



2nd Annual Conference - LIVE !

EMINENT DOMAIN

Current Issues & Practical Guidance for Condemnors & Condemnees May 18-19, 2017 • Crowne Plaza • Little Rock

Dear Colleague:

Please join us in Little Rock on May 18-19 for our 2nd Annual Eminent Domain Conference.

This two-day event features condensed briefings on the key issues in Arkansas eminent domain and condemnation proceedings today, including presentations on:

- **Recent Developments in Arkansas Eminent Domain Law and Regulation**
- **Pleading and Proving Complex Claims in Arkansas**
- **New Developments in State Highway Projects**
- **Municipal Use of Eminent Domain for Redevelopment and Public Utilities**
- **Key Considerations in Negotiating the Right-of-Way Easement**
- **Eminent Domain Issues in Electric Transmission Line Projects**
- **Proving Special and Unusual Damages in Eminent Domain Cases**
- **Pipeline Projects and Lessons Learned from the Diamond and Dakota Pipelines**
- **Valuation of Leases and Other Intangible Property**

To address these topics, we've assembled an all-star faculty of seasoned attorneys, government officials, and appraisal experts, including:

- **City Attorneys from Benton, Bryant and Little Rock**
- **Legal Staffers from the Arkansas Highway and Transportation Department**
- **The Saline County Attorney**
- **The Chairman of the Arkansas Public Service Commission**
- **Leading eminent domain litigators from seven law firms**

Property valuation is a key issue in all eminent domain cases, and we address this issue with a panel presentation featuring two experienced appraisers who apply different methodologies to evaluate different properties.

With a full 12 hours of instruction, including one hour of ethics, the program will also satisfy your CLE requirement.

Please join us in Little Rock for two days of stimulating presentations and networking opportunities.



Michael B. Phillips, Esq.
Program Co-Chair
Moffitt & Phillips, Little Rock



Joseph W. Price, II, Esq.
Program Co-Chair
Quattlebaum, Grooms & Tull, Little Rock

CONFERENCE LOCATION & HOTEL ACCOMMODATIONS



Crowne Plaza
201 S. Shackleford Road
Little Rock, AR 72211

The Crowne Plaza is west Little Rock's premier hotel, providing a convenient location, easy access to all areas of the city, and complimentary parking.

For Hotel Reservations
501-223-3000 or
855-590-9987 (toll-free)
Eminent Domain Conference block
or reference code CL5

THURSDAY, MAY 18

8:00	Registration and Continental Breakfast
8:45	Introduction and Welcome Overview of Day One Michael B. Phillips, Esq., Program Co-Chair Moffitt & Phillips, Little Rock Joseph W. Price, II, Esq., Program Co-Chair Quattlebaum, Grooms & Tull, Little Rock
9:00	Case Law Update Recent Arkansas Eminent Domain Litigation Brandon K. Moffitt, Esq. and Michael B. Phillips, Esq., Program Co-Chair Moffitt & Phillips, Little Rock Mark C. Umeda, Staff Attorney Arkansas State Highway and Transportation Dept., Little Rock
9:45	Pleading and Proving Complex Claims in Arkansas, Part 1 US Court of Federal Claims Cases Brandon K. Moffitt, Esq. Moffitt & Phillips, Little Rock
10:30	Networking Break
10:45	State Highway Projects Update on New Developments Michelle L. Davenport, Staff Attorney Arkansas State Highway and Transportation Dept., Little Rock Clay G. Ford, Esq., Saline County Attorney Benton
11:45	Lunch Break (on your own)
1:00	Municipal Use of Eminent Domain for Redevelopment and Public Utilities The FAST Act and Complying with Federal Law to Obtain Federal Funding for a Public Utility; Recent Developments Affecting Municipal Use of Eminent Domain for Redevelopment; Strategies for Handling Objections to a Taking Thomas M. Carpenter, City Attorney, Little Rock Brent D. Houston, City Attorney, Benton Richard Chris Madison, City Attorney, Bryant
2:00	Key Considerations in Negotiating the Right-of-Way Easement The Landowners' Perspective Stephen C. Smith, Esq. Smith, Cohen & Horan, Fort Smith
2:45	Networking Break
3:00	Electric Transmission Line Projects Update on Activity Ted J. Thomas, Esq., Chairman Arkansas Public Service Commission, Little Rock Bruce B. Tidwell, Esq. Friday, Eldredge & Clark, Little Rock Jordan P. Wimpy, Esq. Gill Ragon Owen, Little Rock
4:00	Ethical Issues in Eminent Domain Litigation Ensuring Fair Compensation; Consistent Treatment of Owners in a Project; Conduct Encouraging Early Resolution of Claims; Insight from a Jurisdiction Where 99% of Claims Settle Shane Rayman, Esq. Rayman Beitchman, Toronto, Ontario
5:00	Adjourn

