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Newsletter of the Academy of Trial Lawyers of Allegheny County

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IMPORTANT REMINDER: *Prospective members must be nominated by a current Academy member. They cannot apply directly to the Academy for membership.*

ACADEMY FEBRUARY MEMBERSHIP DINNER

Thursday, February 26, 2009

5:00 p.m. Cocktails ~ 5:45 p.m. Dinner

Final plans are underway for the 47th Academy Mock Trial Competition on Thursday and Friday February 26th & 27th. There will be an Academy Membership Dinner in conjunction with the competition on Thursday, February 26th at the OMNI William Penn Hotel.

Please plan to attend this dinner to congratulate the participants and thank the many physician witnesses, paralegal witnesses, judges, and other professionals who volunteer their time and talents to make this one of the best mock trial competitions in the country!

Flyer and reservation form will be sent by email shortly!

PRESIDENT'S THOUGHTS

On behalf of the Board of Governors and Officers of the Academy of Trial Lawyers, I want to wish each of you a Happy New Year and extend my sincere hope that 2009 will be a healthy and successful year for all Academy members and their families.

A lot has been going on since our last Newsletter, both from a program as well as a planning perspective:

- ◆ With Academy member **Judith F. Olson** taking a seat on the bench of the Court of Common Pleas of Allegheny County, Judge Olson's Board seat was succeeded to by **Miles A. Kirshner**, to whom thanks are due. Miles will be a great replacement for a former great Board member.
- ◆ Following up on the Board's planning meeting at the Retreat, we had very successful meetings with the Deans of the University of Pittsburgh School of Law

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and Duquesne University School of Law. The Board's plan is to develop a working relationship with the law schools such that the talents of Academy members might be used, particularly in advocacy-type programs that could become a regular part of the curriculum each year, which would also serve to enhance our community and pro-bono involvement. Following our meeting with the Dean of the University of Pittsburgh School of Law, **John P. Gismondi** and the **Honorable Beth Lazzara** developed a "Court Observation Program" which will involve Academy members in a supervised law student observation of a portion of an actual trial in the Court of Common Pleas of Allegheny County as well as observing a "Happy Hour" session. Academy member **Judd F. Crosby** has agreed to Chair the Academy Committee and they have begun working to formalize the 2009 program for the law school's second semester. With respect to Duquesne, we have Academy members who will be working with them during practice sessions for an upcoming moot court competition (not our program). A more formal relationship is being planned and **Jack Wall** has agreed to Chair that Committee.

- ◆ I have appointed **Susan A. Yohe** as Chair of the Recruitment Committee. Susan will be working with Past President **Michael Louik** in seeking to address issues of qualified individuals for Academy membership with a specific emphasis on the identification of minority and female candidates.
- ◆ **Joe Macerelli, Patti Dodge** and **Debbie Smith** successfully negotiated contracts with Nemaquin that has resulted in a freeze on our rates through the year 2012. A separate report by Joe is on Page 4 of this newsletter. The Academy is grateful to Joe, Patti and Debbie in reaching agreements that hold our costs for the next four retreats.
- ◆ In keeping with my promise to keep you advised of what the Board does and my commitment to solicit Academy member input, following the Retreat I requested your thoughts and comments about how we could improve future retreats. There appeared to be significant interest in making at least two changes:
 1. The first change dealt with adding a biking program. This has been accomplished with **David J. Rosenberg** and **Craig L. Fishman** as coordinators of this new activity.
 2. There was a request supported by many that the second night dinner be a black-tie optional event. That request has been honored and at this year's Retreat, (save the dates of **September 30 - October 2, 2009**), dinner attire will be **black-tie optional except for Officers, Board of Governors and newly elected members**. Our black-tie event will be the 50th Anniversary Dinner.
- ◆ The **50th Anniversary Celebration** of the Academy will be honored with a black-tie dinner dance on Friday, March 20, 2009 in the Grand Ballroom of the Omni William

WITH SYMPATHY

*The Academy Family extends its sincere condolences
to the family of Academy member*

Richard L. Rosenzweig, Esquire

who died on December 27, 2008

and to Academy Member

David A. Blaner

whose mother, Anne Elizabeth Blaner, died on December 14, 2008.

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Penn Hotel. Details regarding the event will be forthcoming over the next several weeks.

