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Eminent Domain

House Bill 1567 Has Been Signed—What Now?

October 26-27, 2006 • Marriott Waterside Hotel & Marina • Tampa

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 - Right of Way Specialists
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- ... and anyone concerned with eminent domain issues in Florida!

5 Reasons to Attend:

1. Fabulous Location—Enjoy special rates exclusively for Conference attendees. The hotel sold out last year, so reserve your room early!

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2. A Judges' Panel Discussion Featuring:

Moderator: The Honorable Judge John Conrad
The Honorable Judge Gregory P. Holder
The Honorable Judge Rex Barbas
The Honorable Judge Ralph C. Stoddard

3. A Discussion of Recent Legislation Featuring:

Moderator: Carol Saviak, Executive Director
Coalition for Property Rights, Orlando
Representative Bill Galvano, Esq., District 68
Representative Trey Traviesa, District 56
Representative R. Dean Cannon, Jr., Esq., District 35

4. An Appraisers' Panel with Some of the Top Appraisers in Florida

5. The Women of Eminent Domain: You've Come a Long Way, Baby



Visit our website at [cle.com](http://www.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.

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



Thursday, October 26

8:30 Registration and Continental Breakfast

9:00 **Introduction and Welcome****Kimbel L. Merlin, Esq., Program Co-Chair***Gaylord Merlin Ludovici Diaz & Bain, Tampa***Marc Peltzman, Esq., Program Co-Chair***Gray Robinson, Orlando***Felecia G. Ziegler, Esq., Program Co-Chair***Harris, Harris, Bauerle & Sharma, Orlando*9:15 **Hot Property**

Recent Developments in Florida Case Law

Paul D. Bain, Esq.*Gaylord Merlin Ludovici Diaz & Bain, Tampa*

10:00 Morning Break

10:15 **Keynote Presentation**

A Discussion of Recent Eminent Domain Legislation

Moderator: Carol Saviak, Executive Director*Coalition for Property Rights, Orlando***Representative Bill Galvano, Esq., District 68***Florida House of Representatives, Bradenton***Representative Trey Traviesa, District 56***Florida House of Representatives, Brandon***Representative R. Dean Cannon, Jr., Esq., District 35***Florida House of Representatives, Winter Park*11:15 **A View from the Condemnor's Perspective**

Dealing with "the Client;" Politics; Settlement; Working with Experts

James Moreland, Esq.*Orange County Attorney's Office, Orlando*

12:00 Lunch Break

1:15 **Challenging the Order of Taking**

Failure to: Establish a Valid Public Purpose, Meet Conditions Precedent, or Make a Good Faith Estimate of Value Supported by a Valid Appraisal

F. A. "Alex" Ford, Jr., Esq.*Landis Graham French, DeLand*2:00 **The Women of Eminent Domain**

You've Come a Long Way, Baby

Moderator: Felecia G. Ziegler, Esq., Program Co-Chair**Moderator: Kimbel L. Merlin, Esq., Program Co-Chair****Ethel D. Hammer, President***Engelhardt, Hammer & Associates, Tampa***Karen Kameron, Esq.***Florida Department of Transportation, Fort Lauderdale***Marcie McDonie, Esq.***Pasco County Attorney's Office, New Port Richey***Ellen J. Neil, Esq.***Gaylord Merlin Ludovici Diaz & Bain, Boca Grande***Deborah A. Ruster, Esq.***Peterson & Myers, Lakeland*

3:00 Afternoon Break

3:15 **State of the Union**

From a Developer's Perspective

Paul Ellis, Principal, North Florida Managing Director*Trammell Crow Company, Orlando and Jacksonville*4:00 **How Popular Television Legal Dramas Impact Juries and Their Expectations at Trial**

Dealing with These Expectations from an Eminent Domain Perspective

James A. Helinger, Jr., Esq.*Clearwater*4:45 **Water Issues and Condemnation**

Retention, Drainage, Flooding, Lake/Ocean Property and More

Mark Leavitt, Esq.*Dean Mead, Orlando*5:30 Adjourn to Reception Sponsored By: *Gaylord Merlin**Ludovici Diaz & Bain, Gray Robinson and Harris, Harris, Bauerle & Sharma***Friday, October 27**

8:30 Registration and Continental Breakfast

9:00 **Overview and Topics for Day Two****Kimbel L. Merlin, Esq., Program Co-Chair****Marc Peltzman, Esq., Program Co-Chair****Felecia G. Ziegler, Esq., Program Co-Chair**9:15 **Keynote Presentation**

