



**Earn up to 12 Hours MCLE Credit  
Including One Hour of Ethics**

**Earn up to 12 Hours Appraiser Credit**

**An Exciting New Conference to New Jersey!**

# Eminent Domain

**Public Taking for Private Gain—A Sound Policy?**

**June 16-17, 2005 • Westin Hotel • Princeton**

**Conference Sponsored By:**

**STARK & STARK**

## **Who Should Attend:**

- Lawyers and Legal Staff
  - Government Officials
  - Regulators
  - Planners
  - Consultants
  - Engineers
  - Architects
  - Landowners
  - Developers
  - Real Estate Professionals
  - Environmental Professionals
- ...and anyone interested in the future of New Jersey eminent domain law!



Visit our website at [cle.com](http://cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

**Since 1996, over 5,000 people have attended CLE International's Eminent Domain Conferences around the nation.**

"The best eminent domain education that can be obtained in two days. Great update on recent, pending cases."

—Austin

"Highly educational and very informative."

—Denver

"I believe this course has widespread interest. The insight provided by the experienced litigators is very valuable to any real estate professional."

—Durham

"Faculty was very knowledgeable with very good written materials."

—Los Angeles

"I will be recommending CLE International as an outstanding continuing education provider to my organization. This has been the best seminar that I've been to in years."

—Philadelphia

## **Don't Miss This Opportunity To:**

- Hear Updates on the Most Recent Developments that Are Important to Your Practice
- Get a Balanced Perspective from Condemnors and Property Owners
- Leave the Conference Knowing that Both Your Time and Money Have Been Well Spent

Register Online at [www.cle.com](http://www.cle.com) or Call (800) 873-7130  
Conference Schedule and Speaker Biographies Inside 

**Thursday, June 16****Friday, June 17**

8:30 Registration

**9:00 Introduction**

Overview and Welcoming Remarks

**Thomas Carroll, III, Esq., Program Co-Chair**  
*Hill Wallack, Princeton***Timothy Duggan, Esq., Program Co-Chair**  
*Stark & Stark, Princeton***STATE OF THE STATE:  
EMINENT DOMAIN IN NEW JERSEY****9:15 Case Law Developments**

A Discussion of Pending Matters and Recent Rulings

**Thomas Carroll, III, Esq., Program Co-Chair**

10:00 Morning Break

**10:15 Current Planning Issues Associated  
with Eminent Domain**

A Panel Presentation

**Vincent Mangini, Esq.***Stark & Stark, Princeton***Peter Steck, PP***Office of Peter G. Steck, Maplewood***J. Creigh Rahenkamp, AICP, NJPP***Creigh Rahenkamp & Associates, Palmyra***11:30 "In Need of Redevelopment" Designations**

Mounting an Effective Defense

**John Buonocore, Jr., Esq.***McKirdy & Riskin, Morristown*

12:15 Lunch Break

**THE ECONOMICS OF EMINENT DOMAIN****1:30 Severance Damages**

The Cost to Cure as an Element of Compensation

**George Kroculick, Esq.***Ballard Spahr Andrews & Ingersoll, Voorhees***2:15 Relocation Benefits**

How Much Is Enough?

**Timothy Duggan, Esq., Program Co-Chair**

3:00 Afternoon Break

**3:15 Beyond Suydam**Lessons from *NL Industries adv. Sayreville Economic  
Redevelopment Authority***Christopher Gibson, Esq.,** and**Jeffrey Gordon, Esq.***Archer & Greiner, Princeton***4:15 Appraisals and Valuation  
in Eminent Domain Proceedings**

What You Don't Know About Your Expert's Appraisal Report

**Mark Sussman, CRE, MAI***Lasser Sussman, Livingston*

5:00 Adjourn

**9:00 Welcoming Remarks**

Overview of Day Two

**Thomas Carroll, III, Esq., Program Co-Chair****Timothy Duggan, Esq., Program Co-Chair****REDEVELOPMENT—PUBLIC TAKING  
FOR PRIVATE GAIN?****9:15 Who's Getting Displaced**Challenging Municipal Blight Designations and  
Redevelopment Plans in New Jersey**Douglas Gershuny, Esq.***South Jersey Legal Services, Atlantic City*

10:00 Morning Break

**10:15 The Date of Valuation**

What You Need to Know

**Elizabeth Bancroft, Esq.***Parker McCay, Marlton***THE STATE'S PERSPECTIVE****11:00 Right of Way Program Management**How Condemning Authorities Should Attempt to Coordinate and  
Integrate Appraisal, Negotiation and Eminent Domain Functions;  
Considerations of Condemning Authorities in Settling Real Estate,  
Business Damages and Fees and Costs**Nicholas Monahan, Esq.***New Jersey Department of Transportation, Trenton*

