The-Gap: Satisfy the Mandatory 15 Credits and More .....	16

## CONSTRUCTION LAW

Compliance in Construction: Local National & International .....	17
Construction Contracts 201: Contracting for the Complex Construction Project - A Roadmap to the Key Clauses You Need to Know .....	18

## CONSUMER AFFAIRS

Hot Topics in Privacy & Data Security Law: New Legislation/Regulation, Vendor Management, Digital Media, Regulated Industries, International Concerns & More .....	38
Opening a Restaurant in NYC: Legal Issue Bootcamp .....	19

Sweepstakes, Promotions & Marketing Laws: Comprehension & Compliance in a Changing Digital/Social Media Environment .....	20
---	----

## CORPORATE & SECURITIES

6th Annual Securities Litigation & Enforcement Institute .....	23
7th Annual White Collar Crime Institute .....	25
Bitcoin and Initial Coin Offerings (ICOs): A Primer on Offerings, Trading and Enforcement .....	21
Private Equity Structuring: The Basics .....	22
The Basics of Enforcement Actions and Civil Litigation Related to Swaps, Futures, and Options .....	24

## CRIMINAL LAW

7th Annual White Collar Crime Institute .....	25
---	----

## DIVERSITY & INCLUSION

Inclusive Leadership = Intelligent Leadership: The Next Level of Leadership for 21st Century Legal Workplaces .....	56
---	----

## ENTERTAINMENT LAW

Attorneys, Agents and Managers in the Entertainment Industry .....	27
--	----

## ETHICS

An Ounce of Prevention: How to Reduce Liability, Disciplinary and Reputational Risks .....	60
Current Ethical Issues for In-House Counsel & Those Who Advise Them: Litigation Perspectives .....	31
Current Legal Ethical Issues with Professor Stephen Gillers .....	29
Ethical Dilemmas that Keep Lawyers Awake at Night .....	28
Ethics & Professionalism: Best Practices for Attorneys 2018 .....	30
Selected Ethics Issues in Mediation & Settlement Negotiations .....	32

# TABLE OF CONTENTS

---

## **FAMILY LAW**

Divorce Law 101 ..... 33

## **FASHION LAW**

13th Annual Lawyering in the Fashion Industry: A Practical Guide to Licensing, Trademark Protection & Other Industry Issues ..... 34

## **HEALTH LAW**

Financial Reporting Model Impacting Not-for-Profit & Health Care Entities: Guidance on Upcoming Changes ..... 54

The Perfect Storm: Liability Medicare Set-Asides (LSMAs) and the Ethical Issues They Present ..... 35

## **INFORMATION TECHNOLOGY/ INTELLECTUAL PROPERTY/INTERNET**

Hot Topics in Privacy & Data Security Law: New Legislation/Regulation, Vendor Management, Digital Media, Regulated Industries, International Concerns & More ..... 38

Shh! The Secrets of Protecting Trade Secrets ..... 37

The Basics of Blockchain for Lawyers ..... 39

Trademarks Playbook for General Counsel: The Guide for Legal Brand Strategies ..... 36

## **INSURANCE LAW**

Insurers' and Insureds' Perspectives on Current Issues in D&O Liability & Insurance 2018 ..... 41

Current Issues in Insurance Regulation 2018 ..... 40

## **LABOR & EMPLOYMENT**

4th Annual Employment Law Institute ..... 42

The Hiring Process in New York City: An In-Depth Look into Recent Legal Issues ..... 43

## **LAW PRACTICE MANAGEMENT**

Inclusive Leadership = Intelligent Leadership: The Next Level of Leadership for 21st Century Legal Workplaces ..... 56

Practicing Law at the Speed of Light: Building Resilience and Reducing Stress in a Climate of Change ..... 57

Secrets of the Masters: The Five Habits of Successful Business Development ..... 59

## **LEGAL WRITING**

Basics of Drafting Commercial Contracts: Translating the Meeting of the Minds into a Tangible Agreement ..... 44

Drafting Licensing Agreements: Tips and Strategies ..... 47

Every Contract is a Litigation Waiting to Happen ..... 48

Intermediate Skills for Drafting Commercial Contracts: Turning a Good Agreement into an Exceptional One ..... 46

Lawyer Emails: Making Them Effective, Ethical, and Secure ..... 45

Raising Your Writing Bar: Next Level Drafting and Editing Skills ..... 58

The "How To" of Successful Motion Practice: Practical Advice and Tips ..... 51

## **LITIGATION**

Current Developments in Commercial Division Practice ..... 52

Enforcing Money Claims: Turning Your Judgment into an Actual Financial Recovery ..... 49

Federal Court Practice 101: An Introduction to the Nuts & Bolts of Federal Civil Practice ..... 50

Taking & Defending Depositions: Strategic Tips & Techniques ..... 53

The "How To" of Successful Motion Practice: Practical Advice and Tips ..... 51

## **NONPROFIT LAW**

6th Annual Institute on Not-for-Profit Law: Current Trends in Nonprofit Law ..... 55

Financial Reporting Model Impacting Not-for-Profit & Health Care Entities: Guidance on Upcoming Changes ..... 54

# TABLE OF CONTENTS

---

## PROFESSIONAL DEVELOPMENT

### WORKSHOP SERIES

An Ounce of Prevention: How to Reduce Liability, Disciplinary and Reputational Risks .....	60
Inclusive Leadership = Intelligent Leadership: The Next Level of Leadership for 21st Century Legal Workplaces .....	56
Practicing Law at the Speed of Light: Building Resilience and Reducing Stress in a Climate of Change .....	57
Raising Your Writing Bar: Next Level Drafting and Editing Skills .....	58
Secrets of the Masters: The Five Habits of Successful Business Development .....	59

### REAL ESTATE

Affordable Housing for Whom and For How Long - Balancing Individual Property Rights and Preservation .....	66
Commercial Real Estate Law: The Basics & Beyond .....	67
Cooperatives, Condominiums & Other Residential Real Estate Contracts & Leases: Using, Drafting & Negotiating Riders .....	65
Current Governance Issues in Cooperatives & Condominiums .....	68
Hot Topics Affecting Cooperatives & Condominiums 2018 .....	63
Real Attachments: An In-Depth Look at Commercial Lease Exhibits .....	61
Real Estate Arbitration Law and Practice: Cases and Controversies .....	06
Surviving the Residential Real Estate Closing: Prepare or Beware .....	62
What a Relief! Practicing Before the NYC Board of Standards & Appeals .....	64

## SKILLS

Basics of Drafting Commercial Contracts: Translating the Meeting of the Minds into a Tangible Agreement .....	44
Commercial Real Estate Law: The Basics & Beyond .....	67
Cooperatives, Condominiums & Other Residential Real Estate Contracts & Leases: Using, Drafting & Negotiating Riders .....	65
Current Developments in Commercial Division Practice .....	52
Drafting Licensing Agreements: Tips and Strategies .....	47
Enforcing Money Claims: Turning Your Judgment into an Actual Financial Recovery .....	49
Estate Planning Primer .....	69
Every Contract is a Litigation Waiting to Happen .....	48
Intermediate Skills for Drafting Commercial Contracts: Turning a Good Agreement into an Exceptional One .....	46
Negotiation Skills & Strategies for Everyday Bargaining .....	10
Preparing & Conducting SCPA §1404 Discovery: The Basics .....	71
Raising Your Writing Bar: Next Level Drafting and Editing Skills .....	58
Real Attachments: An In-Depth Look at Commercial Lease Exhibits .....	61
Surviving the Residential Real Estate Closing: Prepare or Beware .....	62
Taking & Defending Depositions: Strategic Tips & Techniques .....	53
The "How To" of Successful Motion Practice: Practical Advice and Tips .....	51

## TAX & ACCOUNTING

Financial Reporting Model Impacting Not-for- Profit & Health Care Entities: Guidance on Upcoming Changes .....	54
--	----

# TABLE OF CONTENTS

---

## TRUSTS & ESTATES

Estate Planning Primer .....	69
Preparing & Conducting SCPA §1404	
Discovery: The Basics .....	71
Primer on Probate .....	70

# ADR/MEDIATION/ARBITRATION

---

## **NEW** Real Estate Arbitration Law and Practice: Cases and Controversies

Tuesday, January 16, 2018 | 6:00 pm - 7:45 pm

NY CLE Credit: 2.0 skills

Live Program & Webcast: \$99 Member | \$199 Nonmember

This program is an introduction to real estate arbitration, from the kinds of real estate disputes that generally go to arbitration, to arbitration clauses, to the hearing, the award, and finally confirmation of the award. The program will explore case studies loosely based on actual real estate-related arbitrations to paint a picture of what real estate arbitration is and how it works.

### **Program Instructor:**

Dani Schwartz, *Wachtel Missry LLP*

To register for this program, please visit:

**NYCBAR.ORG/CLE**

**LIVE ONLY!** Basic Mediation Training: Conflict Resolution Theory & Techniques

**Tuesday & Wednesday, February 27 & 28, 2018 &**

**Tuesday & Wednesday, March 6 & 7, 2018 | 9:00 am - 5:00 pm**

**NY CLE Credit:** 30.5 total: 24 skills, 4.0 pp, 2.5 ethics

**Early Bird Price:** \$1595 Member | \$1795 Nonmember (Must register by 1/15/18)

**Live Program:** \$1795 Member | \$1995 Nonmember

This four-day course on the theory and skills of basic mediation will cover essential techniques and procedures of mediation in lecture, exercises and small-group role-plays. Topics to be covered include: getting the mediation process started, organizing the discussion, generating movement, overcoming barriers to an agreement, concluding the mediation and other practice issues. This program is geared towards law school graduates and beyond who have an interest in learning to mediate but is also appropriate for non-lawyers.

**Attendance at all days of the program is required.**

**Registration is limited; advanced registration is strongly advised.**

**Lead Trainers:**

Carol B. Liebman, *Clinical Professor, Columbia Law School*

Dina Jansenson, *Mediator/Arbitrator, JAMS*

**Sponsoring Association Committee:**

Alternative Dispute Resolution | Nancy Kramer, Chair

*Approved under Part 146 by the New York State Unified Court System's Office of ADR Programs. Final placement on any court roster is at the discretion of the local Administrative Judge and participation in a course that is either approved or pending approval does not guarantee placement on a local court roster.*

To register for this program, please visit:

**NYCBAR.ORG/CLE**

## **Neuroscience in Mediation and Negotiation**

**Tuesday, March 27, 2018 | 6:00 pm - 8:30 pm**

**NY CLE Credit:** 2.5 professional practice

**Live Program & Webcast:** \$119 Member | \$219 Nonmember

**Small Law Firm:** \$69 Member

The program will explore the intersection between neuroscience and fundamental negotiation and mediation skills. With lessons from neuroscience, participants will discuss the barriers to effective communication and the potential science behind a variety of commonly used dispute resolution skills designed to overcome these barriers. Emphasis will be placed on the impact of opening statements, the framing of issues and techniques for generating movement or bridging impasse. Participants will also explore the structure of the brain including the prefrontal cortex and limbic system and how these and other areas of the brain are associated with specific aspects of behavior and decision making. Emphasis will also be placed on the difference between gut feelings and reason. The program is suited for mediators of all experience levels, as well as all attorneys involved in mediation and/or settlement negotiations.