FRIDAY, MAY 19

7:45	Networking Session and Continental Breakfast
8:15	Welcome Back and Review of Day One Overview of Day Two Michael B. Phillips, Esq., Program Co-Chair Joseph W. Price, II, Esq., Program Co-Chair
8:30	Use of Eminent Domain in Arkansas Pipeline Projects Lessons Learned from the Diamond and Dakota Access Pipeline Projects Seneca Jacobs, Esq. Little Rock
9:15	Pleading and Proving Complex Claims in Arkansas, Part 2 Temporary and Partial Takings; Exaction Takings Lawrence W. Jackson, Esq. Marion
10:00	Networking Break
10:15	Valuation of Leases And Other Intangible Property Michael N. Shannon, Esq. Quattlebaum, Grooms & Tull, Little Rock
11:00	Appraisers on Valuation Appraisers Apply Different Methodologies to Different Property Types: Farmland; Commercial Property; Residential Property; Industrial Property J.T. Ferstl, MAI Ferstl Valuation Services, Little Rock Alex McIntosh, MAI MAC Valuation Group, Advisory & Appraisal Services, Little Rock
12:15	Lunch Break (on your own)
1:30	Proving Special and Unusual Damages Damages for Relocation Costs; Damages for Impairment of Access; Damages from Threatened Use of Eminent Domain Joseph W. Price II, Esq. Quattlebaum, Grooms & Tull, Little Rock
2:30	Networking Break
2:45	Condemnation of an Animal Refuge A Case Study on Damages Sandy S. McMath, Esq. Sandy S. McMath & Associates, Little Rock
3:45	Questions and Answers
4:00	Evaluations and Adjourn

**Earn Up to 12 Hours of MCLE Credit
Including One Hour of Ethics
Earn Up to 12 Hours of IRWA and Appraiser Credit**

PROGRAM CO-CHAIRS

Michael B. Phillips, Esq. is a life-long resident of Arkansas. He grew up in Lawrence County on his family's rice, soybean, and wheat farm. Since graduating from law school, Mr. Phillips has continuously represented Arkansas property owners whose property has been threatened or taken by the government under the power of eminent domain. He has dedicated his law practice to protecting the right of private property ownership for all Arkansans. Mr. Phillips is a member of the American Association for Justice, the Arkansas Trial Lawyers Association, and the Owners' Counsel of America, and he speaks on eminent domain issues for several national CLE organizations.

Joseph W. Price, II, Esq. focuses his practice on civil litigation and represents both property owners and condemning authorities in eminent domain matters. In 2013, Mr. Price drafted, worked with several legislators, and testified in front of the Arkansas Senate Judiciary Committee to pass Arkansas Code Annotated 27-67-317, which allowed the Court to award costs, expenses, and reasonable attorney's fees to property owners in eminent domain actions brought by the Arkansas State Highway and Transportation Department. Prior to this legislation, property owners in Arkansas were without recourse to recover these losses. He is recognized as a Mid-South Rising Star in the area of Business Litigation by Super Lawyers. Mr. Price is a member of the Arkansas Association of Defense Counsel and the Defense Research Institute and he speaks on a range of real-estate related issues.