- ◆ On December 8, 2008, we held our **20th Annual Holiday Party**. The party was held at the Renaissance Hotel and, again, being interested in obtaining your views of the event, I sought comments regarding what the Board and Officers should consider to improve the 2009 Holiday Party. I thank you for your comments and I assure you that Board and those responsible for the planning of the next Holiday Party will take all comments seriously and consider them in planning.
- ◆ The Federal Practice Committee held another successful program on December 16, 2008. Committee Chair **Russell J. Ober** along with Academy program segment moderators **Kevin P. Lucas**, **Stanley J. Parker** and **Henry M. Sneath**, and many federal judiciary participants, received very favorable comments regarding the program. As a change to this year's program, the Academy invited all federal court clerks to attend as guests of the Academy.
- ◆ You have received the "*Call for Nominations*" from Membership Committee Chair **John P. Gismondi**. Please give strong consideration to nominating those whom you believe will carry out the mission and purpose of the Academy should they be ultimately elected to membership. We need the input of **ALL** members in identifying qualified nominees.
- ◆ Program Chair **Richard W. Hosking** will, in the near future, be sending out details of our 2009 programs that will be held in April, May and June.
- ◆ Approved minutes of the Board of Governors of the Academy of Trial Lawyers are available to any member upon request. Call Debbie at 412-343-9266 or send an email to academy@atlac.org.

In closing, I hope that you will not hesitate to send to any Board member, me or Debbie Smith any thoughts or comments you might have with respect to programs or other matters intended to improve the Academy. I assure you that every comment I have received in response to my request for feedback has been read and considered and, in many instances, has

resulted in change. You have an opportunity to shape the Academy by being involved and by informing your Board members and officers, so please do so.

Samuel W. Braver, President

MEMBERSHIP COMMITTEE - NOMINEES FOR THE ACADEMY OF TRIAL LAWYERS

The Membership Committee will soon be receiving applications from nominated trial attorneys seeking membership in the Academy. If you are asked to write a letter of recommendation on behalf of one of the applicants, we encourage you to include your specific experiences and interactions with the individual in the trial/litigation context.

In early March, you will receive the applicant survey, which will request your knowledge and opinions about the applicants under consideration. Please take the time to provide us with your insight concerning these applicants.

The Membership Committee is charged with the responsibility of identifying the best trial lawyers for membership in the Academy from among the applicant pool. Your input through survey responses and letters of recommendation are of great value in carrying out that responsibility. Our Committee recognizes its obligation to review the applications and assess the skill, professional standards and ethics of every nominee. All of the qualified applicants will be interviewed as part of this assessment.

John P. Gismondi, Chair

SAVE THE DATE FOR A VERY SPECIAL EVENING!

*Members of the Academy of Trial Lawyers of Allegheny County
and their spouses or significant others will gather for the*

*Academy of Trial Lawyers
50th Anniversary Celebration*

Friday, March 20, 2009

Omni William Penn Hotel

6:15 p.m. Reception Urban Room

7:00 p.m. Dinner Grand Ballroom

*Entertainment provided by the
John Parker Band!*

Watch your mail for your personal invitation!

RETREAT COMMITTEE REPORT

The Retreat Committee and your leadership have been hard at work regarding future Retreats. The response from the membership to President Braver's recent request for feedback was commendable, and every effort has been made to address concerns expressed.

This year's change in format to a Wednesday through Friday program was positively received by the membership. This has been likewise beneficial to the ongoing efforts to control costs for

the membership and the Academy. We negotiated an agreement with Nemaocolin for a ten percent rebate in exchange for the different format, and the rebate will be applied as a credit to the following year's master invoice. Members who attended the 2007 Retreat have been refunded the appropriate amounts, and this will be done for each future Retreat.

We are ecstatic to report that negotiations have resulted in contracts with Nemaocolin for not only this year, but for years 2010, 2011 and 2012. Further, virtually every request made by the Academy to control costs was granted by Nemaocolin, including frozen room rates for each year, a waiver of any and all "resort/valet fees", and provision of a certain number of complimentary accommodations for visiting guests. Your leadership is confident that these cost savings will assure the ability to present quality programs in future years and maintain a healthy financial balance as well.