### **Program Instructor:**

Daniel M. Weitz, *Director, Division of Professional & Court Services, NYS Unified Court System*

### **Sponsoring Association Committee:**

Alternative Dispute Resolution | Nancy Kramer, Chair

## **Securities Arbitration & Mediation Hot Topics 2018**

**Tuesday, May 15, 2018 | 9:00 am - 12:30 pm**

**Networking Luncheon: 12:30 pm - 1:30 pm**

**NY CLE Credit: 3.5 total: 3.0 professional practice & 0.5 ethics**

**Live Program & Webcast: \$269 Member | \$369 Nonmember**

**NYCB Non-Profit, Co-Sponsoring & Cooperating Org. Members, FINRA/NFA**

**Arbitrators & Mediators: \$134.50**

*To register as a member of the supporting organizations, please call 212-382-6663.*

Recent rule changes and events in financial marketplaces have brought fundamental changes to securities arbitration and mediation. A premier faculty of experienced practitioners, including the Director of FINRA Dispute Resolution, will discuss the status of FINRA Task Force Recommendations, and explore rule changes, decisions, and future developments. This program delivers practical suggestions and tested advice on prosecuting and defending securities arbitrations and mediations. Interactive audience participation is a key feature of this annual event. A networking luncheon will be held following the program.

### **Program Chair:**

Roger M. Deitz, *Dispute Resolution*

### **Co-Sponsoring Organizations:**

FINRA and National Futures Association

### **Cooperating Organization:**

American Bar Association Section of Dispute Resolution

### **Sponsoring Association Committees:**

Alternative Dispute Resolution | Nancy Kramer, Chair

Arbitration | Dana MacGrath, Chair

Labor & Employment Law | Jyotin Hamid, Chair

Litigation | Barbara L. Seniawski, Chair

Securities Regulation | Marc M. Rossell, Chair

To register for this program, please visit:

**[NYCBAR.ORG/CLE](http://NYCBAR.ORG/CLE)**

**LIVE ONLY** [Negotiation Skills & Strategies for Everyday Bargaining](#)

**Friday, June 1, 2018 | 9:00 am - 1:00 pm**

**NY CLE Credit:** 4.0 skills

**Live Program:** \$249 Member | \$349 Nonmember

**Small Law Firm:** \$139 Member

Negotiation is one of the most important skills a lawyer can possess. It is a skill that should be practiced over and over. There are daily opportunities to negotiate whether in the context of a transaction, the settlement of a litigation matter, a fee agreement, or a raise. Everyone negotiates. Not everyone negotiates effectively.

This course is for the experienced as well as for the novice negotiator. The intuitive negotiator will become more mindful and deliberate by acquiring a conscious understanding of what works and why. The novice negotiator will learn the newest and most effective framework for conducting negotiations. This course will explore various styles of negotiation, developing a negotiation plan, managing a negotiation, dealing with tactics, and closing the deal.

**Program Instructor:**

Joan Stearns Johnsen, *Legal Skills Professor, Fredric G. Levin College of Law, University of Florida*

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

**LIVE ONLY!** Advanced Commercial Mediation Training

**Wednesday, June 6; Thursday, June 7 & Friday, June 8, 2018**

**9:00 am -5:00 pm**

**NY CLE Credit:** 23.5 Total: 23.0 skills & 0.5 ethics

**Early Bird Price:** \$799 Member | \$999 Nonmember (Must register by 5/1/18)

**Live Program & Webcast:** \$899 Member | \$1099 Nonmember

*Attendees of Basic Mediation 2018 will receive a \$200 discount off of member and nonmember rates for Advanced Commercial Mediation.*

If you've been trained in mediation and want to specialize in commercial cases, don't miss this invaluable course. Using a combination of lecture, interactive exercises and role-plays, you will learn the skills needed to mediate in the New York Supreme Court Commercial Division or on your own. Topics will include: pre-mediation processes; specialized techniques for dealing with distributive/money issues; how to perform risk assessment; how to conduct a difficult conversation with the parties/counsel; the use of evaluative techniques; impasse breaking techniques; the use of term sheets/settlement agreements; and ethical issues. This course does not guarantee you acceptance onto the Commercial Division Panel.

**Attendance at all days of the program is required.**

**Registration is limited; advanced registration is strongly advised.**

**Lead Trainers:**

Dina Jansenson, *Mediator/Arbitrator, JAMS*

Honorable Kathleen A. Roberts, *Mediator/Arbitrator, JAMS, Retired United States Magistrate Judge, SDNY*

**Sponsoring Association Committee:**

Alternative Dispute Resolution | Nancy Kramer, Chair

*Approved under Part 146 by the New York State Unified Court System's Office of ADR Programs. Final placement on any court roster is at the discretion of the local Administrative Judge and participation in a course that is either approved or pending approval does not guarantee placement on a local court roster.*

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

# ANTITRUST

---

## **NEW** Hot Topics in NY Antitrust: Class Certification and Fraud-Based Antitrust Investigations

**Monday, April 30, 2018 | 6:00 pm - 9:00 pm**

**NY CLE Credit:** 3.0 professional practice

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

Join us for two exciting panels discussing hot topics in antitrust, particularly in NY courts. The first panel will discuss the Supreme Court's decision in Tyson Foods, addressing the use of statistical evidence as part of class certification. Tyson involved a suit by employees against their employer, but the case could also have an impact on antitrust cases involving similar uses of statistics, and is part of an evolving and expanding role of economic modeling in antitrust class actions. The second panel will discuss antitrust investigations that have crossed over into fraud-based schemes, requiring expertise and resources in both areas. These commonly include investigations into financial markets, both domestic and international in scope.

### **Program Co-Chairs:**

Denise Plunkett, *Ballard Spahr LLP*

David H. Reichenberg, *Wilson Sonsini Goodrich & Rosati*

### **Sponsoring Association Committee:**

Antitrust & Trade Regulation | Stacey A. Mahoney

To register for this program, please visit:

**NYCBAR.ORG/CLE**

# BANKING

---

## Regulation of Financial Institutions: Translating Law into Compliance

Thursday January 25, 2018 | 9:00 am - 12:00 pm

NY CLE Credit: 3.0 TBD

Live Program & Webcast: \$199 Member | \$299 Nonmember

In-House Counsel: \$119 Member | \$219 Nonmember

Complex financial institutions operate in a challenging legal environment marked by pervasive regulation, overlapping state and federal oversight, and ever-changing supervisory expectations.

This program will provide an overview of some of the principal legal requirements affecting complex financial institutions, and will explore the practical challenges and considerations associated with building and maintaining a compliance program to implement those regimes.

In-house/outside counsel and attorneys serving in compliance roles will address the following:

- The Roles of Legal and Compliance
- Key Federal Banking Laws: Bank Holding Company Act, International Banking Act, and The National Bank Act
- Anti-Money Laundering and Sanctions Compliance
- Data Security and Cybersecurity Requirements (including Vendor Management)
- Volcker Rule Compliance
- Regulation of Over-the-Counter Swaps Markets

### **Program Co-Chairs:**

Celeste Mitchell Byars, *Chief Compliance Officer & EVP, Mitsubishi UFJ Trust and Banking Corporation*

Barbara R. Mendelson, *Morrison & Foerster LLP*

### **Sponsoring Association Committees:**

Banking Law | Mark Zingale, Chair

Compliance | Michael McMaster, Chair

Futures & Derivatives | Robert M. McLaughlin, Chair

In-House Counsel | Darryl W. Gibbs, Chair

To register for this program, please visit:

**NYCBAR.ORG/CLE**

**NEW** [Bank Regulatory: Basics and Beyond](#)

Friday, March 16, 2018 | 9:00 am - 12:30 pm

NY CLE Credit: 3.5 TBD

Live Program & Webcast: \$239 Member | \$339 Nonmember

In-House Counsel: \$169 Member | \$269 Nonmember

This course will enable both in-house and outside counsel to expand their skills and be more valuable to their clients by covering the why, what, when, where and how of bank regulations. The bank regulatory environment has completely changed in the last few years and further changes are coming. You will learn about these changes from experts in the field. Lawyers who practice in finance, securities, lending, M&A, litigation, anti-financial crimes and regulatory areas need to increase their knowledge of this area to effectively advise clients.

This basic course will cover the three lines of defense for regulatory matters – business units, compliance/legal and audit. It will cover the Volcker Rule, capital requirements (CCAR, DFAST, Basel II and III), Resolution Plans (“Living Wills”), Anti-Money Laundering (“AML”), Know Your Customer (“KYC”), Sanctions, Office of Foreign Asset Control (“OFAC”), Foreign Corrupt Practices Act (“FCPA”), Committee on Foreign Interests in the US (“CFIUS”), data privacy rules and other important bank regulations. Bank regulatory rules for initial coin offerings and block chain will also be covered. There will be one ethics credit relating to compliance with bank regulations and how to structure deals and lending arrangements within the parameters of some of these new regulations.

**Program Chair:**

N. Adele Hogan, *Former Director, Deutsche Bank AG*

**Sponsoring Association Committees:**

Banking Law | Mark Zingale, Chair

Financial Reporting | David S. Huntington, Chair

Futures & Derivatives Regulation | Robert M. McLaughlin, Chair

Mergers, Acquisitions & Corporate Control | Trevor Saul Norwitz, Chair

Securities Regulation | Mark Rossell, Chair

To register for this program, please visit:

**[NYCBAR.ORG/CLE](http://NYCBAR.ORG/CLE)**

# BRIDGE-THE-GAP

---

## **LIVE ONLY!** 16-Hour Bridge-the-Gap: Corporate & Litigation

Friday, January 26, 2018 | 9:00 am - 5:00 pm &

Friday, February 2, 2018 | 9:00 am - 5:00 pm

**NY CLE Credit (both days):** 16.0 total: 7.0 professional practice, 6.0 skills, 3.0 ethics

**NY CLE Credit (per day):** 8.0 total: 3.5 professional practice, 3.0 skills, 1.5 ethics

**Live Program (both days):** \$499 Member | \$699 Nonmember

**Live Program (per day):** \$399 Member | \$599 Nonmember

**Recent Law School Graduates or Newly Admitted Attorneys:**

**(admitted January 2016 or later):** \$299 Member (both days)

Earn all of your annual New York MCLE credits while obtaining crucial knowledge on a variety of areas. This Bridge-the-Gap program fulfills a full year's credit requirements for those who are newly admitted, while providing invaluable information and credits for more experienced attorneys. A skilled faculty will guide you through the day-to-day practice of law and cover topics of interest to all attorneys, including legal ethics. This program is unique because we offer one day of litigation and one day of corporate; you can purchase both days together, or just one. In order to fulfill the New York MCLE Bridge-the-Gap requirements for newly admitted attorneys, you must attend both days.

***Save by registering for both days!***

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

**LIVE ONLY New Jersey Bridge-The-Gap: Satisfy the Mandatory 15 Credits and More**

Wednesday, [April 18, 2018](#) | 9:00 am - 5:00 pm

Wednesday, [April 25, 2018](#) | 9:00 am - 5:00 pm

**NJ CLE Credit: (both days): 16.0 total: (Breakdown TBD)**

**NJ CLE Credit (per day): 8.0 credits total: (Breakdown TBD)**

**Live Program (both days): \$499 Member | \$699 Nonmember**

**Live Program (per day): \$399 Member | \$599 Nonmember**

**Recent Law School Graduates or Newly Admitted Attorneys:  
(admitted January 2016 or later): \$299 Member (both days)**

This program will provide essential information from a skilled faculty that will guide you through the day-to-day practice of law and cover topics in required practice areas and will include eight of the nine specified subject areas (basic estate planning, law practice management, family, real estate closing, municipal court practice, civil, criminal and landlord/tenant practice) required of newly admitted New Jersey attorneys. **Special Bonus:** This program will include one hour of ethics credit. New Jersey attorneys are advised to bring their bar number to the program. Each Bridge-the-Gap program contains updated content and will provide CLE credit to all attendees, even if they attended in the past.

