



# **17<sup>th</sup> Annual Conference Florida Chapters of the American Board of Trial Advocates**



**The Breakers, Palm Beach  
Thursday, July 17 – Saturday, July 19, 2014**

## YOUR INVITATION TO JOIN US

Come join us at the annual FLABOTA Conference at the Breakers in Palm Beach. An iconic oceanfront hotel, it is worth the trip if for no other reason than to see the Breakers' Italian Renaissance architecture.

Our Friday educational agenda includes an interesting array of experts, sharing their experiences and knowledge of current issues facing trial attorneys and judges. The Thursday and Friday evening receptions are to be enjoyed by all. Friday, while the lawyers and judiciary attend "class," spouses and guests are invited to join a guided tour of Palm Beach, its art and architecture.



Saturday morning hearty golfers will be transported to a world of golf at The Falls. Since its founding in 1983, the Falls Golf & Country Club has become a haven for a select group of discerning golf purists. Offering outstanding amenities, personal attention, and a world-class golf experience, Falls Golf & Country Club certainly deserves to be ranked among the best private clubs in Palm Beach County. The General Joe Lee-designed championship golf course is ranked among the best in the County and is one of the few private non-residential golf courses in the area; allowing golfers the opportunity to play the game as it was intended.

FLABOTA's Board of Directors Meeting Saturday afternoon is also the association's Annual Meeting. All members are invited to attend. The strength of FLABOTA is based on its members' participation and attendance – so please join us. We need to continue the fight to preserve the right to trial by jury, professionalism, adequate court funding, and civics education – to name a few. Without our members, FLABOTA's mission will fail. We need you!

Saturday evening's Awards Banquet will be special as we honor our Jurist of the Year and Defense Trial Lawyer of the Year, as well as the recipients of the Fran Peacock Coker Community Service Award and the Joseph P. Milton Professionalism and Civility Award.

Finally, we must recognize all our sponsors. Without their support, FLABOTA could not meet its goals year round. They truly are heroes to FLABOTA. We thank and support them.

For more information about the Conference, please continue reading. Come join us as we celebrate our 17th Annual FLABOTA Conference.



# FRIDAY'S EDUCATIONAL SEMINAR AGENDA

**8:00 - 8:30 a.m.**

## Registration and Breakfast

**8:30 - 9:00 a.m.**

## Pledge of Allegiance led by The Honorable C. Burton Connor, 4th DCA

*This is one pledge of allegiance that is not to be missed! FLABOTA will also honor America with a military color guard salute. A welcome and appreciation to our sponsors to follow. The representatives of each of our sponsoring companies will be introduced by a FLABOTA member who has done business with the company, and can attest to its abilities!*

**9:00 - 9:50 a.m.**

## Current Threats to a Fair and Impartial Judiciary: Where Do We Go From Here?

The Honorable Justice Barbara J. Pariente, Florida Supreme Court Justice, with introduction by the Honorable Jeffrey Colbath, Chief Justice 15th Judicial Circuit

*The essential role of the judiciary is protecting constitutional rights. This informative session will consider what is needed to ensure this continues, moving forward in today's world. Considered during this presentation will be an on-going review of attempts to weaken merit selection in this State and nationwide; a critical look at funding for support; effective education on a continuing basis of the Judicial Merit Selection and Retention system; and a critical look at potential constitutional or statutory changes.*

**9:50 - 10:40 a.m. and 10:55 - 11:50 a.m.**

## Qui Tam – Qui What?

Jeff Dickstein, USAG; Meredith S. Auten, Partner, Morgan, Lewis & Brockius; and Marc S. Raspanti, Partner, Piatragallo Gordon Alfano Bosick & Raspanti, LLP

*Practice and procedure under the Federal and State False Claims Acts (FCAs) will be examined in this closing session. You'll hear FCA and qui tam litigation perspectives from seasoned government counsel, relator's counsel, and defense counsel.*

**10:40 - 10:55 a.m.**

## Morning Break



*The morning break is proudly sponsored by Florida Law Weekly. Now in its 39th year, Florida Law Weekly publishes (in print and online) decisions of the Florida appellate courts, the Florida circuit and county courts and the federal courts (U.S. Supreme Court, 11th Circuit Court of Appeals and the federal district and bankruptcy courts in Florida).*