Any questions or comments about upcoming Retreat programming or any aspect of the stated cost issues can be directed to President Braver at samuel.braver@bipc.com or Debbie Smith at academy@atlac.org.

Joseph A. Macerelli, Immediate Past Treasurer

10th ANNUAL SYMPOSIUM ON CIVIL TRIAL PRACTICE

On Wednesday, April 22, 2009, the Spring Seminar Committee will sponsor the "10th Annual Symposium on Civil Trial Practice in Western Pennsylvania" from 1:30 – 4:45 p.m. at the Omni William Penn Hotel. The program will offer 1 ethics and 2 substantive CLE credits. The program will immediately follow the April Membership Lunch Meeting scheduled from 11:45 a.m. – 12:15 p.m. also at the Omni.

This program is a great opportunity to spend an afternoon with members of the bench. Civil trial judges from Allegheny, Beaver, Butler, Mercer, Washington, and Westmoreland Counties, as well as others, will be invited to participate in the program and share their insights into courtroom practice and legal matters. This year's program will again be moderated by Allegheny County Civil Division Administrative **Judge Eugene B. Strassburger, III**, who will serve along with a panel of distinguished jurists from Pennsylvania's state Courts. The program is open to Academy members and nonmembers alike. The program affords a wonderful opportunity to introduce non-members to the distinctive spirit of sharing between the bench and bar, which Academy members have enjoyed over the years. It is certainly an occasion that should not be missed by any Academy member.

The Academy's CLE programs such as this serve two purposes. The first, and foremost, is the education opportunities for members and others. The second is to provide a way for the Academy to raise funds to promote the Academy's programs and events. This second purpose has long served as an important aid in funding the high quality events and programs that the Academy has consistently offered.

Mark your calendars NOW for Wednesday, April 22, 2009!

Watch your mail and email for program details!

Stanley J. Parker, Chair
J. Elise Tourek, Vice Chair

“DIRECT and CROSS-EXAMINATION MADE ALIVE”

*The Academy is again co-sponsoring a 3 substantive credit CLE program, along with the ACBA Federal Court and Civil Litigation Sections, on the morning of **THURSDAY, MARCH 26, 2009**, at the **OMNI WILLIAM PENN HOTEL**.*

*The speaker, **PROFESSOR STEPHEN A. SALTZBURG**, has a national reputation and the program promises to be as enjoyable as it will be educational - even for old hands at trying cases.*

*Professor Saltzburg will supplement his compelling presentation with video clips of direct and cross-examination demonstrated by some of America's premier trial lawyers. He will further engage in an interactive dialogue with the audience about the very real, very hard, and sometimes case-determinative decisions concerning direct and cross-examination. Finally, he will moderate a panel of the following esteemed Federal Court judges to discuss the bench's perspective, what works and what doesn't, and how each lawyer in the room might wish to re-examine: Chief Judge **DONETTA W. AMBROSE** and **DAVID S. CERCONE**, **NORA BARRY FISCHER**, **SEAN J. McLAUGHLIN**, and **ARTHUR J. SCHWAB**.*

*Plan now to **ATTEND THIS SEMINAR** and spread the word among your colleagues and acquaintances. Watch your mail and email for flyers and registration!*

2008/2009 Academy Calendar of Events

Some of the following program dates have changed -- please check your calendar!

<i>February 26, 2009</i>	<i>Essay & Mock Trial Awards Dinner</i> <i>Omni William Penn Hotel</i>
<i>March 20, 2009</i>	<i>50th Anniversary Celebration Dinner Dance</i> <i>Omni William Penn Hotel</i>
<i>March 26, 2009</i>	<i>Direct and Cross-Examination Made Alive</i> <i>Omni William Penn Hotel</i>
<i>April 22, 2009</i>	<i>Membership Lunch Program</i> <i>Omni William Penn Hotel</i> <i>Annual Spring Symposium Seminar</i> <i>Omni William Penn Hotel</i>
<i>May 14, 2009</i>	<i>Membership Lunch Program</i> <i>Rivers Club</i>
<i>June 16, 2009</i>	<i>Membership Breakfast Program</i> <i>Rivers Club</i>
<i>September 30 – October 2, 2009</i>	<i>21st Annual Masters of Trial Advocacy Retreat</i> <i>Nemacolin Woodlands Resort</i>