A View from the Bench: A Panel Presentation

Moderator: The Honorable Judge John Conrad*Hillsborough County Court, Tampa***The Honorable Judge Gregory P. Holder***Thirteenth Judicial District, Hillsborough County, Tampa***The Honorable Judge Rex Barbas***Thirteenth Judicial District, Hillsborough County, Tampa***The Honorable Judge Ralph C. Stoddard***Thirteenth Judicial District, Hillsborough County, Tampa*

10:15 Morning Break

10:30 **Right of Way Issues: A View from the Florida Department of Transportation**

Expectations; Generous Compensation to Landowners; Settlements

Inclusive of Fees and Costs

Heather S. Garcia, Right of Way Administrator,**Acquisition, District 5, and****James L. Clark, Right of Way Administrator,****Acquisition, District 5***Florida Department of Transportation, DeLand*11:15 **Inverse Condemnation and Offers of Public Dedication**

Experience a Miami-Dade County Case

Mark Natirboff, Esq.*Brigham Moore, Jacksonville*

12:00 Lunch Break

1:15 **Eminent Domain Tips from Florida's Leading Appraisal Experts****Moderator: Celeste F. Adorno, Esq.****Chief, Eminent Domain Bureau***Florida Attorney General's Office, Tallahassee***Heyward M. Cantrell, MAI, President***Cantrell Real Estate, Jacksonville, Florida***John Veasey, MAI, SRA***Weigel-Veasey Appraisers, Middleburg***Philip Holden, MAI, President***S.F. Holden, Inc., Palm Beach Gardens*

2:45 Afternoon Break

3:00 **Tax Implications of Eminent Domain**

Overview of Section 1033; Tax Treatment of "Non-Economic Benefits;"

Procedural Issues: Which Forms Are Required? Allocation of Damage

Awards: When, Why and Will They Be Respected?