**Barred in New York, California and/or Pennsylvania?** You too can receive credit to satisfy your CLE requirements.

***Save by registering for both days!***

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# CONSTRUCTION LAW

---

## Compliance in Construction: Local, National & International

Monday, February 27, 2018 | 6:00 pm - 9:00 pm

**NY CLE Credit:** 3.0 professional practice

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

Are your construction clients vulnerable to industry fraud and corruption? Experts in construction compliance will discuss the major traps for the unwary and how construction clients can be protected. Topics include: “Pay to Play” (is it bribery, a kickback or extortion?); are the subcontractors who they say they are, and are they doing what they are supposed to be doing? (MWBE/CUF Fraud); insurance fraud (workers compensation and disability insurance payments; debarred lists); payment of appropriate labor rates (PW fraud/PLA fraud); security companies (guard-licensing requirements); employees’ precarious legal status (fake OSHA cards); the False Claims Act, Foreign Corrupt Practices Act, U.S. Anti-Boycott Laws, and compliance with local-foreign laws.

### **Program Chair:**

Virginia K. Trunkes, *DelBello Donnellan Weingarten Wise & Wiederkehr, LLP*

### **Sponsoring Association Committees:**

Construction Law | Virginia K. Trunkes, Chair

Compliance | Michael McMaster, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

## Construction Contracts 201: Contracting for the Complex Construction Project - A Roadmap to the Key Clauses You Need to Know

Thursday, March 22, 2018 | 9:00 am – 12:30 pm

NY CLE Credit: 4.0 skills

Live Program & Webcast: \$229 Member | \$339 Nonmember

Building off the successful Construction Contract 101 series, this advanced program will provide participants, through the use of a series of case studies, simulations and discussions, with an in-depth roadmap to the key clauses that every design and construction practitioner should understand and know when drafting and documenting a complex construction project. Concentrating on providing remedies to advanced design and construction issues that plague every complex project, the panel will provide key industry insight as to the best practices for negotiating against surprises – all presented from the specialized perspective of owners, developers, design professionals, primes, construction managers, contractors, subcontractors, legal advisors and others. The panel will explain how to identify and understand risks. We will also take a closer look at how to successfully draft and negotiate general conditions for construction from each perspective, as well as transition issues for design professionals and/or contractors during an ongoing project in terms of liability for prior work, indemnity/hold harmless from use/modifications of old plans, and inspections conducted prior to transitions. The program will wrap up with an update on the current legal trends, recent touchstone decisions, and coming legal challenges affecting the construction industry and its related counterparts, and how to best tackle these challenges when you come up against them in your practice.

**Who should attend?** This seminar would be practical and useful for anyone who prepares design, architectural and/or construction contracts or who litigates construction claims, especially those who document and negotiate large and complex construction projects.

### **Program Chair:**

Todd A. Bakal, *Bakal Law PLLC*

### **Sponsoring Association Committee:**

Construction Law Committee | Virginia K. Trunkes, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

# CONSUMER AFFAIRS

---

## Opening a Restaurant in NYC: Legal Issue Bootcamp

Friday, March 21, 2018 | 9:00 am - 1:00 pm

**NY CLE Credit:** 4.0 professional practice

**Live Program & Webcast:** \$199 Member | \$299 Nonmember

**Small Law Firm:** \$99 Member

This program will focus on the corporate, real estate, liquor license, and labor/employment issues involved in opening a restaurant in New York City. Learn about the choices of legal entity to form for restaurant projects, investment and management structures, purchase and sales transactions and transfer liability. Review buy vs. lease issues, build outs, provisions regarding including assignment, contingencies, and guarantees. Find out the requirements for obtaining on and off premises liquor licenses and how to navigate the process and procedure before the New York State Liquor Authority and the local Community Boards. Learn about overtime, spread of hours, the 80/20 rule, tip credit, non-compete restrictions, and other essential labor and employment issues.

### **Program Chair:**

David Helbraun, *Helbraun & Levey LLP*

### **Sponsoring Association Committee:**

Hospitality Law | David Helbraun, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

## Sweepstakes, Promotions & Marketing Laws: Comprehension & Compliance in a Changing Digital/Social Media Environment

Friday, May 11, 2018 | 9:00 am - 1:00 pm

**NY CLE Credit:** 4.0 professional practice

**Live Program & Webcast:** \$239 Member | \$339 Nonmember

**In-House Counsel:** \$169 Member | \$269 Nonmember

**Small Law Firm:** \$129 Member

More and more companies are using promotional tools including sweepstakes, skill contests, and hybrid versions thereof: while struggling to keep a pace with the speed of technological change on the new platforms and technologies delivering these programs. The rapidly changing social media including the laws applying to posting and tweeting in “real-time marketing”, unexpected developments in mobile marketing and tracking, the growth and importance of regulations on apps and the enormous increase of privacy-related issues raise complex questions and issues all for the practicing bar.

In this program, experts in the field will address the critical issues that arise when offering games and other promotions relevant to today’s marketplace. Topics to be discussed include governing sweepstakes, skill contests and other promotions on the new platforms, compliance with the laws governing real time marketing, new mobile marketing developments, the increasing risks of corporate communications and blurred content/Native Advertising, the continued import of the FTC Endorsement Guides, the significant change to the ad tech eco-system using privacy by design to build data collection and use, Third Party Rights and Risks, and Children’s Marketing,

### **Program Chair:**

Edward M. Kabak, *Chief Legal Officer, Association of National Advertisers*

### **Sponsoring Association Committee:**

Consumer Affairs | Carla A. Latty, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

# CORPORATE & SECURITIES

---

## Bitcoin and Initial Coin Offerings (ICOs): A Primer on Offerings, Trading and Enforcement

Thursday, January 18, 2018 | 9:00 am – 12:30 pm

NY CLE credit: 3.5 TBD

Live Program & Webcast: \$239 Member | \$339 Nonmember

In-House Counsel: \$169 Member | \$269 Nonmember

Bitcoin, ICOs and token offerings will be covered from a regulatory perspective. This course will enable both in-house and outside counsel to expand their skills and be more valuable to their clients by covering the why, what, when, where and how of the offering and trading regulations. Block chain regulatory matters will also be discussed. The process of doing an ICO will be discussed. Lawyers who practice in finance, securities, lending, M&A, litigation, anti-financial crimes and regulatory areas need to increase their knowledge of this new and rapidly evolving disruptive products and technology to effectively advise new and existing clients. There will be one ethics credit relating to these new regulations, policies and enforcement initiatives.

### **Program Co-Chairs:**

N. Adele Hogan, *Former Director, Deutsche Bank AG*

### **Sponsoring Association Committees:**

Banking Law | Mark Zingale, Chair

Financial Reporting | David S. Huntington, Chair

Futures & Derivatives Regulation | Robert M. McLaughlin, Chair

Mergers, Acquisitions & Corporate Control | Trevor Saul Norwitz, Chair

Securities Regulation | Mark Rossell, Chair

To register for this program, please visit:

**NYCBAR.ORG/CLE**

# CORPORATE & SECURITIES

---

## Private Equity Structuring: The Basics

Friday, February 9, 2018 | 9:00 am - 12:30 pm

NY CLE credit: 3.5 total: 2.5 professional practice & 1.0 ethics

Live Program & Webcast: \$239 Member | \$339 Nonmember

In-House Counsel: \$169 Member | \$269 Nonmember

An expert faculty will cover the basics of private equity fund formation, structuring and deal making at both the fund level and with funds' portfolio companies, Regulatory requirements, compliance issues and market trends will be covered. The ethics segment will relate primarily to specific private equity situations, including the new public and private offering regulations and the new regulatory requirements.

Who Should Attend: Lawyers, private equity professionals, compliance professionals and investors who want to advise clients on how to set up private equity funds, fund regulatory issues, maximize value for funds in connection with their own IPOs or M&A matters, as well as IPOs and M&A at the portfolio company level.

### **Program Co-Chairs:**

N. Adele Hogan, *Former Director, Deutsche Bank AG*

Scott Naidich, *Winston & Strawn LLP*

### **Sponsoring Association Committees:**

Banking | Mark Zingale, Chair

Financial Reporting | David S. Huntington, Chair

Mergers, Acquisitions & Corporate Control Contests | Trevor Saul Norwitz, Chair

Private Investment Funds | Barry P. Barbash, Chair

Securities Regulation | Mark M. Rossell, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

**LIVE ONLY!** 6th Annual Securities Litigation & Enforcement Institute

**Wednesday, March 14, 2018 | 9:00 am - 6:00 pm**

**Includes Networking Luncheon & Reception**

**NY CLE Credit: 6.0 TBD**

**Live Program: \$599 Member | \$699 Nonmember**

**In-House Counsel: \$349 Member | \$449 Nonmember**

**Gov't/Nonprofit/Academic: \$249 Member | \$349 Nonmember**

In the past year, there have been numerous, significant developments in securities litigation and enforcement. While lawsuits arising from the credit crisis continue to be on the wane, a new wave of traditional securities class actions has replaced them. The courts in which cases have been filed has shifted. The types of M&A cases that are being filed has also shifted. At the same time, financial institutions are being confronted with an increasing number of investigations and enforcement actions conducted by federal, state, and foreign regulators. Audit firms are facing investigations by the PCAOB and SEC. Finally, the courts continue to issue decisions that substantially affect the strategies to be employed in prosecuting and defending securities and derivative litigation. As these lawsuits, investigations and enforcement actions continue apace, it is critical that securities litigators and enforcement lawyers keep up with the latest developments.

This full-day program will provide a comprehensive overview of recent trends, developments and cutting-edge issues in securities litigation and enforcement. The panels will include prominent securities litigators, senior in-house counsel at major financial institutions and corporations, nationally recognized trial lawyers, jury consultants, and economists.

**Keynote Speaker:**

Professor John C. Coffee, *Columbia Law School*

**Program Co-Chairs:**

Brad S. Karp, *Paul, Weiss, Rifkind, Wharton & Garrison LLP*

Gregory A. Markel, *Seyfarth Shaw LLP*

**Sponsoring Association Committees:**

Securities Litigation | Daniel H.R. Laguardia, Chair

White Collar Crime | Michael Schachter, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

**NEW The Basics of Enforcement Actions and Civil Litigation Related to Swaps, Futures, and Options**

**Tuesday, April 17, 2018 | 9:00 am - 12:00 pm**

**NY CLE Credit:** 3.0 professional practice

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

This program is for those who may be involved with a Commodity Futures Trading Commission or Securities and Exchange Commission enforcement action or be a plaintiff or defendant in litigation regarding derivatives. It answers how enforcement actions are initiated by the Commodity Futures Trading Commission or the Securities and Exchange Commission and details the process for an enforcement action from start to finish. Private rights of action under the Commodity Exchange Act and related federal and state statutes are examined. This program also assesses the intersection between enforcement actions and civil litigation, top enforcement and litigation risks, and how to conduct an internal investigation.

This program is a **must** for anyone potentially involved with derivatives-related enforcement actions or litigation.