12:00 Lunch Break

**ETHICAL CONSIDERATIONS****1:15 Kelo v. City of New London**

Ethical Implications

**Bert Gall, Esq.***Institute for Justice, Washington, DC***EMINENT DOMAIN AND THE ENVIRONMENT****2:15 Environmental Issues Triggered by Takings**How the Law Can Benefit Both the Condemning Authority and the  
Property Owner**Raymond Papperman, Esq.***Stark & Stark, Princeton***Laura Brinkerhoff, President***Brinkerhoff Environmental Services, Manasquan***Jack Smith, Director***American Risk Management Resources Network, Verona*

3:30 Afternoon Break

**3:45 Wetlands Condemnations**

Where the Environment and Development Clash in New Jersey

**Anne Studholme, Esq.***Hill Wallack, Princeton***4:30 Down at the Shore**

Special Considerations for Coastal Condemnations

**Paul Fericola, Esq.***Bowe & Fericola, Red Bank*

5:15 Adjourn

## Eminent Domain

# meet your faculty

### Program Co-Chairs

**Thomas Carroll, III**, has a diverse practice, emphasizing litigation of land use matters at the trial level and in the appellate courts. Among the matters he has litigated are traditional zoning challenges, Mount Laurel suits, actions contesting decisions rendered by planning boards, and challenges to assessments and condemnations.

**Timothy Duggan** practices primarily in the areas of bankruptcy, condemnation (eminent domain), and real estate tax appeals. Prior to law school, he was a senior business development analyst at Sequa Corporation (formerly Sun Chemical Corporation), located in New York.

**Elizabeth Bancroft** practices in the areas of municipal and government relations, as well as land use and environmental law. Prior to joining her present firm, she clerked for the Honorable John Pursel in County Criminal Division Court.

**Laura Brinkerhoff** is a Certified Professional Geologist with more than 25 years of experience. Her specialized experience encompasses soil and groundwater remediation, environmental permitting, brownfields redevelopment and hazardous materials management and screening.

**John Buonocore, Jr.**, is a prolific writer, having co-authored *New Jersey Condemnation Practice and Eminent Domain, Vol. 21, New Jersey Practice, Skills and Methods*, as well as numerous law journal and treatise articles. He is the Northeast Regional Editor for the American Bar Association's Section of Litigation, Committee on Condemnation, Zoning and Land Use.

**Paul Fericola** concentrates his practices in the state's coastal communities, with emphasis on condemnation, inverse condemnation and eminent domain matters. He also has a general real estate practice, advising commercial owners and tenants.

**Bert Gall** litigates property rights, school choice, economic liberty and other constitutional cases in both federal and state courts. Before coming to the Institute for Justice, he spent two years in private practice at a large firm in Charlotte. After law school, he clerked for Judge Karen Williams of the U.S. Court of Appeals for the Fourth Circuit.

**Douglas Gershuny** oversees litigation and advocacy activities on behalf of low income clients. He has been involved in a variety of complex federal and state lawsuits and appeals involving housing, family, civil rights and constitutional legal issues.

**Christopher Gibson** is Chair of his firm's Litigation Department, as well as the firm's Environmental, Toxic Tort and Product Liability Litigation Group, and the firm's Condemnation Practice Group. He was recently listed in *The Best Lawyers in America*, 2005-2006, in the area of environmental law and litigation.

**Jeffrey Gordon** concentrates his practice in the areas of property taxation and eminent domain. He is a former New Jersey Tax Court law clerk. He advises clients regarding property tax issues and liabilities, and pursues property tax exemptions and abatements for real estate development projects.

**George Kroclicik** concentrates in eminent domain, land use, commercial litigation, and tax appeals. In addition to handling eminent domain matters for property owners, he also has experience in lease litigation, corporate disputes, and UCC litigation.

**Vincent Mangini** is active in the Central Jersey Builders Association and handles all aspects of commercial real estate transactions and the processing of development applications before planning and zoning boards.

**Nicholas Monahan** is the Right of Way Program Manager for NJDOT, and oversees the coordination of condemning authorities. As such, he is the state's chief negotiator in right-of-way valuation and condemnation mediations, as well as lead litigator.

**Raymond Papperman** is an officer of the Environmental Law Section of the New Jersey State Bar Association, Chairman of the Permits and Compliance Committee and a member of the Land Use, Construction and Public Contract sections. He is a frequent speaker and author on environmental and real estate development issues.

**J. Creigh Rahenkamp** has been called upon to calculate municipal housing obligations/needs using each of the methodologies used to date. He has served landowners seeking remedies, municipalities seeking certifications and has served as a court-appointed master in Mount Laurel cases.

**Jack Smith** is recognized for his expertise in environmental risk management, including the placement and service of environmental insurance coverage on some of the most difficult environmental risks in the country. He has consulted with leading national and regional insurance brokerage firms and developed numerous risk management practices.