**Noon - 1:00 p.m. in The Gold Room**

## Professionalism in the Heat of Battle: How to be Successful without Acting like Cousin Vinnie a.k.a. R-E-S-P-E-C-T . . . This is what it Means to Me

The Honorable Jeffrey E. Streitfeld, 17th Judicial Circuit

*We'll fill a lot in one short hour . . . including how to check out the venue and learn the rules of the house; be clock conscious and budget your time; look your best, regardless of what you have to work with; be respectful to the Court and its staff, your opposition, and the jury; object and advocate without being offensive; work with exhibits efficiently and effectively; and be yourself and not lose your cool.*



*Our lunch presentation is proudly sponsored by Legal Graphicworks and FLABOTA Palm Beach Chapter. Legal Graphicworks is a boutique litigation support firm specializing in trial graphics, timelines, demonstrative aids, and 2D and 3D animation/renderings for hearings, mediations and trials. Legal Graphicworks also provides video depositions, video-teleconferencing and other video services.*



**1:15 - 1:30 p.m.**

## What the ABOTA Foundation Does For You

Jan Gunderson, ABOTA Foundation Trustee and Secretary

*The mission of the Foundation of ABOTA is to support the purposes of the American Board of Trial Advocates to preserve the constitutional vision of equal justice for all Americans and preserve our civil justice system for future generations. To achieve the mission, the Trustees of the Foundation will dedicate themselves to accomplish the following: 1. Provide civic education including the history and value of the right to trial by jury; 2. Elevate the standards of legal professionalism, integrity, honor and courtesy; and 3. Lead efforts to support the work of the Foundation.*

**1:30 - 2:20 p.m.**

## Ethics for Civil Trial Attorneys

Edward K. Cheffy, Esquire, Cheffy Passidomo, P.A.

*"As the number of lawyers increases to an unprecedented level, the responsibility of ensuring that all lawyers conduct themselves within the ethical bounds required by the Rules Regulating the Florida Bar continues to be a top priority for this Court. . . . members of the Florida Bar are responsible for knowing the Rules Regulating the Florida Bar. . . it is well established that ignorance of the law, especially by lawyers in disciplinary proceedings, is no excuse." The Florida Bar v. Adorno, 60 So. 3d 1016, 1018 (Fla 2011). "In recent years this Court has moved towards stronger sanctions for attorney misconduct." The Florida Bar v. Rotstein, 835 So. 2d 241, 246 (Fla 2002).*

**2:20 - 3:15 p.m.**

## Daubert One Year Later

The Honorable Meenu Sasser, 15th Judicial Circuit

*Don't miss this view from the bench, "one year later." This is sure to be a dynamic presentation of the expert opinion evidentiary standards and how they have changed since Frye.*

**3:15 - 3:30 p.m.**

## Afternoon Break



*Our Afternoon Break is proudly sponsored by The Centers. The Centers—which comprises The Center for Settlement Consultants, The Center for Lien Resolution, The Center for Medicare Set Aside Administration and The Center for Special Needs Trust Administration—is a nationally-recognized organization. We provide an extensive range of professional services specifically designed to meet the needs of law firms and to fully protect their clients' futures. By offering a wide spectrum of settlement services, we work to maximize financial returns and stability for claimants and their families. The Centers fully protects your clients with these services: lien resolution, MSA allocation and administration, life care planning, Special Needs Trust administration, fiduciary support services, public benefits compliance, and structured settlements.*

**3:30 - 5:00 p.m.**

## Forensic Computer Analysis and eDiscovery in Today's Legal Society

Trent Walton, CTO, U.S. Legal Support and Sanjay Kurian, Esq., Becker & Poliakoff

*eDiscovery can fulfill preservation obligations; get the evidence needed; integrate the evidence into legal strategy; reduce volume; and manage and reduce costs. You won't want to miss this engaging session that can help every trial lawyer in today's legal society.*

CLER credits hours by The Florida Bar and CJE credits by Court Education division of OSCA are pending.

## CONFERENCE SCHEDULE OF EVENTS

### • THURSDAY, JULY 17 •

#### 5:00 – 6:30 p.m. Registration at the South Loggia East

We look forward to welcoming you! Please come visit us before the Welcome Reception, and accept our very special welcome gift – along with your name badge and conference materials.