**Program Chair:**

Gary E. Kalbaugh, *Deputy General Counsel and Director, ING Financial Holdings Corp.*

**Sponsoring Association Committee:**

Futures and Derivatives Regulation | Robert M. McLaughlin, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# CRIMINAL LAW

---

## **LIVE ONLY!** 7th Annual White Collar Crime Institute

**Wednesday, May 9, 2018 | 9:00 am – 6:30 pm**

**Includes Networking Luncheon & Reception**

**NY CLE Credit: 6.0 TBD**

**Live Program: \$799 Member | \$899 Nonmember**

**Special Pricing for Attorneys Admitted 5 Years or Less: \$599 Member | \$699 Nonmember**

**Special Pricing for Government/Nonprofit/Academics: \$299 Member | \$399 Nonmember**

**Registration for Kickoff Reception Only: \$50 Member | \$80 Nonmember**

White collar criminal prosecutions, investigations, and reform efforts have widespread political, social, and economic reverberations, and this year is certainly no exception. The scope and nature of white collar matters have become more complex, as defense attorneys, prosecutors and regulators must define the contours of cooperation, navigate tumultuous cross-border and multi-jurisdictional issues, and adjust to an evolving and uncertain enforcement landscape—all under intense press and public scrutiny.

The White Collar Criminal Law Committee has assembled a comprehensive full-day program that will explore these and other critical developments that have characterized this era of white collar enforcement. The Keynote Speakers will be **Rod Rosenstein**, Deputy Attorney General, US Department of Justice, and **Steven Peikin**, Co-Enforcement Director, US Securities and Exchange Commission.

Our panels will include senior government enforcement officials, top practitioners in the field, and in-house lawyers. A distinguished panel will explain the ins and outs of special counsel investigations. You will also learn about the unique challenges of handling cross-border investigations and emerging topics in corporate investigations. The Institute will feature a discussion of lessons learned from recent high-profile trials, and you will hear from former white collar defendants.

**Special Feature: Women in White Collar Kickoff Reception** held the evening before, **Tuesday, May 8, 2018 from 6:30 pm-8:30 pm**, providing an opportunity to hear the **Honorable Cathy Seibel**, *US District Judge, SDNY*, interviewed by **Nancy Kestenbaum**, *Covington & Burling LLP*, and to network in a more intimate setting the evening before the institute. This reception is included in the institute price and all registrants and faculty are encouraged to attend.

To register for this program, please visit:

**NYCBA.ORG/CLE**

**Keynote Speakers:**

Rod Rosenstein, *Deputy Attorney General*

Steven Peikin, *Co-Director, Division of Enforcement, US Securities & Exchange Commission*

**Program Chair:**

Michael Schachter, *Willkie Farr & Gallagher LLP*

**Sponsoring Association Committee:**

White Collar Crime | Michael Schachter, Chair

# ENTERTAINMENT LAW

---

## Attorneys, Agents and Managers in the Entertainment Industry

Thursday, March 15, 2018 | 6:00 pm - 9:00 pm

**NY CLE Credit:** 3.0 total: 2.0 professional practice & 1.0 ethics

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

**In-House Counsel:** \$149 Member | \$249 Nonmember

Agents and managers touch virtually every aspect of the US entertainment industry, but what do they actually do? And where do attorneys fit in? This course will explain the sometimes distinct, sometimes overlapping roles that attorneys, agents and managers play in music, film, television, publishing and the like. And it will explore the regulatory structures in New York, California and elsewhere that shape what each profession can do. We'll end by focusing on everyday ethical dilemmas facing attorneys and others who represent artists and who may play multiple roles in their clients' professional lives.

### **Program Chair:**

Jaime Wolf, *Pelosi Wolf Efron & Spates LLP*

### **Sponsoring Association Committee:**

Entertainment Law | Jaime Wolf, Chair

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

# ETHICS

---

## **NEW** [Ethical Dilemmas That Keep Lawyers Awake at Night](#)

Tuesday, February 6, 2018 | 6:00 pm - 9:00 pm

NY CLE Credit: 3.0 ethics

Live Program & Webcast: \$229 Member | \$329 Nonmember

Trying to stay on top of our ethical and professional responsibility obligations is not easy. Join us to examine how recent ethics opinions, judicial decisions, and commentary can affect those obligations on a variety of issues relevant to lawyers in 2018, including lawyer advertising, use of referral services, inadvertent production, handling client funds, using threats in negotiation, keeping your clients' and your information safe, and many more. The panel will welcome questions and comments from the audience.

### **Program Chair:**

Janis M. Meyer, *Hinshaw & Culbertson LLP*

### **Sponsoring Association Committee:**

Professional Ethics | Bruce A. Green, Chair

**LIVE ONLY!** **Current Legal Ethical Issues with Professor Stephen Gillers**

Friday, [March 2, 2018](#) | 9:00 am - 11:15 am

Monday, [April 23, 2018](#) | 6:00 pm - 8:15 pm

**NY CLE Credit:** 2.5 ethics

**Live Program:** \$249 Member | \$349 Nonmember (Per Program)

No matter your practice area or whether or not you have previously attended, you won't want to miss this program. Join us to hear this nationally renowned professor and ethicist address current issues of legal ethics. Programs typically feature distinct topics which are chosen close in time to the event to maximize topicality. The topics are geared to an audience of diverse interests. Audience questions and comments are encouraged.

**Stephen Gillers** is Elihu Root Professor of Law at New York University School of Law, where he has taught since 1978 and served as Vice Dean from 1999 to 2004. He has written widely on legal ethics and has spoken at hundreds of events in the U.S. and abroad. He is the author of *Regulation of Lawyers: Problems of Law and Ethics* first published in 1985 and now in its 10th edition.

From 2000-2002, Professor Gillers was a member of the ABA's Multijurisdictional Practice Commission. In 2010-2013, he was a member of the ABA's 20/20 Commission. In 2011, he received the Michael Franck Award from the ABA's Center for Professional Responsibility. In 2015, he received the American Bar Foundation's Outstanding Scholar Award.

Professor Gillers' recent scholarship includes "Guns, Fruit, Drugs, and Documents: A Criminal Defense Lawyer's Responsibility for Real Evidence," 63 *Stan. L. Rev.* 813 (2011); "A Profession, If You Can Keep It: How Information Technology and Fading Borders Are Reshaping the Law Marketplace and What We Should Do About It," 63 *Hastings L. J.* 953 (2012); "How To Make Rules for Lawyers: The Professional Responsibility of the Legal Profession," 40 *Pepperdine L. Rev.* 365 (2013)(Symposium issue on The Lawyer of the Future); "Lowering the Bar: How Lawyer Discipline in New York Fails to Protect the Public," 17 *J. Legis. & Public Policy* 485 (2014); and "A Tendency to Deprave and Corrupt: The Transformation of American Obscenity Law from Hicklin to Ulysses II," 85 *Wash. L. Rev.* 215 (2007).

***This program will not be taped. You will only have the chance to see it - live!***

To register for this program, please visit:

**NYCBAR.ORG/CLE**

## **Ethics & Professionalism: Best Practices for Attorneys 2018**

**Wednesday, May 30, 2018 | 6:00 pm - 8:00 pm**

**NY CLE Credit:** 2.0 ethics

**Live Program & Webcast:** \$199 Member | \$299 Nonmember

This program provides an experience-based overview and perspective on spotting and dealing with ethics issues that arise over a wide range of practice areas. Members of the Professional Discipline Committee will present short, entertaining but issue-filled vignettes reflecting real-world scenarios. Many CLE programs offer detailed treatment of specific rules or are aimed at specialty practices. This program is different; it covers practical issues that can arise in any practice. A panel of experts representing many facets of the legal community and decades of experience will comment on and discuss and answer questions about the vignettes. The goal is to present issues and incidents the audience will remember and practical information they can use in daily practice.

### **Program Chair:**

James B. Kobak, Jr., *Hughes Hubbard & Reed*

### **Sponsoring Association Committee:**

Professional Discipline | Kaylin L. Whittingham, Chair

## Current Ethical Issues for In-House Counsel & Those Who Advise Them: Litigation Perspectives

**Wednesday, June 13, 2018 | 6:00 pm -9:00 pm**

**NY CLE Credit:** 3.0 ethics

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

**In-House Counsel:** \$179 Member | \$279 Nonmember

This ethics program is designed especially for in-house counsel and outside counsel advising their in-house clients. Using a stimulating series of hypotheticals based on real-life experience, a panel of experts will review a variety of important professional responsibility issues that affect corporate counsel on a daily basis.

Topics to be discussed include:

- Understanding the “Corporate Miranda” warnings
- Special problems representing employees in internal investigations
- Advance conflict waivers & other problems with retainer agreements
- Attorney-client privilege issues within corporate families & outside law firms
- Disclosure of privileged materials – inadvertent & purloined
- The SEC Whistleblower program – the legal & ethical implications
- Fee Disputes with Outside Counsel

### **Program Co-Chairs:**

Robert J. Anello, *Morvillo Abramowitz Grand Iason & Anello P.C.*

Ronald Minkoff, *Frankfurt Kurnit Klein & Selz PC*

### **Sponsoring Association Committees:**

In-House Counsel | Darryl W. Gibbs, Chair

In-House/Outside Litigation Counsel Group | Anthony John Bosco, Beth L. Kaufman & Louis A. Craco, Jr., Co-Chairs

Professional Ethics | Bruce A. Green, Chair

Professional Responsibility | Wallace L. Larson, Jr., Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

## Selected Ethics Issues in Mediation & Settlement Negotiations

Tuesday, June 19, 2018 | 9:00 am - 12:00 pm

**NY CLE Credit:** 3.0 ethics

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

**Small Law Firm:** \$119 Member

This program will address a number of ethics issues that can arise in mediation and settlement negotiations. With a specific focus on confidentiality, conflicts of interest and related issues, the program will discuss ethics questions from the point of view of the mediator, the outside lawyer, and even the client. The program will close with a brief discussion about how to research ethics issues and how to get help from an ethics committee of lawyers, or mediators, when needed.

### **Program Chair:**

Daniel M. Weitz, *Director, Division of Professional & Court Services, NYS Unified Court System*

### **Sponsoring Association Committee:**

Alternative Dispute Resolution | Nancy Kramer, Chair

# FAMILY LAW

---

## Divorce Law 101

**Wednesday, May 2, 2018 | 6:00 pm - 9:00 pm**

**NY CLE Credit:** 3.0 total: 2.0 skills, 1.0 ethics

**Live Program & Webcast:** \$199 Member | \$299 Nonmember

**Small Law Firm:** \$119 Member

Divorce is a complicated area of practice that can take a serious personal and financial toll on all involved in the process. This course was created as an introduction to divorce law, allowing you to learn some of the important strategies involved in successfully representing your client and providing one with the best outcome possible. It will guide you through the divorce process from the initial client interview to the final divorce decree or settlement.

Sherri Donovan, an experienced family law attorney, will help prepare you with a comprehensive overview that will give you the knowledge and confidence to tackle your next case.

### **Program Chair:**

Sherri Donovan, *Sherri Donovan & Associates, P.C.*

Sherri Donovan has been a matrimonial attorney and owner of the law firm, Sherri Donovan & Associates, PC for over thirty years. Ms. Donovan is also a neutral evaluator for the New York State Courts, mediator, collaborative practitioner and consultant on matrimonial issues for attorneys. Ms. Donovan's articles have been published in The New York Law Journal, The Family Review and Huffington Post. Ms. Donovan has lectured extensively on matrimonial law for the New York City Bar, New York County Lawyers Association, New Jersey State Bar Association, and the United Nations. Sherri Donovan has been selected as a top matrimonial attorney by SuperLawyers, National Academy of Family Lawyers and the American Institute of Family Law Attorneys.

