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3rd Annual Conference!

Litigating Land Use Disputes

Conquer the Courtroom and Avoid Common Pitfalls!

December 11-12, 2006 • Marriott Waterside Hotel and Marina • Tampa

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Government Employees!**

Who Will Benefit:

- Lawyers
 - Legal Staff
 - Government Officials
 - Regulators
 - Planners
 - Landowners
 - Developers
 - Real Estate Professionals
 - Consultants
 - Engineers
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 - Environmental Professionals
- ... and anyone involved in land use issues in Florida!

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



Monday, December 11

- 8:30 Registration and Continental Breakfast
- 9:00 **Welcome and Overview of Day One**
Robert C. Apgar, Esq., Program Chair
Greenberg Traurig, Tallahassee
- 9:15 **Case Law Update**
New Features in the Land Use Litigation Landscape
Robert K. Lincoln, Esq.
Icard, Merrill, Cullis, Timm, Furen & Ginsburg, Sarasota
- 10:00 Morning Break
- 10:15 **The Threshold Question**
Does the Petitioner/Plaintiff Have Standing?
David C. Ashburn, Esq.
Greenberg Traurig, Tallahassee
- 11:00 **Trial of a Major Case**
Strategy and Tactics from the Trenches
Charles L. Siemon, Esq.
Siemon & Larsen, Boca Raton
- 11:45 Q&A Panel
Members of the Faculty
- 12:00 Lunch Break
- 1:30 **Controlling Your Experts**
Effective Preparation and Presentation of Expert Testimony
Donald E. Hemke, Esq.
Carlton Fields, Tampa

- 2:15 **Featured Presentation**
A View from the Bench
The Honorable Gregory P. Holder
Thirteenth Judicial District, Hillsborough County, Tampa

- 3:00 Afternoon Break
- 3:15 **Keep It Down!**
Issues with Noise Pollution
Mark S. Bentley, Esq.
GrayRobinson, Tampa
- 4:00 **Vested Rights**
Striking the Right Balance Between Private Property Rights and Government Regulation
David Smolker, Esq.
Brickleymer, Smolker & Bolves, Tampa
- 4:45 Q&A Panel
Members of the Faculty
- 5:00 Adjourn

Tuesday, December 12

- 8:30 Continental Breakfast
- 9:00 **Overview of Day Two**
Robert C. Apgar, Esq., Program Chair
- 9:15 **Keynote Presentation**
The Direction of Land Use Law and Litigation in Florida
Ronald L. Weaver, Esq.
Stearns Weaver Miller Weissler Alhadeff & Sitterson, Tampa
- 10:00 Morning Break
- 10:15 **Reflections on the Direction of Land Use Law and Litigation in Florida**
A Panel Presentation
Shaw P. Stiller, Esq., Assistant General Counsel
State of Florida, Department of Community Affairs, Tallahassee
Donald E. Hemke, Esq.
Charles L. Siemon, Esq.
Robert C. Apgar, Esq., Program Chair
- 11:00 **Ethics Update**
Avoiding Ethical Quagmires
Pamella A. Seay, Esq., Professor of Law
Florida Gulf Coast University, Fort Myers
- 12:00 Lunch Break
- 1:15 **Comprehensive Plan Amendments**
Administrative Challenges
Shaw P. Stiller, Esq., Assistant General Counsel
- 2:00 **DRI Appeals**
An Overview of the New Statutory Process
W. Douglas Hall, Esq.
Carlton Fields, Tallahassee
- 2:45 Afternoon Break
- 3:00 **Annexation**
An Overview and Update on Annexation Law and Challenges
Rebecca A. O'Hara, Esq., Deputy General Counsel
Florida League of Cities, Tallahassee
- 3:45 **Quasi-Judicial Proceedings Before Local Governments**
A How-To Toolbox
H. Ray Allen, II, Esq.
Carlton Fields, Tampa
- 4:30 Q&A Panel
Members of the Faculty
- 4:45 Evaluations and Adjourn

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These
Dates!

Florida Wetlands
November 16-17, Tampa
Eminent Domain
November 30 - December 1, Birmingham

Long-Term Care Litigation
December 7-8, Tampa
Winning Your Next Appeal
December 8, Denver

Class Actions
January 25-26, Los Angeles
Ethics
February 23, Tampa

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Litigating Land Use Disputes

meet your faculty

Program Chair

Robert C. Apgar practices primarily in land development and growth management law. In his 25 years of practice, he has represented landowners and developers seeking a full range of land development approvals, from local zoning and site plan approvals to comprehensive plan amendments and developments of regional impact. He is a frequent lecturer on land development topics and has written numerous articles. He served as a Tallahassee-Leon County Planning Commissioner for five years and was the 2003 recipient of the Excellence in Conflict Resolution Award from the Florida Conflict Resolution Consortium.

Keynote Presenter

Ronald L. Weaver has extensive experience in advising landowners, development companies, and local governments in environmental, land use law and property rights. Significant accomplishments include representing 100 Florida developers on zonings, DRIs, plan amendments, concurrency, property rights and local governments in NEPA projects, including a \$1.3-billion roadway and a \$56-million people mover. He has also chaired an ABA property rights subcommittee.

