



The Best Faculty. The Best Experience. Since 1983.

New One-Day Format!

Eminent Domain

Case Law, Legislation, Trial Techniques and More

April 17, 2009 • Hilton • Newark

Program Co-Chairs



Timothy P. Duggan, Esq.

"I am honored to co-chair this event for the fourth consecutive year, this time in Newark. With its transportation lines, redevelopment plans and school construction, Newark is a good example of the continuing centrality of eminent domain."



Anne Studholme, Esq.

"Newark's growth has been remarkable. Led by strong institutions and local, state, and national government, the city is not just "poised" for a turnaround, it is turning. Come for the excellent program and take the opportunity for a look around New Jersey's largest city afterward."

Dear Colleague:

We are delighted to invite you to the fastest growing city in the Northeast (hint: it's Newark!) for CLE International's 4th Annual Eminent Domain Seminar.

Join us for the Seminar and convene afterward for a walking tour of newly redeveloped downtown Newark. At this Seminar, you'll learn about:

- Eminent Domain Best Practices
- The Experts' Trial Techniques
- Where Does the Case Law Stand Today?
- New Legislation—Will the Playing Field Change Yet Again?
- Controlling Redevelopment Without Condemning Property
- Valuation—Basics and Special Concerns
- What if the Land Is Contaminated?
- COAH—How the New Rules Drive Redevelopment

The Seminar's new one-day format will save you time and money. You'll earn a full day of CLE credit and unmatched networking opportunities with our faculty and attendees: developers, planners, appraisers, government professionals, lawyers, and brokers.

All in a central location convenient to rail and car, adjacent to Penn Station! New Yorkers, this seminar will be of interest to you as well.

We look forward to seeing you there.

Sincerely,

Timothy P. Duggan, Esq.
Stark & Stark, Lawrenceville

Anne Studholme, Esq.
Herrick Feinstein, Newark

Special Thanks to Our Conference Sponsors:

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Schedule and Instructor Bios Inside ▶

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MORNING 8 a.m.—12:45 p.m.

- 8:00 Registration and Continental Breakfast
- 8:30 **Welcome and Introduction**
Overview of the Day
Timothy P. Duggan, Esq., Program Co-Chair
Stark & Stark, Lawrenceville
Anne Studholme, Esq., Program Co-Chair
Herrick Feinstein, Newark
- 8:45 **Case Law and Legislative Update**
The Year in Review
Henry T. Chou, Esq.
Hill Wallack, Princeton
Timothy P. Duggan, Esq., Program Co-Chair
- 9:30 **Property Valuation**
Overview of Basic Methodologies and Special Considerations for Dealing with Contaminated Property
Lisa Bova-Hiatt, Esq., Deputy Chief in Charge of Condemnation
New York City Law Department
Todd D. Greene, Esq.
Sterns & Weinroth, Trenton
- 10:30 Morning Break
- 10:45 **Taking Property for Redevelopment**
Challenging or Defending Blight Declarations
Paul H. Schafhauser, Esq.
Herrick Feinstein, Newark
Peter Steck, PP, AICP
Maplewood
- 11:45 **Municipal Control of Large Parcel Redevelopment**
Working Around the Pitfalls of Eminent Domain
Gary E. Fox, Esq.
Fox & Melofchik, Ocean Township
Anne Studholme, Esq., Program Co-Chair
- 12:45 Lunch Break

TELL US WHAT YOU WANT!

Do you have specific questions or topics you hope to see covered in this program? Would you like to see a Conference on another topic? Contact **CLE INTERNATIONAL** Program Attorney Stacie Kelly, stacie@cle.com.

REACH YOUR TARGET AUDIENCE!

Would you like the opportunity to exhibit at or sponsor this or other **CLE INTERNATIONAL** conferences, and get your name out to our many prospective and actual attendees? Contact Barbara Hollingsworth, barbara@cle.com.

AFTERNOON 2 p.m.—5:30 p.m.