**Peter Steck** is a licensed professional planner with broad experience in New Jersey housing and land use matters. Formerly the Township Planner for Montclair, he now advises private and public clients on an array of building and zoning matters.

**Mark Sussman** is a principal in his firm and has region-wide appraisal and related expertise in property tax matters, investment analysis and counseling, and appearances as an expert witness in litigated commercial, condemnation and eminent domain matters.

**Anne Studholme** specializes in zoning applications, civil rights aspects of land use law, litigation and appeals in state and federal courts. She is a former Visiting Research Scholar for Duke University School of Law. She writes and speaks on zoning applications, zoning appeals, civil rights of landowners, land use and litigation.

# conference information

### Continuing Education Credit

**MCLE:** This course has been accredited by the New Jersey State Bar Association for a maximum of 12 hours, including one hour of ethics. This course has been approved for up to 12 hours of substantive law, practice and procedure CLE credit, including one hour of ethics, by the Pennsylvania Continuing Legal Education Board.

**Appraisers:** This course is approved for 12 hours of appraiser credit by the New Jersey Real Estate Appraiser Board.

**CLE INTERNATIONAL** is an approved sponsor in all jurisdictions with mandatory continuing legal education requirements. For accreditation in other jurisdictions or disciplines, please contact Brian Fineberg at (800) 873-7130, or [brian@cle.com](mailto:brian@cle.com).

### Registration

Advance registration is recommended and you are encouraged to register early. Or simply call in your registration order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, e-mail your registration to [registrar@cle.com](mailto:registrar@cle.com), or register online at [www.cle.com](http://www.cle.com). Full payment is due at the time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

### Conference Location and Accommodations

The Conference will be held at The Westin Princeton at Forrester Village, 201 Village Blvd., Princeton, NJ 08540. Make your room reservation early to ensure the best rate and selection. For special rates, please contact Community World Travel at (888) 724-0500 or visit [www.communityworldtravel.com](http://www.communityworldtravel.com).

### Tuition

The tuition fee of \$595 per person includes attendance at all sessions, course materials, continental breakfasts and coffee breaks. **CLE INTERNATIONAL** offers special rates for 501(c)(3) organizations, full-time judges and law students.

### Save When Two or More Register

Save \$200 or more with our multiple registrant discount! The tuition fee is only \$495 per person for two or more registering from the same firm.

### About CLE International

**CLE INTERNATIONAL**, a leading provider of ongoing professional education, has been presenting high-quality programs nationwide since 1983.

### Course Materials

Each registrant will receive a set of course materials, prepared by the speakers for this Conference that will be invaluable as a future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.

### Homestudy Package

If you cannot attend, **CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. **CLE INTERNATIONAL's** courses are approved for self-study.

### Cancellation

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.

### Sponsorship Information

Sponsorship and exhibition opportunities are available. Please contact Sarah Neenan, Marketing Coordinator, at (800) 873-7130, or [sarah@cle.com](mailto:sarah@cle.com).

**CLE International Managing Program Attorney:**  
**Heidi Ray, [heidi@cle.com](mailto:heidi@cle.com)**

**5**  
EASY WAYS TO  
REGISTER

**MAIL**  
CLE INTERNATIONAL  
1620 Gaylord Street  
Denver, CO 80206

**PHONE**  
(800) 873-7130

**E-MAIL**  
registrar@cle.com

**FAX**  
(303) 321-6320

**ONLINE**  
www.cle.com

An Exciting New Conference to New Jersey!

# Eminent Domain

Innovative Uses in Land Use Planning

June 16-17, 2005 • Westin Hotel • Princeton

**Register Today!**

**State and Federal Case Law Update**

**Defending "In Need of Redevelopment" Designations**

**Severance Damages • Relocation Benefits**

**Appraisals and Valuation in Eminent Domain Proceedings**

**Challenging Municipal Blight Designations and Redevelopment Plans in New Jersey**

**Right of Way Program Management**

**Environmental Law Overview • Wetlands Condemnation**

**Eminent Domain Concerns at the Shore ...and more!**



An Exciting New Conference to New Jersey!

# Eminent Domain

Public Taking for Private Gain—A Sound Policy?

June 16-17, 2005 • Westin Hotel • Princeton

**YES!** Please register the following:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip+4: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Check here if you do not want email notification of future programs.

**I cannot attend. Please send me:**

- Course Materials Only
- Audio Homestudy Course (Audio Transcript and Materials)
- Email Notification of Future Conferences

© 2005 CLE INTERNATIONAL PRIEMD05

Save when two or more register!

Check payable to CLE International \$ \_\_\_\_\_ or charge my:

VISA  MASTERCARD  AMEX Expiration Date: \_\_\_\_\_

Card No: \_\_\_\_\_

Signature: \_\_\_\_\_



CODE: WEB

**This form is not for online registration. Please print out this form and fax to 303-321-6320. Or go to the Conference homepage and click the "Register Now!" button.**