#### 6:30 – 7:30 p.m. Welcome Reception on the Ocean Lawn

The Ocean Lawn directly overlooks the Atlantic Ocean. Framed by palm trees and lush foliage, this spacious outdoor paradise is the perfect setting to reconnect with colleagues. Join us for hors d'oeuvres, cocktails, music and special time with friends. In the event of rain, we will be in The Beach Club. The Beach Club offers casual sophistication in an ocean and poolside location.



*Our Welcome Reception is proudly sponsored by CED Technologies. CED Technologies Inc. is a leading engineering company specializing in Forensic Engineering, Accident Reconstruction and Engineering Studies that provides litigation support and expertise for some of the most well known law firms, insurance companies and manufacturers nationwide.*

#### Dinner on your own

Afterward, enjoy dinner and the evening on your own. Dining at The Breakers is its own unique and memorable experience marked by exquisite cuisines, delicious drinks and impeccable service. Tradition is infused with modernity at eight distinctive restaurants, allowing guests to choose their preferred setting and dining experience. From mouthwatering steaks and chops at Flagler Steakhouse, to fresh daily catches at The Seafood Bar, to the crave-worthy menu and award-winning wine list at HMF, a range of unique cuisines and tailored drink lists are waiting to exceed your expectations. Numerous restaurants are also within a short walking distance away.

### • FRIDAY, JULY 18 •

#### 8:00 – 8:30 a.m. Registration and Breakfast in The Ponce De Leon Ballroom

This comfortably elegant meeting space is accented with nine crystal chandeliers, custom fabrics and an 8,000 square foot foyer boasting a tropical garden view. This versatile room will be ideal for our general session, sponsor exhibits, and dining.



*Arrive early to spend time with our sponsors and enjoy a complete, hot breakfast proudly sponsored by MBB Radiology. For 40 years, we've specialized in radiology. Our fellowship-trained doctors have made it their life's work to expertly perform critical radiology procedures.*



*Our Media Sponsor makes us look good throughout the FLABOTA Conference, and can make you look good in the courtroom, as well! Our appreciation goes to Mike Downey and his team at Visual Evidence for loaning us their A/V equipment throughout Friday's educational session; for designing and producing the great signage you'll see throughout our Conference; and for developing the presentations our members will see and experience in Friday's educational session and at Saturday's Awards Banquet.*

*Visual Evidence proudly serves as FLABOTA's Media Sponsor. Visual Evidence - 30 years helping Florida Litigators from Discovery through Trial - Graphic Design - Exhibits - Trial & Mediation Support - Video Depositions - Award Winning Documentaries.*

#### 8:30 a.m. – 5:00 p.m. FLABOTA's Educational Seminar in The Ponce De Leon Ballroom

In the year when ABOTA issued a white paper showing America's courts are in peril, it is perhaps more timely than ever that FLABOTA offers an all-day program focusing on the rapid convergence of challenges that threaten to impair Americans' treasured right to even-handed justice. The American justice system — with its reliance on the rule of law, neutral judges and citizen juries — dramatically reinvented the legal realm more than 225 years ago based upon egalitarian principles. Recent history has shown increasingly frequent episodes in which judges, seeking to perform their duty to enforce the constitution and laws, have been subjected to unwarranted public criticism. FLABOTA offers this educational seminar to examine why political and special interest interference, including the skyrocketing costs of judicial elections, is detrimental to the judicial process. We will also study how the lack of judicial funding is impacting the efficient administration of justice. The only acceptable conclusion is to understand and agree upon key strategies to assure that the judiciary can perform its duty as a separate and equal branch of government.

#### 10:00 a.m. – 3:00 p.m. Palm Beach Tour (For the guests of our Trial Lawyers and members of the Judiciary)

Only six miles long, the famed town of Palm Beach packs a powerful combination of exotic natural attributes, intriguing denizens, extraordinary wealth and exquisite architecture. While traversing the island, the group will stop at historic landmarks, see luxurious mansions and visit local boutiques on Worth Avenue. Lunch will be included.

#### 6:30 – 8:30 p.m. Celebrate Civility Reception on the Ocean Lawn or in the Mediterranean Ballroom

Indulge your tastes and excite your senses with the finest of cuisines and beverages during our reception featuring award-winning delights. Musical entertainment and freshly rolled cigars will be part of the festivities.

Modeled after the loggias of Italian villas, the magnificent Mediterranean Ballroom features elaborate fresco-painted ceilings portraying the sky, large Venetian-style chandeliers and 15 foot tall, arched windows overlooking the adjoining Mediterranean Courtyard.