- 2:00 **Refining Your Skills for the Eminent Domain Trial**
Opening Statements and Closing Arguments
Edward D. McKirdy, Esq.
McKirdy & Riskin, Morristown
Peter H. Wegener, Esq.
Bathgate, Wegener & Wolf, Lakewood
Timothy P. Duggan, Esq., Program Co-Chair
- 3:00 Afternoon Break
- 3:15 **Presenting Your Case**
Evidence—Managing Your Most Valuable Resource; Introducing and Using Demonstrative Evidence; Direct Examination—Effectively Using Witnesses to Tell Your Story
George J. Kroculik, Esq.
Duane Morris, Princeton
John J. Reilly, Esq.
Farer Fersko, Westfield
- 4:15 **Attacking Your Opponent's Case**
Motions *In Limine* and Rule 104 Hearings; Cross Examination of Appraisers and Other Experts; Presenting Rebuttal Witnesses
Jon P. Brody, MAI, SRA, CRE, President
Appraisal Consultants Corp, Livingston
John J. Curley, Esq.
Jersey City
James L. Esposito, Esq.
DeCotiis, FitzPatrick, Cole & Wisler, Teaneck
- 5:15 Q&A Panel
Members of the Faculty
- 5:30 Evaluations and Adjourn
For those interested, join your Program Co-Chairs for an informal walking tour of newly redeveloped downtown Newark!

Save These Dates!

Real Estate Restructuring

March 26-27, Orlando

Carolinas Wetlands

March 30-31, Charlotte

Oklahoma Water Law

March 30-31, Oklahoma City

Wyoming Water Law

April 16-17, Cheyenne

Colorado River SuperConference

May 4-5, Phoenix

Real Estate Restructuring

May 7-8, Denver

PROGRAM CO-CHAIRS

Timothy P. Duggan is Chair of his firm's Condemnation and Real Estate Tax Appeal Group. He represents individuals and businesses in negotiating and challenging eminent domain proceedings, and represents certain public entities in road-widening projects. He also prosecutes real estate tax appeals for national builders, shopping centers, and commercial and retail property owners.

Anne Studholme represents developers and lenders in redevelopment, land use and zoning throughout New Jersey. She is also a litigator with more than a decade of experience in complex litigation at all levels of New Jersey's state and federal courts. She has particular expertise in affordable housing matters and redevelopment.

FACULTY

Lisa Bova-Hiatt represents the City of New York in the acquisition of property by eminent domain. She advises agencies, coordinates acquisitions, and manages attorneys and staff regarding procedure, valuation and title clearance.

Jon P. Brody performs appraisals and serves as an expert in forensic litigation for malpractice, bankruptcy, condemnation and tax appeals.

Henry T. Chou concentrates his practice in the land development process and land use litigation matters. He also has significant experience in affordable housing litigation and administrative matters.

John J. Curley specializes in eminent domain law, redevelopment projects, commercial real estate transactions, condominium law, and civil litigation involving real property.

James L. Esposito practices in the areas of local property taxation and condemnation. Before joining his firm, he was a Deputy Attorney General and represented such state agencies as the New Jersey Division of Taxation, the New Jersey Department of Labor and the New Jersey Bureau of Securities.

Gary E. Fox has been involved in many development projects, generally as counsel for developers whose projects range in size from minor subdivisions to multi-million square foot proposals.

Todd D. Greene focuses his practice on all aspects of commercial and residential real estate matters, including land acquisitions and sales, leasing, financing and litigation. He has significant experience handling eminent domain matters for both condemning authorities and landowners.

George J. Kroclic practices in the area of real estate law with a focus on eminent domain and highway access management and control, land use and land use litigation, relocation assistance, tax appeal matters and general commercial litigation.

Edward D. McKirdy has devoted most of his career to real estate value litigation, with a particular emphasis on eminent domain issues. He previously served as a New Jersey Deputy Attorney General.

John J. Reilly chairs his firm's Litigation and Condemnation practice group. He concentrates in condemnation, eminent domain, redevelopment, environmental litigation and real estate. He previously served for 16 years as a New Jersey Deputy Attorney General, representing the Department of Transportation, Department of Environmental Protection and other state agencies.

Paul H. Schafhauser focuses on complex commercial and real estate litigation. He litigates matters involving real estate, insurance, banking, business dissolutions and general contract disputes, among others. He worked on Wall Street before beginning his legal career, and served as counsel for a large real estate development company in the New York metropolitan area.

Peter Steck is a professional planning consultant with broad experience in analyzing blight declarations and related land use matters in New Jersey. He has provided planning services on behalf of both property owners resisting blight declarations and redevelopers, and has also provided planning testimony in condemnation valuation cases.

Peter H. Wegener has focused on representing property owners in eminent domain cases for over 30 years. His other practice areas include real property tax appeals, real estate litigation, environmental litigation and appraisals related to matrimonial and partition actions.

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Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday prior to the Conference. Substitutions may be made at any time.

Tuition

- \$595 per person
- \$495 each for two or more
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- \$395 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

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