



## Regional CLE Workshop:

# THE PRELIMINARY BATTLE: PROVISIONAL AND PRE-JUDGMENT REMEDIES & STRATEGIES

Hosted by:

**Fordham Law School**

**Constantino Room, 2nd Floor**

**150 W 62nd St**

**New York, NY 10023**

**June 20, 2016**

*Presented by the ABA Section of Litigation Commercial and Business Litigation Committee*

*Co-Sponsored by: Business Torts and Unfair Competition Litigation Committee; Pretrial Practice and Discovery Committee; and the Corporate Counsel Committee*



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**#LitigationRegionals**



Join the conversation today!



# Organizers and Chairs

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# Program Agenda

**A must attend seminar and networking event to discuss best practices when faced with, and the to learn latest developments in provisional and pre-judgment remedies.**

2:00 pm – 2:50 pm	<p><b>The Practitioner’s Guide to Provisional Pre-Judgment Remedies</b></p> <p>Discussing practical advice and guidance, this panel provides a roadmap for provisional remedy applications in state and federal courts.</p> <p>Moderator: <b>Bonnie Tucker, Esq.</b>, JPMorgan Chase Bank, New York, NY Panelists: <b>Shari Alexander</b>, Moses &amp; Singer, New York, NY; <b>John P. Amato</b>, Hahn &amp; Hessen LLP, New York, NY; and <b>Mitchell D. Haddad</b>, Sills Cummis, New York, NY</p>
3:00 pm – 3:50 pm	<p><b>Perspectives From the Bench</b></p> <p>Hear our judges speak to the intricacies, successful strategies, and pitfalls involved with provisional remedy applications.</p> <p>Moderator: <b>Peter Duffy Doyle</b>, Proskauer, New York, NY Panelists: <b>Honorable Judith J. Gische</b>, Appellate Division Associate Justice, First Department; <b>Honorable Barbara Jaffe</b>, Justice of the Supreme Court, New York County; and <b>Honorable Jeffery K. Oing</b>, Justice of the Supreme Court, New York County Commercial Division</p>
4:00 pm – 4:50 pm	<p><b>“Ins” and Outs” Of TRO’s, Affirmative Injunctions, Negative Injunctions, and Preliminary Injunctions</b></p> <p>Diving into TRO’s, affirmative injuuntions, negative injunctions, and preliminary injunctions, the panel discusses how to win them and beat them (but not at the same time).</p> <p>Moderator: <b>Kevin J. McEleney</b>, Updike, Kelly &amp; Spellacy, P.C., Hartford, CT Panelists: <b>John Cahill Esq.</b>, Cahill Partners, New York, NY; <b>Anna Mercado Clark</b>, Phillips Lytle LLP, New York, NY; and <b>Chris Gawley, Esq.</b>, Bank Leumi USA, New York, NY</p>
5:00 pm – 5:50 pm	<p><b>Ethical Conundrums</b></p> <p>Provisional remedies often involve expedited proceedings on records that have not yet been fully developed - hear our panel of experts debate ethical dilemmas you may experience.</p> <p>Moderator: <b>Honorable April Agostino, Esq.</b>, Clerk of the Appellate Division, Second Department Panelists: <b>Theodore K. Cheng</b>, Fox Horan &amp; Camerini LLP, New York, NY; and <b>Ralph DeLouis</b>, Moritt Hock &amp; Hamroff LLP, Garden City and New York, NY</p>
6:00 pm –7:30 pm	<p><b>Cocktail Reception</b></p>

# General Information

**Registration:**

To register online, please [click here](#)

**or** return the Registration Form on the following page with your payment (checks only) to:

American Bar Association  
Attn: Service Center – Meeting/Event Registrations Department  
321 N. Clark Street, Floor 16  
Chicago, IL 60654  
Secure Fax Number: 312-988-5850

Please register by June 13, 2016 to reserve your spot.

Requests for refunds must be made in writing and received no later than June 6, 2016, in the ABA Section of Litigation office. Please email your request to the Program Associate. There will be a \$10 administrative fee deducted from the refund. Cancellations received after June 6, 2016 will not be refunded; however, the Section will gladly accept substitutions for those unable to attend.

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**MCLE Credit:**

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 3.25 CLE credit hours (including .75 Ethics credits) in 60-minute states, and 4 credit hours (including 1 Ethics credit 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit [http://www.americanbar.org/cle/mandatory\\_cle.html](http://www.americanbar.org/cle/mandatory_cle.html) or contact Kristen McCann at [Kristen.Mccann@americanbar.org](mailto:Kristen.Mccann@americanbar.org) or (312) 988-5662.

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**Tuition Assistance:**

A limited number of scholarships to defray registration fees may be available for government employees, public interest lawyers employed with nonprofits, academics, and law students, as well as unemployed attorneys. For more information, please contact: Kristen McCann at 312-988-5662.

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**Attendance List:**

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Meeting Code:  
LTCBL16

# Registration

THE PRELIMINARY BATTLE:  
PROVISIONAL AND PRE-JUDGMENT REMEDIES  
& STRATEGIES  
New York, NY  
June 20, 2016



Name		Member ID		
Affiliation				
Address	Apt. #	City	State	Zip Code
Phone	Email			

The information submitted on this registration form will be used only to create an attendance list for the **THE PRELIMINARY BATTLE: PROVISIONAL AND PRE-JUDGMENT REMEDIES & STRATEGIES** Regional CLE Workshop.