To register for this program, please visit:

**NYCBA.ORG/CLE**

# FASHION LAW

---

## 13th Annual Lawyering in the Fashion Industry: A Practical Guide to Licensing, Trademark Protection & Other Industry Issues

Friday, June 15, 2018 | 9:00 am -1:00 pm

**NY CLE Credit:** 4.0 professional practice

**Live Program & Webcast:** \$249 Member | \$349 Nonmember

**In-House Counsel:** \$189 Member | \$289 Nonmember

**Small Law Firm:** \$139 Member

To bring value when dealing with their clients' most pressing issues, fashion industry lawyers draw on a variety of disciplines, including intellectual property, contracts, international trade, and litigation. At this seminar an experienced panel will provide participants with practical insights on how to: structure successful license deals; navigate license disputes; manage trademark/copyright enforcement programs, including litigating trademark actions; deal with issues around fashion modeling, including contract, labor & employment, immigration and IP considerations; understand the ins and outs of customs, imports and related regimes; and implement and administer human rights compliance programs. This program is intended for those who have clients in the fashion industry, those who practice intellectual property law, business executives in the fashion industry and both lawyers and business executives who handle licensing agreements.

### **Program Chair:**

Kenneth P. Kopelman, *Kramer Levin Naftalis & Frankel LLP*

### **Sponsoring Association Committee:**

Fashion Law | Adrienne T. Montes, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

# HEALTH LAW

---

## The Perfect Storm: Liability Medicare Set-Asides (LMSAs) and the Ethical Issues They Present

**Tuesday, January 23, 2018 | 6:00 pm – 8:00 pm**

**NY CLE Credit:** 2.0 total: 1.0 ethics, 1.0 professional practice

**Live Program & Webcast:** \$99 Member | \$199 Nonmember

**Non-Profit/Academic/Student:** \$49 Member | \$99 Nonmember

**Small Law Firm:** \$59 Member

Now that Medicare has begun enhanced enforcement of the future medical provisions of the Medicare Secondary Payer (MSP) Act as it relates to liability insurance settlements, stakeholders must be wary of the effect that has on the settlement process from all perspectives. Join nationally recognized MSA Lawyer John Cattie as he details how we got here, why the federal government is moving now on the LMSA issue and what ethical concerns must now be addressed by parties resolving liability insurance claims to meet minimum standards set forth in the New York Rules of Professional Conduct.

**Program Instructor:**

John Cattie, *Cattie, PLLC*

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# INFORMATION TECHNOLOGY/ INTELLECTUAL PROPERTY/INTERNET

---

**NEW** **LIVE ONLY!** [Trademarks Playbook for General Counsel: The Guide for Legal Brand Strategies](#)

Friday, January 19, 2018 | 9:00 am - 2:00 pm

Includes Networking Luncheon

NY CLE Credit: 3.5 professional practice

Live Program: \$299 Member | \$399 Nonmember

In-House Counsel: \$199 Member | \$299 Nonmember

Trademarks are a brand company's key assets. This program is designed to provide in-house counsel with the latest techniques, trends, and strategies for creating an efficient trademark management system. Panelists from the world's leading IP teams will discuss best practices for clearing brands, acquiring global rights, and resolving infringements. The session will also explore outsourcing models and establishing internal infrastructure.

**Program Chair:**

Ainslee Schreiber, *Former Vice President & Associate General Counsel  
Global Trademark, Starwood Hotels & Resorts Worldwide, Inc*

**Sponsoring Association Committees:**

Trademarks & Unfair Competition | Ainslee Schreiber, Chair

In-House Counsel | Darryl W. Gibbs, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

**NEW** [Shh! The Secrets of Protecting Trade Secrets](#)

Tuesday, February 13, 2018 | 6:00 pm - 9:00 pm

**NY CLE Credit:** 3.0 professional practice

**Live Program & Webcast:** \$199 Member | \$299 Nonmember

**In-House Counsel:** \$119 Member | \$219 Nonmember

The U.S. Congress has estimated that “U.S. companies annually suffer billions of dollars in losses due to the theft of their trade secrets by employees, corporate competitors, and even foreign governments.” Thefts of valuable business and technical information are increasingly difficult to detect because of advances in cyberspace and mobile communication.

The program is geared toward in-house and outside counsel and is designed to guide practitioners in forming a comprehensive scheme to protect trade secrets as well as understanding the options for enforcement.

Our panel of experts will address what types of information can be protected by a trade secret, trade secrets in the employment context, protection and enforcement under the new federal Defend Trade Secrets Act and state law as well as parallel protections such as patents and copyrights, when to seek criminal enforcement, and enforcement of foreign trade secret theft before the International Trade Commission.

**Program Chair:**

James R. Klaiber, *Hughes Hubbard & Reed LLP*

**Sponsoring Association Committees:**

Copyright & Literary Property | Cynthia S. Arato, Chair

Corporation Law | Robert T. Miller, Chair

Information Technology and Cyber Law | Joseph V. DeMarco & Maia T. Spilman, Co-Chairs

Labor and Employment Law Committee | Jyotin Hamid, Chair

Patents | Philip L. Hirschhorn, Chair

Trademarks & Unfair Competition | Ainslee Schreiber, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

## Hot Topics in Privacy & Data Security Law: New Legislation/Regulation, Vendor Management, Digital Media, Regulated Industries, International Concerns & More

**Friday, April 13, 2018 | 9:00 am - 1:00 pm**

**NY CLE Credit:** 4.0 TBD

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

**In-House Counsel:** \$149 Member | \$249 Nonmember

**Small Law Firm:** \$119 Member

Privacy and data security issues continue to be primary concerns for every industry. The security threats keep increasing, and the legislative/regulatory landscape keeps changing. Every client and attorney should be familiar with general privacy principles and laws that apply in order to properly maneuver in their industry. This session will provide an overview of the hottest issues in privacy and data security law, which may include, recent legislative and regulatory developments; security breaches, internal information security programs, digital marketing; big data; international concerns and practical guidance to help any organization better manage its information gathering, dissemination and use practices.

### **Program Chair:**

Gary Kibel, *Davis & Gilbert LLP*

### **Sponsoring Association Committee:**

Consumer Affairs | Carla A. Latty, Chair

Information Technology and Cyber Law Committee | Joseph V. DeMarco & Maia T. Spilman, Co-Chairs

## The Basics of Blockchain for Lawyers

Thursday, May 10, 2018 | 6:00 pm – 9:00 pm

**NY CLE Credit:** 3.0 TBD

**Live Program & Webcast:** \$199 Member | \$299 Nonmember

**In-House Counsel:** \$119 Member | \$219 Nonmember

**Small Law Firm:** \$99 Member

If terms like Blockchain, Bitcoin, Ethereum, ICOs, utility tokens, consensus, hashing, mining, and forks mean nothing to you, beware! These terms are the building blocks of a technological revolution in the making. And the revolution is taking place closer to the lawyer than it seems. Blockchain for Lawyers will demystify the subject and provide conceptual and analytical tools for being a more informed lawyer, and for the intrepid, a participant in the revolution. The faculty for this CLE is comprised of both techies and lawyers.

### **Program Chair:**

Jaipat Jain, *Lazare Potter Giacovas & Moyle LLP*

### **Sponsoring Association Committee:**

Information Technology and Cyber Law Committee | Joseph V. DeMarco & Maia T. Spilman, Co-Chairs

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# INSURANCE LAW

---

## Current Issues in Insurance Regulation 2018

Friday, April 27, 2018 | 8:30 am - 1:00 pm

**NY CLE Credit:** TBD

**Live Program & Webcast:** \$299 Member\* | \$399 Nonmember

The 28th annual program on Current Issues in Insurance Regulation features regional and national leaders exploring topical issues of importance to the insurance industry, with opportunities for questions and interaction with the faculty. As in prior programs, we will address up-to-the-minute, cutting edge regulatory issues affecting the insurance industry and consumers alike. The program will begin with a networking Continental breakfast. Among the likely “hot” topics for this year’s program are:

- Recent (and proposed) insurance regulatory developments, focusing on New York and national issues.
- InsurTech – what are the legal issues for Life insurers, Accident & Health insurers, and Property/Casualty insurers?
- Insurance impact of federal health care initiatives (such as the Affordable Care Act).
- An insurance industry “General Counsel” panel discussion, focusing on insurance issues important to GC’s and other in-house insurance attorneys.
- The always stimulating “Commissioners’ Roundtable,” which brings together influential state insurance regulators for a panel showcasing their vantage points on recent and future insurance regulatory developments.

### **Program Co-Chairs:**

Fred Garsson, *Saul Ewing Arnstein & Lehr LLP*

Sapna Maloor, *Global Life Reinsurance Counsel, Chubb*

### **Co-Sponsored with:**

The Insurance Federation of New York, Inc. (IFNY)

### **Sponsoring Association Committee:**

Insurance Law | Drexel Harris, Chair

\* NYC Bar/IFNY

To register for this program, please visit:

**NYCBA.ORG/CLE**

## Insurers' and Insureds' Perspectives on Current Issues in D&O Liability & Insurance 2018

Thursday, May 24, 2018 | 9:00 am - 1:00 pm

NY CLE Credit: 4.0 professional practice

Live Program & Webcast: \$229 Member | \$329 Nonmember

In-House Counsel: \$149 Member | \$249 Nonmember

Directors and officers of corporations face constantly increasing and evolving liability. Directors and officers have exposures at common law for breach of fiduciary duty in the context of mismanagement claims, while D&Os of public companies may also face liability for violations of the federal securities laws.

Several years into the economic recovery from the "Great Recession", and particularly the sub-prime mortgage crisis, the ultimate liability of corporations, particularly financial institutions, and their directors, officers, employees, investors and creditors, continue to be determined. And with the legislative, regulatory and judicial changes promised by the new Presidential administration for the first 100 days, there is a climate of uncertainty that will affect the financial markets and, therefore, corporations and their D&Os. Directors and officers liability, and corporate liability, insurance products will continue to address these exposures.

Our panel of professionals, including insurers' representatives and insureds' advocates, and plaintiffs and defense counsel in these matters, will provide a balanced perspective on present and future exposures facing corporations and their D&Os, the D&O insurance marketplace, and the coverage afforded for these types of claims.

Panel discussions include:

- Primer on D&O Liability Exposures and Insurance Coverages
- Update on U.S. Securities Litigation and Coverage Considerations
- SEC & DOJ and Interplay with Civil Actions, and Coverage Considerations
- First 100 Days Impact Upon Corporations, D&Os and Coverage Considerations

**Program Chair:** Scott R. Schaffer, *Wilson Elser Moskowitz Edelman & Dicker LLP*

**Sponsoring Association Committee:** Insurance Law | Drexel Harris, Chair

**Co-Sponsored with:** The Insurance Federation of New York, Inc. (IFNY)

\* (NYC, IFNY)

To register for this program, please visit:

**NYCBA.ORG/CLE**

# LABOR & EMPLOYMENT

---

## **LIVE ONLY!** 4th Annual Employment Law Institute

Friday, March 9 | 8:15 am - 5:40 pm

Networking Lunch: 12:35 pm - 1:35 pm

NY CLE Credit: TBD

Live Program: \$399 Member | \$499 Nonmember

In House Counsel: \$299 Member | \$399 Nonmember

Small Law Firm: \$249 Member

This institute will examine recent trends, developments, and cutting-edge issues in employment law. Topics to be discussed include common ethical pitfalls for employment lawyers; legal issues arising both in the hiring process and dismissal of an employee; employers' increasing use of big data and concerns about employment discrimination; developments in wage and hour law; and strategies for mediating employment disputes. There will also be break-out sessions focusing on employment issues that frequently arise for in-house counsel and legal and ethical considerations for the virtual workplace. The panels will include in-house counsel for several large New York corporations and financial institutions, representatives from governmental agencies, and top practitioners from both the plaintiffs' and defense bar.