Featured Presenter

The Honorable Gregory P. Holder was elected as a Circuit Judge in July 1996 and July 2002. Since being elected, he has served within the Juvenile Division, Family Law Division and the General Civil Division. Previously, Judge Holder was a Partner with the firm of Williams, Reed, Weinstein, Schifino & Mangione, where he practiced commercial litigation, eminent domain, and governmental and administrative law.

H. Ray Allen, II, is a shareholder in his firm's Government Law and Consulting Practice Group and Real Property Litigation Practice Group. He has experience in the areas of judicial and administrative litigation, appellate practice, land use law, and environmental and water permitting.

David C. Ashburn has extensive experience in the representation of a broad range of clients in their dealings with numerous regulatory agencies. Much of his practice is focused on the provision of administrative and regulatory counsel in the health industry.

Mark S. Bentley focuses his practice on eminent domain litigation, land use, zoning, governmental and administrative law. He has represented hundreds of private property owners against various condemning authorities.

W. Douglas Hall has a wide range of experience in land use litigation and has handled challenges to local government development orders under section 163.3215, certiorari proceedings, DRI appeals, and cases involving vested development rights. He also regularly represents developers in quasi-judicial proceedings before local governments.

Donald E. Hemke has a general commercial litigation practice. In addition, he is often involved in obtaining government permits and licenses. He has served as an arbitrator for the U.S. District Court for the Middle District of Florida and for the American Arbitration Association.

Robert K. Lincoln focuses his practice on land use permitting and litigation and administrative law. He has a broad background in urban and regional planning, having served as an Assistant Professor of Urban Planning at Michigan State University, a Senior Research Associate at the Cantanese Center for Urban and Environmental Solutions, and an Associate Planner with Sarasota County.

Rebecca A. O'Hara represents her organization on a variety of municipal matters, particularly environmental and land use issues. She also lobbies for the League before state executive agencies and the Florida legislature.

Pamella A. Seay is a past member of the Florida Bar Professional Ethics Committee and is licensed to practice law in both Florida and South Carolina. She is a past chair of the Punta Gorda Charlotte County Metropolitan Planning Organization and presently serves as chair of the Charlotte County Airport Authority, where she has been a commissioner since 1997.

Charles L. Siemon is a planning and planning law consulting attorney who has provided professional services to public and private sector clients in more than 25 states and in the Commonwealth of Puerto Rico. He has extensive experience in state and federal trial and appellate courts on takings issues, civil rights, impact fees, condemnation of open space and other matters.

David Smolter is a former city planner, and for the last 22 years has handled a wide variety of land use, environmental, eminent domain and inverse condemnation matters at the local, state and federal administrative, trial and appellate levels. He has written and lectured on topics ranging from access rights, regulatory takings, comprehensive planning, concurrency, development moratoria, and litigating land use and eminent domain cases.

Shaw P. Stiller focuses on statewide land use litigation. Prior to his current role, he was involved in land use litigation in the private sector, representing private interests, local governments, and neighborhood groups in state and federal courts.

CLE INTERNATIONAL Program Attorney:
Allison A. Gerkman, alli@cle.com.

conference information

Continuing Education Credit

MCLE: This course is approved by the Florida State Bar for a maximum of 14 hours of MCLE credit, including one hour of legal ethics.

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Planning: This course qualifies for up to 14 hours of AICP/CPDP credit.

For accreditation in other jurisdictions or disciplines, please contact **CLE INTERNATIONAL** at (800) 873-7130.

Registration

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 register on-line at www.cle.com. Full payment is due at 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.

Reserve Your Room Early

The Conference will be held at the Marriott Waterside Hotel and Marina, 700 South Florida Avenue, Tampa, FL 33602. To secure your space and get the best rate, please call Community World Travel at (888) 724-0500, or visit www.communityworldtravel.com.

Tuition: \$795

The tuition fee of \$795 per person (\$695 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals) includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks.

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If you cannot attend, **CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$795 plus \$10 shipping and handling. This package may qualify for homestudy credit.

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 Monday prior to the Conference. Substitutions may be made at any time.

Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Shauna Kraczek at (800) 873-7130 or shauna@cle.com.

3rd Annual Conference!

Litigating Land Use Disputes

Conquer the Courtroom and Avoid Common Pitfalls!

December 11-12, 2006 • Marriott Waterside Hotel and Marina • Tampa

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3rd Annual Conference!

Litigating Land Use Disputes

Trial Tips and Timely Topics

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Featured Presentation:

A View from the Bench



**The Honorable Judge
Gregory P. Holder**

Thirteenth Judicial District
Hillsborough County, Tampa

Keynote Presentation:

Direction of Land Use Law and Litigation in Florida



Ronald L. Weaver, Esq.

Stearns Weaver Miller Weissler
Alhadeff & Sitterson, Tampa