W. Michael Black, Esq.*Dean Mead, Orlando*3:45 **Ethics**

Considerations for the Eminent Domain Practitioner

Sam Goren, Esq.*Goren, Cherof, Doody & Ezrol, Fort Lauderdale*

4:45 Q&A Panel

Members of the Faculty

5:00 Evaluations and Adjourn

Eminent Domain

meet your faculty

<p>Program Co-Chairs</p> <p>Kimbel L. Merlin has represented business and property owners in all aspects of eminent domain for nearly 20 years. She instituted the first-ever eminent domain program for Florida's circuit judges at their annual conference in 1995.</p> <p>Marc Peltzman represents property owners and taking authorities. He spent four years with the Orange County Attorney's Office.</p> <p>Felecia G. Ziegler represents clients in all aspects of eminent domain, takings and condemnation of private property. She was previously with the Florida Office of the Attorney General.</p>	<p>Trey Traviesa was elected to the House of Representatives in 2004. He was a member of the Select Committee to Protect Private Property Rights.</p> <p>Celeste F. Adorno has been practicing law since 1987 and has focused in eminent domain since 1992. She represents FDOT and other condemning authorities.</p> <p>Paul D. Bain has represented property and business owners for over 12 years in all aspects of eminent domain and inverse condemnation.</p> <p>W. Michael Black practices taxation, corporate/business law and debtor/creditor law. He is a member of the ABA's Tax and Business Sections.</p> <p>Heyward M. Cantrell specializes in the appraisal, consulting, and development of commercial real estate. He has over 37 years of appraisal experience.</p> <p>James L. Clark has been in his Department for almost 10 years. He is a State Certified Residential Appraiser and is certified by the IRWA.</p> <p>Paul Ellis has 16 years of commercial real estate experience. He oversees corporate relationships for all aspects of his firm's real estate services.</p> <p>F. A. "Alex" Ford, Jr., focuses on eminent domain, land use, and other areas. He is Co-Chair of the Land Development Code Advisory Committee for DeLand.</p> <p>Heather S. Garcia has been in her position for four and a half years. She began her career in the Department's Right of Way agent training program 16 years ago.</p> <p>Sam Goren focuses on government and municipal law, and eminent domain, among other areas. He serves as City Attorney to several Florida cities.</p> <p>Ethel D. Hammer has over 28 years' experience. She is President of Engelhardt, Hammer and Associates, a leading statewide planning firm.</p>	<p>James A. Helinger, Jr., has been involved in hundreds of condemnation cases on behalf of property owners and has been lead counsel in dozens of jury trials.</p> <p>Philip Holden has been appraising Florida real estate since 1974. He has been qualified as an expert in various courts and bankruptcy courts.</p> <p>Karen Kameron has worked for FDOT in District 4 since 1987. She was the supervising attorney for the general law section of the office for 15 years.</p> <p>Mark Leavitt represents property owners, tenants, and businesses in the acquisition of private property rights, valuation and related disputes.</p> <p>Marcie McDonie represents the County in eminent domain and real estate matters. She previously represented District 7 (Tampa) in condemnation cases for the Attorney General's Office.</p> <p>James Moreland has practiced in Florida since 1967 and has practiced eminent domain law with the government since 1992. He was previously with FDOT.</p> <p>Mark Natirboff is an experienced litigator in eminent domain and other civil actions. He brings international perspective to the practice of law, having worked in Moscow, and lived in England, France, Switzerland, Egypt, and Kenya.</p> <p>Ellen J. Neil has litigated numerous redevelopment cases and is a frequent speaker on this topic as well as other eminent domain issues.</p> <p>Deborah A. Ruster concentrates in eminent domain. She was previously a State Attorney with the State Attorney's Office in Tampa, and was also an attorney for FDOT District 1 in Bartow.</p> <p>John Veasey has over 33 years' experience. His clients include condemning authorities and landowners. He has been qualified as an expert witness in about half of Florida's counties.</p>
<p>Keynote Speakers</p> <p>Rex Barbas has been on the bench since 1997. He was previously an assistant state attorney and spent over 15 years in private practice.</p> <p>R. Dean Cannon, Jr., was elected to the House of Representatives in 2004. He is a member of the Select Committee to Protect Private Property Rights and is Of Counsel to Gray Robinson.</p> <p>John Conrad was recently appointed to the bench in Hillsborough County Court. Previously, he was in private practice for over 20 years and focused on all aspects of eminent domain law.</p> <p>Bill Galvano was elected to the House of Representatives in 2002 and is a member of the Select Committee to Protect Private Property Rights.</p> <p>Gregory P. Holder has been on the bench since 1996. He was formerly a private practitioner, where he practiced eminent domain law.</p> <p>Carol Saviak directs her grassroots education and advocacy organization. She was a strong advocate for the recent eminent domain reform legislation.</p> <p>Ralph C. Stoddard was elected to the bench in 1997 and was in private practice for over 20 years.</p>		

conference information

<p>Continuing Education Credit</p> <p>MCLE: This course has been approved by the Florida State Bar for a maximum of 15 hours of MCLE credit, including one hour of legal ethics.</p> <p>Appraiser: This course meets the requirements for 14 hours appraiser credit in the State of Florida.</p> <p>AICP/CPDP: This course qualifies for up to 12 hours of AICP/CPDP credit.</p> <p>Real Estate: This course is approved by the Florida Department of Business and Regulation for up to 11 hours of real estate credit.</p> <p>For accreditation in other jurisdictions or disciplines, please contact Shauna Kraczek at (800) 873-7130 or shauna@cle.com.</p> <p>Registration</p> <p>Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, email your registration to registrar@cle.com, or visit 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 (303) 377-6600 if you require any special accommodations.</p>	<p>Tuition: \$695</p> <p>The tuition fee of \$695 per person (\$595 for government employees, 501(c)(3) organizations, full-time judges, paralegals and law students) includes attendance at all sessions, course materials, Thursday's reception, continental breakfasts, and coffee breaks.</p> <p>Save When Two or More Register</p> <p>Save \$200 or more with our multiple registrant discount! For two or more registering from the same firm, tuition is only \$595 per person (\$495 for government employees, 501(c)(3) organizations, full-time judges, paralegals and law students).</p> <p>About CLE INTERNATIONAL</p> <p>CLE INTERNATIONAL, a leading provider of continuing professional education, has been presenting high-quality programs nationwide since 1983. CLE INTERNATIONAL is an approved sponsor of the Florida State Bar, Sponsor No. 750743, and in most states having mandatory continuing legal education requirements.</p>	<p>Course Materials</p> <p>Each registrant will receive a set of course materials, prepared by the speakers specifically for this Conference that will be invaluable as a future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p>Homestudy Package</p> <p>If you cannot attend, CLE INTERNATIONAL also offers a complete audio transcript of the Conference (including all course materials) for \$695 plus \$10 shipping and handling. This course is approved for self-study in the State of Florida.</p> <p>Cancellation</p> <p>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.</p> <p>CLE INTERNATIONAL Managing Program Attorney: Heidi A. Ray, heidi@cle.com.</p>
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