*This reception is proudly sponsored by Upchurch, Watson, White & Max, and U.S. Legal Support.*



*Upchurch, Watson, White & Max's team of conflict resolution specialists practice in a wide range of alternative dispute resolution disciplines. Specific areas of practice include business mediation, corporate mediation, commercial mediation, arbitration and more.*



*As one of the largest full service legal support companies in the nation U.S. Legal Support is committed to providing personalized service and custom solutions to meet their client's specific needs. With over 40 offices nationwide, their specialists across the country are focused on providing local expertise with national resources.*

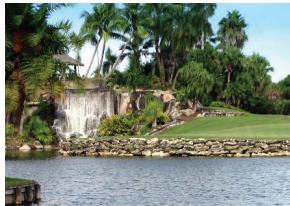
## CONFERENCE SCHEDULE OF EVENTS


### • SATURDAY, JULY 19 •

#### **7:00 a.m. Transportation departs for 8:30 a.m. The Joseph P. Milton Memorial Golf Outing**

Joseph P. Milton (1943 - 2011) was one of The Florida Bar's most honored lawyers having received the Daily Record / Jacksonville Bar Association Lawyer of the Year Award for 1999, the Jacksonville Chapter of the American Board of Trial Advocates Outstanding Trial Lawyer of the Year Award for 2000, the FLABOTA Outstanding Trial Lawyer of the Year Award for the State of Florida in 2000, and the Outstanding Past Volunteer Bar President Award from the Florida Council of Bar Presidents in 2001. In 2004 he received the National Master in Trial Award from the American Board of Trial Advocates. In 2006 he was named as a Super Lawyer of Florida in the 1st edition of that publication; less than 5% of all attorneys in Florida are included. Also in 2006, he received the prestigious President's Award from FLABOTA. In 2010, Mr. Milton received the Medal of Honor from The Florida Bar Foundation, the state Bar's most honored recognition. In honor and memory of Mr. Milton's lifelong commitment to professionalism, civility and the highest degree of ethics, in 2011, FLABOTA created the Joseph P. Milton Professionalism and Civility Award, to be given from time to time to a Florida lawyer who exhibits the same level of integrity, honor and courtesy in the practice of law.

Since its founding in 1983, the Falls Golf & Country Club has become a haven for a select group of discerning golf purists. Offering outstanding amenities, personal attention, and a world-class golf experience, Falls Golf & Country Club certainly deserves to be ranked among the best private clubs in Palm Beach County. The General Joe Lee-designed championship golf course is ranked among the best in the County and is one of the few private non-residential golf courses in the area; allowing golfers the opportunity to play the game as it was intended.



 *The Saturday Outing and Meetings are proudly sponsored by Comerica Wealth Management. Comerica Bank specializes in Wealth Management and Business Lending. Comerica's team approach to wealth management and business banking provides the highest level of comprehensive financial expertise available. We offer a complete array of custom financial services including: Private and Business banking, investment management, middle market lending, jumbo mortgages, trust and estate administration, and wealth planning.*

#### **Throughout the Morning A Variety of Activities for the Non-Golfers**

Those not golfing are encouraged to check in with The Breakers Concierge team to learn more about walking and bicycle trails, tennis, Antique Row and Consignments, a tour of flora and fauna, and much more. Mention that you are a FLABOTA guest when making your reservations for a 10% discount, excluding packages and promotion

#### **3:30 – 5:00 p.m. Board of Directors and FLABOTA Annual Meeting at the Ponce De Leon Ballroom**

FLABOTA's Board of Directors Meeting Saturday afternoon also serves as the association's Annual Meeting, and is open to all members. Your input on how to strengthen our support

of an independent judiciary; in preserving the jury system; in supporting the ABOTA Foundation and its mission to educate and inspire our youth to learn and respect the United States Constitution; in teaching civility in and out of the courtroom; and in otherwise assisting the efficient administration of justice and elevating the standards of integrity, professionalism and civility of trial advocates is always welcome.