### **Program Co-Chairs:**

Jyotin Hamid, *Debevoise & Plimpton*

Jeremiah Iadevaia, *Vladeck, Raskin & Clark P.C.*

### **Sponsoring Association Committee:**

Labor & Employment Law | Jyotin Hamid, Chair

To register for this program, please visit:

**NYCBA.ORG/CLE**

***NEW*** [The Hiring Process in New York City: An In-Depth Look into Recent Legal Issues](#)

**Thursday, May 3, 2018 | 6 pm - 8:15 pm**

**NY CLE Credit:** 2.5 professional practice

**Live Program:** \$199 Member | \$299 Nonmember

**In-House Counsel:** \$119 Member | \$219 Nonmember

In the past several years, the New York City Commission on Human Rights has enacted several laws that have changed the legal landscape for hiring in New York City. A panel of legal experts, including lawyers who represent plaintiffs and employers, in-house counsel, and an Assistant Commissioner of the New York City Commission on Human Rights will engage in a dynamic discussion about these new laws, from the recent ban on inquiring about an applicant's salary history, to the latest Fair Chance Act rules, to new protected categories, such as caregiver status.

**Program Chair:**

Rebecca Berkebile, *Mount Sinai Health System, Legal Department*

**Sponsoring Association Committee:**

Labor & Employment | Jyotin Hamid, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# LEGAL WRITING

---

## Basics of Drafting Commercial Contracts: Translating the Meeting of the Minds into a Tangible Agreement

Monday, January 22, 2018 | 6:00 pm - 9:00 pm

NY CLE Credit: 3.0 skills

Live Program & Webcast: \$229 Member | \$329 Nonmember

Most lawyers say to their clients: “Get it in writing!” However, a number of lawyers do not know the fundamentals of drafting a binding contract. This course is an introduction for lawyers who are looking to create an agreement from scratch. Attendees will learn the overall structure of a contract and its parts, translating the terms and conditions of the deal into clear and concise provisions, and figuring out where to place each provision into a solid written agreement.

### **Program Instructor:**

Jason Aylesworth, *Sendroff & Baruch, LLP*

***NEW*** Lawyer Emails: Making Them Effective, Ethical, and Secure

Tuesday, March 20, 2018 | 6:00 pm - 8:00 pm

NY CLE Credit: 2.0 TBD

Live Program & Webcast: \$149 Member | \$249 Nonmember

Most lawyers today send emails - to other lawyers, as well as to clients. But email raises new challenges, both of communication and of ethics. This program provides tools for drafting effective emails and avoiding common email traps. It also offers strategies, based on an understanding of email security, for dealing with ethical issues including confidentiality and privilege.

**Program Co-Instructors:**

Mary Campbell Gallagher, *BarWrite® and BarWrite Press*

Stephan Grynwajc, *Law Office of S. Grynwajc, PLLC*

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

## Intermediate Skills for Drafting Commercial Contracts: Turning a Good Agreement into an Exceptional One

Monday, March 26, 2018 | 6:00 pm - 9:00 pm

NY CLE Credit: 3.0 skills

Live Program & Webcast: \$229 Member | \$329 Nonmember

This program is particularly helpful for lawyers who have participated in the Basics of Drafting Commercial Contracts, as well as lawyers who are looking to sharpen their negotiating and drafting skills. This course will cover pre-drafting principals of negotiation to maximize the terms and conditions of a deal on behalf of your client, and how to use carefully crafted provisions to add more value to the agreement. Attendees will have a deeper understanding of the benefits and risks involved with choosing clarity over ambiguity in commercial documents.

### **Program Instructor:**

Jason Aylesworth, *Sendroff & Baruch, LLP*

**Special Offer:** Receive \$50 off this program if you attend the January 22nd, *Basics of Drafting Commercial Contracts: Translating the Meeting of the Minds into a Tangible Agreement* CLE program!

## Drafting Licensing Agreements: Tips and Strategies

Friday, May 4, 2018 | 9:00 am – 12:00 pm

**NY CLE Credit:** 3.0 skills

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

Back by popular demand, this lively and challenging CLE program will help attendees write and edit better license agreements. Join program instructor, Paul C. Jorgensen, as he discusses:

- Vital preparation steps and the reasons each must be taken to ensure an effective license. These include defining success, identifying goals and audience and knowing existing agreements.
- Rules for drafting for clarity, lowering risks to your clients and breaking free of bad, arcane writing. This section will include common and license-specific writing problems that participants will learn to find and eliminate.
- The essential and non-essential license provisions. This section will pair the preparation findings with provisions that will minimize risk and maximize efficiency and profitability. Participants will also learn how to draft and what to avoid in each provision.

Don't miss learning how to write and edit better licensing agreements.

### **Program Instructor:**

Paul C. Jorgensen, *Founder and Principal, The Jorgensen Law Firm PLLC*

To register for this program, please visit:  
**NYCBA.ORG/CLE**

## **Every Contract is a Litigation Waiting to Happen**

**Monday, May 14, 2018 | 6:00 pm - 8:15 pm**

**NY CLE Credit:** 2.5 skills

**Live Program & Webcast:** \$199 Member/\$299 Nonmember

Agreements form the basis of nearly everything lawyers do. From vendor arrangements to asset purchases to non-compete agreements, contracts are essential to almost every practice area. Commercial lawyers who draft contracts tend to be primarily aware only of the business interests contemplated by the contract. But another essential part of contract drafting, sometimes overlooked, is the need to minimize the likelihood of future disputes. Commercial lawyers, in drafting agreements, need to fully understand all facets of the deal and conceptualize those areas where problems/disputes could arise down the road, and preemptively address these potential situations through her/his drafting skills. In this CLE, the faculty will discuss key contract "anti-litigation" drafting principles. They also provide attendees with real-world examples—both good and bad—of how various contractual provisions could be drafted to assist in mitigating future litigation.

### **Program Chair:**

Daniel K. Wiig, *Associate General Counsel, Municipal Credit Union*

### **Sponsoring Association Committee:**

In-House Counsel | Darryl W. Gibbs, Chair

# LITIGATION

---

## Enforcing Money Claims: Turning Your Judgment into an Actual Financial Recovery

Monday, February 5, 2018 | 6:00 pm - 8:15 pm

NY CLE Credit: 2.5 skills

Live Program & Webcast: \$229 Member | \$329 Nonmember

Unglamorous as it may seem to some, debt collection litigation and judgment enforcement are fundamental functions of our legal system. Not every defendant pays when they lose and some defendants just ignore cases entirely, leading to a default judgment. What can be done then? Quite a bit, actually. Knowledge of the basic rules and techniques in this area is important for any civil litigator. This program will provide an overview of debt collection litigation and judgment enforcement from the creditor's perspective. We will also focus on post-judgment litigation, including contempt of court proceedings and fraudulent conveyance actions.

### **Program Co-Instructors:**

Ariel Berschadsky, *Law Office of Ariel Berschadsky*

Bernard D'Orazio, *Bernard D'Orazio & Associates, P.C.*

Jonathan M. Proman, *Attorney at Law*

To register for this program, please visit:  
**NYCBA.ORG/CLE**

## Federal Court Practice 101: An Introduction to the Nuts & Bolts of Federal Civil Practice

**Monday, March 5, 2018 | 6:00 pm - 9:00 pm**

**NY CLE Credit:** 3.0 skills

**Live Program & Webcast:** \$149 Member | \$249 Nonmember

**Recent Law Grad:** \$79 Member | \$129 Nonmember

This program is designed to introduce attorneys, particularly those in the first three years of practice or transitioning from practicing in state court to practicing in federal court, to the nuts and bolts of federal civil practice. By focusing on real-life scenarios and practical skills, the panelists will share their advice on how to succeed at each stage of federal court litigation, from the initial conference to the close of discovery. The focus will be on providing attendees with practical knowledge that they can apply to their own cases. The panelists, including both practicing attorneys and members of the judiciary, will walk attendees through federal civil procedures while discussing strategies and sharing their own experiences in court.

### **Program Chair:**

Leonid Traps, *Sullivan & Cromwell LLP*

### **Sponsoring Association Committee:**

Federal Courts | Laura Grossfield Birger, Chair

## The "How To" of Successful Motion Practice: Practical Advice and Tips

Wednesday, May 23, 2018 | 6:00 pm - 9:00 pm

**NY CLE Credit:** 3.0 skills

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

Motion practice is at the center of civil litigation. To be effective, litigators at all levels of experience must have a firm grasp on the procedural and substantive issues affecting each potential motion. Understanding the bedrock legal principles and recent developments in the law and court rules is crucial both to evaluating whether to recommend making a contemplated motion and to making and opposing motions effectively. This distinguished panel of judges and experienced practitioners will provide guidance on how to decide whether to file a motion, when to file it, how to persuasively make and respond to motions, and tips for effective oral argument. This program will primarily cover motions for expedited relief (temporary restraining order, preliminary injunction), motions to dismiss, summary judgment motions, discovery motions, and motions to seal. The panelists will provide expert insight and guidance to help you foster and hone the motion practice skills necessary to succeed in civil practice in New York State and Federal Courts.

### **Program Chair:**

John Lundin, *Schlam Stone & Dolan LLP*

### **Sponsoring Association Committee:**

Litigation | Barbara Seniawski, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

## Current Developments in Commercial Division Practice

Monday, June 4, 2018 | 6:00 pm – 9:00 pm

**NY CLE Credit:** 3.0 skills

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

Commercial Division justices and practitioners will review and update practice and procedure in the Supreme Court's Commercial Division. The program will cover recent rule changes and proposals and noteworthy commercial decisions rendered in the Commercial and Appellate Divisions, including on discovery, motions to dismiss, and summary judgment. There will also be an update on the awarding of sanctions and attorneys fees by Commercial Division justices.

### **Program Chair:**

Robert A. O'Hare Jr., *O'Hare Parnagian LLP*

### **Sponsoring Association Committee:**

Litigation | Barbara L. Seniawski, Chair

State Courts of Superior Jurisdiction | Michael P. Regan, Chair

## Taking & Defending Depositions: Strategic Tips & Techniques

Wednesday, June 20, 2018 | 6:00 pm - 9:00 pm

**NY CLE Credit:** 3.0 skills

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

**Small Law Firm:** \$119 Member

Litigators know that the deposition is a crucial opportunity to evaluate an adversary's case, challenge key theories and witnesses, and to seek admissions for use in a potential summary judgment motion or at trial. Whether you are a first-year litigation associate or a senior partner, come learn how to maximize your effectiveness at taking, preparing for, and defending depositions. Our panel of skilled litigators and practitioners will provide you with valuable insights and practice tips from a variety of perspectives.