A limited amount of scholarships for law students and on other need basis are available for this program. For more information, please contact: [Kristen McCann](#) at 312-988-5662.

## Registration Information

\$50.00 Section of Litigation members  
\$110.00 Non-Section members

Checks for attendance and course materials should be made payable to the AMERICAN BAR ASSOCIATION (credit cards for online registration only).

- I will attend the meeting and my check for \$\_\_\_\_\_.00 is enclosed.
- I am unable to attend the meeting, but please send the course materials to the above address, at a cost of \$35.00, a check for which is enclosed.

Please send your Registration Form and check to:  
American Bar Association  
Attn: Service Center – Meeting/Event Registrations Department  
321 N. Clark Street, Floor 16  
Chicago, IL 60654  
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For additional information about the program, please contact [Kristen McCann](#) at 312-988-5662.

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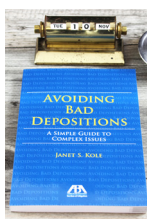
Purchase at [ambar.org/Litigationbooks](http://ambar.org/Litigationbooks) or call 800-285-2221



## *The Trial Lawyer's Guide to Success and Happiness*

**By Lawrence D. Rosenberg, David A. Soley, and Deborah A. Topol, M.D.**

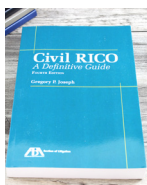
The Trial Lawyer's Guide to Success and Happiness helps busy lawyers achieve success and fulfillment in both their personal and professional lives, emphasizing that a balanced life leads to true happiness. Written by two trial attorneys and a medical doctor, the advice offered throughout this book will guide you in building a satisfying and successful career that is supported by a healthy and rewarding lifestyle.



## *Avoiding Bad Depositions: A Simple Guide to Complex Issues*

**By Janet S. Kole**

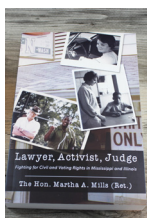
Avoid mistakes—and malpractice claims—when preparing for depositions by following the advice in this short guide. To help navigate the minefield of problems inherent in taking and defending depositions, topics covered include an explanation of a deposition and its purpose, how to defend and take depositions, and how to skillfully deal with difficult opponents, problem witnesses, and experts.



## *Civil RICO: A Definitive Guide, Fourth Edition*

**By Gregory P. Joseph**

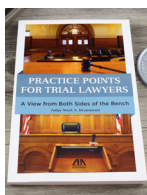
This updated edition provides a concise, yet thorough analysis of the major legal issues arising in civil actions litigated under the Racketeer Influenced and Corrupt Organizations Act (RICO). You will be guided through the complex statute and morass of related case law to help you quickly locate the issues pertinent to your case.



## *Lawyer, Activist, Judge: Fighting for Civil and Voting Rights in Mississippi and Illinois*

**By Martha A. Mills**

Lawyer, Activist, Judge: Fighting for Civil and Voting Rights in Mississippi and Illinois is an inside look at one woman's struggle for civil and voting rights in Mississippi and Illinois in the 1960s and 1970s. In this engaging description of a life spent breaking down barriers, Martha Mills describes living and working in an ardent segregationist culture fraught with danger, and filled with both heroes and villains.



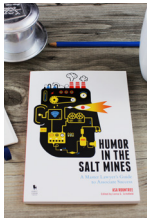
## *Practice Points for Trial Lawyers: A View from Both Sides of the Bench*

**By Mark Allen Drummond**

Designed for aspiring and active trial lawyers, this collection of short works offers Judge Drummond's perspective and practice points on trial preparation, jury selection, trial presentation, witness examination, and professionalism, as well as the shared wisdom of leading trial lawyers across the country.

# Section of Litigation Titles Related to Programming Available for Purchase

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## *Humor in the Salt Mines: A Master Lawyer's Guide to Associate Success*

**By Asa Rountree**

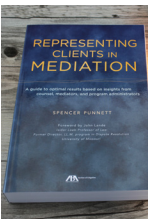
Humor in the Salt Mines is a collection of the author's well-honed views on how to practice law, offering advice that is timeless and practical, but also humorous. This collection hints at the great pleasure that can be had in aiming for excellence as a lawyer.



## *Parallel Proceedings*

**By Miriam Weismann**

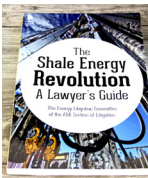
This book serves as a central repository of statutes, case law, Department of Justice policy, federal agency policy, litigation strategy, and ethical considerations involving the investigation, prosecution, and resolution of parallel proceedings.



## *Representing Clients in Mediation*

**By Spencer Punnett**

Based on extensive research, this comprehensive, 600-page book helps both experienced counsel and rookies advance their client's cause more effectively at every stage of the mediation process. Included are insights and advice culled from dozens of interviews with litigators in private practice, inside counsel, mediators, mediation program administrators, and law professors specializing in the field.



## *The Shale Energy Revolution: A Lawyer's Guide*

**By Energy Litigation Committee, Barclay Nicholson and Sarah K. Casey, Editors**

This book is a one-stop source for shale play information and litigation involving shale plays, and addresses the vast new wave of litigation issues resulting from the fast-paced and unconventional growth of the shale gas industry. Written for practicing attorneys, corporate counsel, and litigators in the field of oil & gas, the topics covered are of interest to both new attorneys and seasoned litigators working on gas and oil litigation issues.