#### **6:30 – 7:30 p.m. Awards Banquet Cocktail Reception in the Magnolia Room**

Originally the living room-style North Lounge for the hotel, the focal point of this Magnolia Room is the beautiful Venetian-style stone fireplace and richly decorated plaster ceilings. This intimate room is perfectly suited for our special evening's reception, which is *proudly sponsored by Florida Lawyers Mutual Insurance Company.*



*Florida Lawyers Mutual Insurance Company was created by The Florida Bar by lawyers for lawyers to provide a perpetual source of professional liability insurance. The Company is celebrating 25 years of service in 2014 and has built its reputation on vigorously defending yours.*

#### **7:30 – 8:30 p.m. Our Annual Awards Banquet in the Circle Ballroom**

Through its 15 foot windows, The Circle Ballroom boasts spectacular ocean views. The soaring 30 foot domed ceiling features eight oval fresco-painted murals depicting Renaissance landscapes. At the center, a Venetian crystal chandelier hangs from a stylized gold-leaf sunburst. What better location to celebrate the exemplary work and resulting accomplishments of the Jurist of the Year and Defense Lawyer of the Year, along with recipients of the Fran Peacock Coker FLABOTA Community Service Award and Joseph P. Milton Professionalism and Civility Award.



**Sabadell**  
United Bank



*Our Annual Awards Banquet has long been proudly sponsored by Sabadell United Bank. Sabadell United Bank works with each client across Florida to help them achieve their goals. Our bankers pride themselves on being the Trusted Advisors for Professionals, Businesses, High Net-Worth Individuals, and International Clients.*

# REGISTRATION FORM

## 17th Annual Conference of the Florida Chapters of the American Board of Trial Advocates The Breakers, Palm Beach Thursday, July 17 – Saturday, July 19, 2014

Register online at [www.flabota.org](http://www.flabota.org) or mail Registration Form and check payable to FLABOTA to:  
Alison Pruitt, 349 Granada Road, West Palm Beach, FL 33401.  
If you have additional questions, please contact her at [flabota@flabota.org](mailto:flabota@flabota.org) or call (561) 802-4310.  
You will receive an e-confirmation on receipt of your registration.

**Please type or print.** Information below will be used for confirmation and name badges.

Name: \_\_\_\_\_ Name Badge Preference for First Name: \_\_\_\_\_

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

City/State/Zip: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Spouse or Guest: \_\_\_\_\_

Children / Age(s): \_\_\_\_\_

### CONFERENCE REGISTRATION:

(Includes Saturday Annual Banquet and all events EXCEPT Friday educational program, Saturday golf tournament, and Friday Island Tour)

ABOTA Member \$365 x \_\_\_ = \$ \_\_\_\_\_

Spouse/Guest/Child \$365 x \_\_\_ = \$ \_\_\_\_\_

### FRIDAY EDUCATIONAL PROGRAM REGISTRATION

(includes continental breakfast, breaks and lunch)

ABOTA Members registered for Conference \$150 x \_\_\_ = \$ \_\_\_\_\_

ABOTA Members not registered for Conference \$275 x \_\_\_ = \$ \_\_\_\_\_

Attorneys who are not ABOTA Members \$375 x \_\_\_ = \$ \_\_\_\_\_

Members of the Judiciary \$ 50 x \_\_\_ = \$ \_\_\_\_\_

Law Students \$100 x \_\_\_ = \$ \_\_\_\_\_

### FRIDAY ISLAND LUNCH TOUR (includes lunch)

All Guests \$150 x \_\_\_ = \$ \_\_\_\_\_

### SATURDAY GOLF TOURNAMENT REGISTRATION

(includes transportation to the course/greens/cart fees/taxes) \$ 200 x \_\_\_ = \$ \_\_\_\_\_

Please provide skill level for each golfer. Groups will be assigned to balance skill levels.

Golfer: \_\_\_\_\_ Golf Handicap \_\_\_\_\_

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Golfer: \_\_\_\_\_ Golf Handicap \_\_\_\_\_

Golfer: \_\_\_\_\_ Golf Handicap \_\_\_\_\_

### SATURDAY RECEPTION AND ANNUAL AWARDS BANQUET ONLY

(For those who are only attending banquet. Please do NOT check if you already registered for the conference, above.)

\$195 x \_\_\_ = \$ \_\_\_\_\_

**TOTAL AMOUNT DUE:** \$ \_\_\_\_\_

Please remember to also make your reservations at The Breakers by calling (561) 655-6611 or online at [www.flabota.org](http://www.flabota.org), and then clicking on FLABOTA Annual Meeting. Be sure to mention FLABOTA, to receive the room rate of \$190 per night, or to upgrade to an oceanfront room for a rate of \$310 per night.