### **Program Chair:**

Steven H. Holinstat, *Proskauer Rose LLP*

### **Sponsoring Association Committee:**

Litigation | Barbara Seniawski, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# NONPROFIT LAW

---

## **NEW** Financial Reporting Model Impacting Not-for-Profit & Health Care Entities: Guidance on Upcoming Changes

Thursday, February 1, 2018 | 9:00 am - 11:00 am

NY CLE Credit: 2.0 skills

NY CPE Credit: 2.0 accounting\*

Live Program & Webcast: \$199 Member | \$299 Nonmember

In-House Counsel: \$119 Member | \$219 Nonmember

Learn about forthcoming changes to the presentation of not-for-profit financial statements and related note disclosures, as well as guidance on implementation. This session will provide key take-aways to share with boards and anticipated users of nonprofits' financial statements, to help explain the fundamental changes being enacted. Attendees will be able to (i) identify the changes to the not-for-profit financial statement reporting model; (ii) discuss with clients the impact this new guidance will have on a not-for-profit's reporting, and how these changes pair with the New York Prudent Management of Institutional Funds Act; (iii) recognize how these changes will impact users of nonprofit financial statements, most notably donors; and (iv) identify the time frame for implementing the required changes.

### **Program Co-Instructors:**

Candice Meth, CPA, *Partner-in-Charge, Not-for-Profit Services, EisnerAmper LLP*

Shari Savitt, *In-House Counsel, EisnerAmper LLP*

*\* EisnerAmper LLP is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: [www.learningmarket.org](http://www.learningmarket.org).*

### **EisnerAmper LLP National Registry Sponsor No. 108139**

Texas recognizes CPE programs offered by NASBA sponsors, but requires registration with the state board. EisnerAmper LLP is a registered sponsor in Texas (No. 010023).

**LIVE ONLY!** 6th Annual Institute on Not-for-Profit Law: Current Trends In Nonprofit Law

**Friday, April 20, 2018 | 9:00 am - 5:00 pm**

**NY CLE Credit: 6.0 TBD**

**Live Program: \$599 Member | \$699 Nonmember**

**Nonprofit/Government/Full-Time Academic: \$299 Member | \$399 Nonmember**

**Small Law Firm: \$299 Member**

The nonprofit sector, a growing and significant segment of the economy, is confronting important legal and regulatory changes and issues. This year's Nonprofit Institute will focus on some of these important trends. We will have an all-star panel of employment lawyers address important workplace issues, including employment discrimination and harassment, downsizing or reorienting workforces, minimum wage and overtime considerations, and drawing distinctions between employees and independent contractors. Recent changes in the federal tax code have important implications for the nonprofit sector which we will address from several angles.

Leading practitioners will present on other important developments and topics, including grantmaking, the concerns of in-house attorneys and CEOs, and ethics for nonprofit attorneys. This full-day program will also include a presentation by representatives of the New York Attorney General's Charities Bureau.

**Program Co-Chairs:**

Jennifer Reynoso, *Simpson Thacher*

David Samuels, *Duval & Stachenfeld*

**Sponsoring Association Committee:**

Nonprofit Organizations | Jennifer Reynoso, Chair

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

# PROFESSIONAL DEVELOPMENT WORKSHOP SERIES

---

## **NEW** [Inclusive Leadership = Intelligent Leadership: The Next Level of Leadership for 21st Century Legal Workplaces](#)

**Wednesday, January 17, 2018 | 8:30 am - 10:15 am**

**NY CLE Credit:** 2.0 Diversity, Inclusion and Elimination of Bias

**Live Program:** Free to Members | \$75 Nonmembers

*This event is free to attorneys from the sponsors of the 2018 Professional Development Workshop Series.*

As the legal profession becomes more diverse, it is crucial that lawyers at all levels learn how to build and lead strong diverse teams. While diversity can generate better insights and legal results, it can also generate greater intra-team conflict and ambiguity. This interactive presentation will provide an introduction to concepts of inclusive leadership including cross-cultural communication, conflict resolution and management, recognition of unconscious bias, and delegation and supervision/development of lawyers from different backgrounds.

The participants in this session will:

- Be introduced to the definition and components of inclusive leadership expected from senior attorneys;
- Be able to articulate why inclusive leadership is important to lawyers in how they interact with others, practice law and represent their clients;
- Recognize the challenges of being an inclusive leader in diverse teams today;
- Practice inclusive leadership skills in an interactive exercise;
- Learn practical tips and resources for leading diverse teams.

**Speaker:**

Dr. Arin N. Reeves, *President & Managing Director, Nextions LLC*

To register for this program, please visit:

**[NYCBA.ORG/CLE](http://NYCBA.ORG/CLE)**

**NEW Practicing Law at the Speed of Light: Building Resilience and Reducing Stress in a Climate of Change**

**Thursday, February 22, 2018 | 8:30 am - 10:15 am**

**NY CLE Credit: 2.0 Law Practice Management**

**Live Program: Free to Members | \$75 Nonmembers**

*This event is free to attorneys from the sponsors of the 2018 Professional Development Workshop Series.*

The practice of law today places great pressure on lawyers. Some cope well, but many don't. Psychological research has identified some very specific reasons why lawyers suffer from the psychological consequences of change more than other professionals. In this unique program, Dr. Larry Richard explains why this is so—the nature of the job, the unique personality traits of most lawyers, and other factors—and then offers four powerful strategies that can build the psychological resilience of lawyers, inoculate against future stresses, and prepare them to cope with whatever they encounter. These strategies have been field-tested with hundreds of other lawyers, as well as with thousands of soldiers in the US military as part of their psychological “mental toughness” training. Dr. Richard is widely regarded as the leading expert on the psychology of lawyers. Participants will:

- Understand what makes lawyers unique
- Learn the underlying principles that govern stress, the ability to tolerate it, and the ability to bounce back from setbacks
- Take away four proven strategies that they can immediately apply to cope more effectively with the challenges of practicing law

**Speaker:**

Dr. Larry Richard, J.D., Ph.D., *Founder & Principal Consultant, LawyerBrain LLC*

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

***NEW*** Raising Your Writing Bar: Next Level Drafting and Editing Skills

Friday, March 23, 2018 | 8:30 am - 10:15 am

NY CLE Credit: 2.0 skills

Live Program: Free to Members | \$75 Nonmembers

*This event is free to attorneys from the sponsors of the 2018 Professional Development Workshop Series.*

Improving your writing means evaluating and developing the habits that create your writing process. Developing or improving the habits that lead to an effective first draft will help you improve the quality of your final draft. Raise your writing bar by learning the fundamental drafting and editing habits that lead to a better, more effective first draft, every time.

**Speaker:**

*Catharine Du Bois, Visiting Professor, New York Law School & Director of the Legal Writing Program at National Institute for Trial Advocacy (NITA)*

***NEW*** Secrets of the Masters: The Five Habits of Successful Business Development

Thursday, April 26, 2018 | 8:30 am - 10:15 am

*CLE credit will not be provided*

Live Program: Free to Members | \$75 Nonmembers

*This event is free to attorneys from the sponsors of the 2018 Professional Development Workshop Series.*

This program is designed to help lawyers learn how to build a solid foundation for becoming highly successful rainmakers. The session is a compilation of greatest hits from the best-selling book, *Secrets of the Masters: The Business Development Guide for Lawyers*, and during the program, participants will learn how top rainmakers build huge books of business. Some of the topics that will be covered will include:

- Developing strategies and tactics for finding new work
- Generating new revenue from existing clients, new clients and referral sources
- Delivering higher levels of client service
- Identifying and act on internal cross-selling opportunities
- Techniques for getting more prospective client meetings
- Improving effectiveness during meetings
- Staying accountable for acting on commitments
- Developing methods for staying top-of-mind with important contacts

**Speaker:**

David H. Freeman, J.D., CEO, *David Freeman Consulting Group and Founder, Law Firm CultureShift*

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

***NEW*** [An Ounce of Prevention: How to Reduce Liability, Disciplinary and Reputational Risks](#)

**Wednesday, May 16, 2018 | 8:30 am - 10:15 am**

**NY CLE Credit:** 2.0 ethics

**Live Program:** Free to Members | \$75 Nonmembers

*This event is free to attorneys from the sponsors of the 2018 Professional Development Workshop Series.*

Every day brings another story of a law firm, or one of its lawyers, accused of ethical misconduct, incompetence, or simply a lack of professionalism. Whether lawyers wind up paying a malpractice judgment or being sanctioned, or they only suffer embarrassment, there are costs. Accusations of wrongdoing often cost time and money to defend, provoke anxiety, and hurt lawyers' reputations. At the same time, practicing law in an overly defensive posture may disserve one's clients and impose other costs on the firm. How should lawyers in a firm anticipate avoidable problems? What risks are reasonable – and cost-effective – for lawyers to avoid? Professor Bruce Green, who chairs the New York City Bar's Committee on Professional Ethics, will moderate committee members' discussion of these questions, aiming to offer practical guidance on how law firms and their lawyers can to reduce liability, disciplinary and reputational risks.

**Panel Chair:**

Bruce A. Green, *Louis Stein Chair of Law & Director, Stein Center for Law and Ethics, Fordham Law School*

To register for this program, please visit:  
**[NYCBAR.ORG/CLE](http://NYCBAR.ORG/CLE)**

## **Real Attachments: An In-Depth Look at Commercial Lease Exhibits**

**Wednesday, January 24, 2018 | 6:00 pm – 8:45 pm**

**NY CLE Credit:** 3.0 skills

**Live Program & Webcast:** \$199 Member | \$299 Nonmember

**In-House Counsel:** \$149 Member | \$249 Nonmember

**Small Law Firm:** \$99 Member

This program will explore key issues and case law developments and include model forms and clauses which will help new and experienced lawyers learn how to make better use of the common exhibits to commercial leases in NYC and beyond. Subordination, Estoppel, Non-Disturbance and Attornment Agreements (SNDAs), Guaranties (Good Guy and others), Work Letters and other key documents will be discussed. There can be significant financial and operational issues buried in these documents, which shape lease arrangements more than one might expect, given the scant attention they often receive. The goal of the presentation is to enable both the general practitioner and the more experienced real estate practitioner to advance their client's interests through this often-neglected, but rich area of leasing.

### **Program Moderator:**

Jo-Ann H. Whitehorn, *Deputy General Counsel and Vice President, TF Cornerstone Inc.*

### **Sponsoring Association Committee:**

Real Property | Jason T. Polevoy, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# REAL ESTATE

---

## Surviving the Residential Real Estate Closing: Prepare or Beware

Thursday, February 8, 2018 | 6:00 pm - 9:00 pm

NY CLE Credit: 3.0 skills

Live Program & Webcast: \$229 Member | \$329 Nonmember

Do you want to become more adept at anticipating and preventing problems before closing, and troubleshooting at the closing table when unanticipated situations arise? Are you worried about representing yourself, a family member or friend at an upcoming co-op, condo or residential real estate closing? Here is your chance to "eavesdrop" on **mock coop and house closings**. The enactment of two fictional real estate deals with multiple preventable hiccups will be conducted by seasoned practitioners. Bring your sense of humor to this informative-yet-entertaining program.

### **Program Chair:**

Mindy H. Stern, *Schwartz Sladkus Reich Greenberg Atlas LLP*

To register for this program, please visit:

**NYCBA.ORG/CLE**

## **Hot Topics Affecting Cooperatives & Condominiums 2018**

**Monday, March 12, 2018 | 6:00 pm - 9:00 pm**

**NY CLE Credit:** 3.0 professional practice

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

This program will provide practitioners with an overview of important current issues affecting cooperatives and condominiums, their boards and owners. The program will also include an update of recent case law.