FEATURED PRESENTERS

Thomas M. Carpenter, City Attorney
Little Rock

Brent H. Houston, City Attorney
Benton

Richard Chris Madison, City Attorney
Bryant

FACULTY

Michelle L. Davenport, Esq., Staff Attorney
Arkansas Highway and Transportation Dept.
Little Rock

James T. Ferstl, J.D., MAI
Ferstl Valuation Services, Little Rock

Clay G. Ford, Saline County Attorney
Benton

Lawrence W. Jackson, Esq.
Marion

Seneca Jacobs, Esq.
Little Rock

Alex McIntosh, MAI
MAC Valuation Group
Advisory & Appraisal Services, Little Rock

FACULTY

Sandy S. McMath, Esq.
Sandy S. McMath & Associates, Little Rock

Brandon K. Moffitt, Esq.
Moffitt & Phillips, Little Rock

Joseph W. Price II, Esq.
Quattlebaum, Grooms & Tull, Little Rock

Shane Rayman, Esq.
Rayman Beitchman, Toronto, Ontario

Michael N. Shannon, Esq.
Quattlebaum, Grooms & Tull
Little Rock

Stephen C. Smith, Esq.
Smith, Cohen & Horan, Fort Smith

Ted J. Thomas, Esq., Chairman
Arkansas Public Service Commission, Little Rock

Bruce B. Tidwell, Esq.
Friday, Eldredge & Clark, Little Rock

Mark C. Umeda, Staff Attorney
Arkansas Highway and Transportation Dept.
Little Rock

Jordan P. Wimpy, Esq.
Gill Ragon Owen, Little Rock

4 EASY WAYS TO REGISTER	1 cle.com/AR	2 FAX (303) 321-6320	3 PHONE (800) 873-7130	4 MAIL 7995 East Prentice Avenue Suite 200 Greenwood Village, CO 80111

YES! Please register the following:

Name _____
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Cancellation

Full tuition refunds (less a \$75 administrative charge) will be given only if notice of cancellation is received by 5:00 pm MST on the Friday prior to the Conference. Substitutions may be made at any time.

Course Materials provided in electronic format only.

Tuition - same price as last year!

- \$795 per person
- \$695 each for two or more
- \$695 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$595 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

Home Study - available after the Conference

- Audio transcript and course materials
 \$795 plus \$10 shipping and handling

Course Materials Only

- \$250 plus \$10 shipping and handling

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Key Issues in Highway, Pipeline, Transmission Line,
& Municipal Utility Projects

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Featured Presentation

Municipal Use of Eminent Domain for Redevelopment and Public Utilities



Tom Carpenter
City Attorney, Little Rock

Thomas M. Carpenter has been with the City Attorney's Office in Little Rock since 1984. He directs 11 attorneys who handle all district court actions, all other litigation,

and represent various boards and commissions. The office also handles contracts, research, and regulatory matters on a variety of municipal legal issues. Mr. Carpenter also teaches courses in Government Law, Civil Rights, and Land Use as an adjunct professor at the William Bowen School of Law in Little Rock.



Brent Houston
City Attorney, Benton

Brent D. Houston has served as the City Attorney for the City of Benton since 2007. He is a former deputy prosecutor, a past president of the Saline County Bar Association, and

the former City Attorney for the City of Shannon Hills. In addition to representing the city in civil litigation, Mr. Houston also has a private practice in Benton, specializing in criminal trials and appeals, domestic relations, personal injury, probate estates, civil litigation and appeals.



Chris Madison
City Attorney, Bryant

Richard Chris Madison was appointed to his position as the staff attorney for the City of Bryant in 2012. Mr. Madison worked as a police officer before attending and graduating from the William Bowen School of Law at the University of Arkansas in Little Rock. After he law school, he was in private practice with Welch & Kitchens in Little Rock.

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