### **Program Chair:**

Robert J. Braverman, *Braverman Greenspun PC*

### **Sponsoring Association Committee:**

Cooperative & Condominium Law | Ronald Jay Gold, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

***NEW*** [What a Relief! Practicing Before the NYC Board of Standards & Appeals](#)

Wednesday, April 11, 2018 | 6:00 pm - 9:00 pm

NY CLE Credit: 3.0 TBD

Live Program & Webcast: \$229 Member | \$329 Nonmember

This program will cover the role and authority of the New York City Board of Standards and Appeals (BSA) over zoning and land use matters, recent “reforms” passed by the New York City Council, and application requirements and procedures. Learn how to research properties and cases, how the recent legislation has changed practice before the BSA, and tips and trends relevant to applications. Presenters include current and past BSA staff, as well as private practitioners.

**Program Co-Chairs:**

Susan Golden, *Venable LLP*

Alison McCabe, *Deputy Counsel, NYC Department of City Planning*

**Sponsoring Association Committee:**

Land Use Planning and Zoning | David Mark Karnovsky, Chair

## Cooperatives, Condominiums & Other Residential Real Estate Contracts & Leases: Using, Drafting & Negotiating Riders

Thursday, April 26, 2018 | 6:00 pm - 8:15 pm

NY CLE Credit: 2.5 skills

Live Program & Webcast: \$199 Member | \$299 Nonmember

Small Law Firm: \$99 Member

The use of "riders" to alter and expand the standard forms of real estate contracts and leases (co-ops, condos and houses) is prevalent and important in the ever changing residential real estate market. This program will focus on the important provisions which attorneys are including in these riders. Examples of provisions that will be discussed and evaluated include "rent to own" agreements, mortgage contingencies (loss/expiration of commitments after contingency period), sale of existing property contingency, requirements of co-op boards regarding maintenance escrows, riders, representations regarding noise, leaks & construction, "as-is" provisions, certificate of occupancy provisions & post closing possession.

This program is a **must** for all attorneys wanting to gain the knowledge needed to properly safeguard and advise clients in real estate transactions.

### **Program Chair:**

Neil B. Garfinkel, *Abrams Garfinkel Margolis Bergson, LLP*

To register for this program, please visit:  
**NYCBA.ORG/CLE**

## Affordable Housing for Whom and For How Long - Balancing Individual Property Rights and Preservation

Tuesday, May 1, 2018 | 6:00 pm - 8:00 pm

**NY CLE Credit:** 2.0 professional practice

**Live Program & Webcast:** \$99 Member | \$199 Nonmember

**Government/Nonprofit/Academic:** \$40 Member | \$70 Nonmember

**Small Law Firm Member & Non-Legal Professional:** \$40

This two panel event will provide an inside perspective from private and public sector practitioners with extensive experience in the real estate industry and in particular affordable housing in New York City. The first panel will focus on what qualifies as “affordable” and how public sector housing programs incentivize rentals vs. co-ops (or homeownership in general) in the context of the development of affordable housing. The second panel will be a discussion between advocates on both sides (affordable housing preservationists vs. individual property rights advocates) regarding the sale/transfer of apartments in buildings owned by Housing Development Fund Corporations (entities formed pursuant to Article 11 of the New York State Private Housing Fund Law).

### **Program Co-Chairs:**

Daniel M. Bernstein, *Rosenberg & Estis, P.C.*

Bryan Kaplan, *NYC Dept. of Housing Preservation and Development*

### **Sponsoring Association Committee:**

Housing and Urban Development | William H. Vidal and Daniel Weisz, Co-Chairs

## **Commercial Real Estate Law: The Basics & Beyond**

**Monday, May 7, 2018 | 6:00 pm – 9:00 pm**

**NY CLE Credit:** 3.0 skills

**Live Program & Webcast:** \$229 Member | \$329 Nonmember

**Small Law Firm:** \$119 Member

This program will identify and address a range of pertinent topics the practitioner will encounter in a commercial real estate transaction, including contract formation, title and survey issues, and due diligence investigations. Our panelists will give the audience the “do’s and don’ts” of a commercial real estate transaction as well as model language and forms for use in everyday practice. The program will provide valuable guidance to the “beginner” real estate practitioner as well as litigators who practice in the area of real estate litigation.

### **Program Chair:**

Leslie R. Byrd, *Bryan Cave LLP*

### **Sponsoring Association Committee:**

Real Property | Jason T. Plevoy, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

## Current Governance Issues in Cooperatives & Condominiums

Tuesday, June 12, 2018 | 9:00 am - 11:00 am

**NY CLE Credit:** 2.0 professional practice

**Live Program & Webcast:** \$199 Member | \$299 Nonmember

This updated annual seminar is intended for attorneys who represent cooperatives and condominiums and, in particular, those who serve as directors on cooperative and condominium boards. Presentations will be provided on important topics relating to current governance issues.

### **Program Chair:**

Robert J. Braverman, *Braverman Greenspun PC*

### **Sponsoring Association Committee:**

Cooperative & Condominium Law | Ronald Jay Gold, Chair

# TRUSTS & ESTATES

---

## Estate Planning Primer

Wednesday, February 7, 2018 | 6:00 pm - 9:00 pm

NY CLE credit: 3.0 skills

Live Program & Webcast: \$199 Member | \$299 Nonmember

Small Law Firm: \$99 Member

This program will utilize case studies to introduce both tax and non-tax estate planning issues that arise routinely in the ordinary course of people's lives and discuss the relevant estate planning solutions. Non-estate planning attorneys will be introduced to the signals that should alert them to the relevant issues that are likely to arise in their own practices. Estate Planning is not only for the wealthy. The non-tax aspects of estate planning are critical for the orderly disposition of assets upon death. For the wealthier client, estate planning addresses the orderly disposition of assets tax efficiently. This program will introduce the basics of the estate, gift and generation skipping taxes, go over the application of common estate planning techniques and discuss the role of life insurance in estate planning.

### **Program Co-Chairs:**

Regina Kiperman, *RK Law PC*

Bridget LaRosa, *Fox Rothschild LLP*

### **Sponsoring Association Committees:**

Estate and Gift Taxation | Evelyn M. Capassakis, Chair

Trusts, Estates & Surrogates Court | Andrew Auchincloss, Chair

To register for this program, please visit:  
**NYCBAR.ORG/CLE**

## Primer on Probate

Wednesday, March 28, 2018 | 6:00 pm - 9:00 pm

NY CLE Credit: 3.0 TBD

Live Program & Webcast: \$229 Member | \$329 Nonmember

Small Law Firm: \$119 Member

This program is an introduction to the probate process in NYS and will include a review of the probate process, requirements, forms and pre-mortem preparation as well as to typical issues that arise in administering estates. There will also be a brief discussion of probate contests and 1404 depositions. Finally, there will be a review of why and how to avoid the probate process using revocable trusts and other legal entities.

### **Program Co-Chairs:**

Regina Kiperman, *RK Law PC*

Bridget LaRosa, *Fox Rothschild LLP*

### **Sponsoring Association Committee:**

Trusts, Estates & Surrogates Court | Andrew S. Auchincloss, Chair

***NEW*** [Preparing & Conducting SCPA §1404 Discovery: The Basics](#)

Thursday, May 17, 2018 | 6:00 pm - 9:00 pm

NY CLE Credit: 3.0 skills

Live Program & Webcast: \$229 Member | \$329 Nonmember

This program will provide an introduction to will contests, discovery under SCPA §1404, and discovery following the filing of objections to probate. Topics include document discovery, preparing and conducting SCPA §1404 examinations, discovery of tax returns, use of expert witnesses, and ethical considerations in will contests.

**Program Co-Chairs:**

Ilene Cooper, *Farrell Fritz PC*

Angelo M. Grasso, *Greenfield, Stein & Senior LLP*

**Sponsoring Association Committee:**

Trusts, Estates & Surrogate's Courts | Andrew S. Auchincloss, Chair

To register for this program, please visit:  
**NYCBA.ORG/CLE**

# UPCOMING SUMMER & FALL 2018 PROGRAMS

---

## **Construction Contracts 101**

Tuesday, July 17, 2018 | 6:00 pm - 9:00 pm

## **Supreme Court - A Year in Review**

Wednesday, July 18, 2018 | 6:00 pm - 9:00 pm

## **Estate Planning: More Misfires of the Rich & Famous**

Wednesday, August 8, 2018 | 6:00 pm - 9:00 pm

## **Ethical Considerations for Corporate Investigations: Views from All Sides**

Thursday, September 27, 2018 | 6:00 pm - 9:00 pm

## **Practicing in NYS Supreme Court - Parts One & Two**

Wednesday, September 25, 2018 | 9:00 am - 5:00 pm

Wednesday, October 3, 2018 | 9:00 am - 5:00 pm

## **Hot Topics in Advertising & Marketing Law 2018**

Friday, October 12, 2018 | 9:00 am - 12:30 pm

For more information on all upcoming programs, please visit our website at  
[www.nycbar.org/cle](http://www.nycbar.org/cle)

## Cancellations & Refunds

For live programs, refunds and program credits are available provided cancellation is faxed, prior to the start of the program, to Customer Service at 212.869.4451. There is no administrative fee for program credits, which must be used within one year of the original program date. There is a \$45 administrative fee for most program refunds and a \$100 administrative fee for refunds for full day/multiple day program; the cancellation fee will be deducted from the refund.

## Scholarships & Discounts

Discounted rates for select programs are available to attorneys at small law firms (25 attorneys or fewer) and in-house counsel. A 50% discount on registration is available to attorneys working for government agencies, nonprofit organizations, full-time students and academics. Discounts cannot be combined. Financial scholarships are also available; an application must be submitted at least two (2) weeks before the date of the program. For more information on scholarships and discounts, visit our website at [www.nycbar.org/cle](http://www.nycbar.org/cle).

## Accredited CLE Provider

We are an accredited CLE provider in New York, New Jersey, California & Pennsylvania; attorneys licensed in Connecticut can also earn credit for our programs. Unless otherwise noted, live programs provide transitional/non-transitional credit to all New York attorneys. CLE certificate are either distributed at the end of the program or emailed afterwards; attendees are responsible for retaining a copy of their CLE certificates.

***Newly Admitted NY Attorneys please note:*** Newly admitted NY attorneys cannot fulfill skills credits through our webcast programs since they are not considered “fully interactive videoconference” under OCA rules. Newly admitted NY attorneys cannot fulfill skills or ethics credits through our on-demand programs under OCA rules. For more information on this, please see [http://www.nycourts.gov/attorneys/cle/changes\\_for\\_2016.shtml](http://www.nycourts.gov/attorneys/cle/changes_for_2016.shtml)

## Passport Savings Options

For information above our money saving passport programs visit our website at [www.nycbar.org/cle](http://www.nycbar.org/cle)

## Requests for Accommodations

If you are planning on attending a CLE program and have a hearing or vision impairment, contact the New York City Bar Association at [customerservice@nycbar.org](mailto:customerservice@nycbar.org) or 212.382.6663 and we will endeavor to accommodate you.

## **Discover the Benefits of Membership at the New York City Bar**

City Bar membership offers you endless opportunities to enhance your skills and to explore all of the possibilities to enhance your skills and to explore all of the possibilities the profession has to offer. Take advantage of reduced pricing on CLE programs, attend members-only events, access free legal research, gain access to exclusive offers available to City Bar members and join a diverse network of your colleagues in private practice, public service, the judiciary, government, academia, in-house and law school. For more information on membership or to join, please contact Customer Service at 212.382.6663.

**Not a member? Join now to begin enjoying exclusive member benefits, including low membership pricing, FREE CLEs and more.**

*All information is subject to change.*



NEW YORK  
CITY BAR



CITY BAR CENTER FOR CLE

[www.nycbar.org/cle](http://www.nycbar.org/cle)