

13th Annual SuperConference!

Eminent Domain

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Featuring Speakers From:

Advanced Housing Corporation
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Florida 5th District Court of Appeal
Florida Power & Light Company
Land Design South
South Florida Water Management District
Weigel-Veasey Appraisers
... and some of Florida's top eminent domain practitioners!



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Review of This Year's Eminent Domain Law
The Valuation of the Keystone Coal Company Lime Kiln
Business Damages: The California Perspective
Engineering Considerations for the Eminent Domain Practitioner
Tort or Taking? Walking the Line Between Taking and Damage in Inverse Condemnation
Affordable Housing
Have You Heard of 73.041?
Bert Harris Act Legislative and Judicial Update
Eminent Domain from a Planning Perspective
***Koontz v. St. John's Water Management District*: Case Study**
The Magic of 73.013 – A Post-Kelo: Case Study

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Schedule and Instructor Bios Inside ▶

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MONDAY, OCTOBER 5

- 8:30 Registration and Continental Breakfast
- 9:00 **Introduction and Welcome**
Overview of Day One
Paul Bain, Esq., Program Co-Chair
Gaylord Merlin Ludovici Diaz & Bain, Tampa
Bruce Harris, Esq., Program Co-Chair
Harris, Harris, Bauerle & Sharma, Orlando
Tracy Marshall, Esq., Program Co-Chair
Gray Robinson, Orlando
- 9:15 **Get on the Case**
Reviewing This Year's Eminent Domain Law
Paul Bain, Esq., Program Co-Chair
- 10:15 Morning Break
- 10:30 **Eminent Domain from a Planning Perspective**
A Focus on the Various Land Planning Items That Should be Considered and Their Effect on the Valuation of Property and Potential Business Damages
Robert Bentz, RLA, ASLA, AICP, Managing Partner
Land Design South, West Palm Beach
- 11:15 **Ethics**
Special Eminent Domain Considerations in Mediation
William Smith, Esq., Certified Mediator and Arbitrator
Tampa
- 12:15 Lunch Break
- 1:30 **Engineering Considerations for the Eminent Domain Practitioner**
What Every Lawyer Should Know
Mary Dorman, Esq.
Dorman & Gutman, Tampa
Richard Diaz Jr., PE, President
Diaz Pearson & Associates, Tampa
- 2:30 **A Trial Within A Trial**
The Valuation of the Keystone Coal Company Lime Kiln
D. Mark Natirboff, Esq.
Brigham Moore, Jacksonville
- 3:15 Afternoon Break
- 3:30 **Business Damages**
The California Perspective
John Murphy, Esq.
Luce Forward, Irvine
- 4:15 **Tort or Taking?**
Walking the Line Between Taking and Damage in Inverse Condemnation
Blake Gaylord, Esq.
Gaylord, Merlin, Ludovici, Diaz & Bain, Tampa
- 5:15 Q&A Panel
Members of the Faculty
- 5:30 **Adjourn to Private Reception Sponsored By—**
Gaylord Merlin Ludovici Diaz & Bain
Gray Robinson, *and*
Harris, Harris, Bauerle & Sharma

TUESDAY, OCTOBER 6

- 8:30 Continental Breakfast
- 9:00 **Welcome Back**
Overview of Day Two
Paul Bain, Esq., Program Co-Chair
Bruce Harris, Esq., Program Co-Chair
Tracy Marshall, Esq., Program Co-Chair
- 9:15 **Is It Irrevocable?**
If Not, Have You Heard of 73.041?
Robert Scanlan, Esq., Senior Attorney, Law Department
Florida Power & Light Company, Juno Beach
- 10:00 Morning Break
- 10:15 **Keynote Presentation**
Appellate Practice: Special Considerations for the Eminent Domain Practitioner
Honorable C. Alan Lawson
Florida 5th District Court of Appeal, Daytona Beach
- 11:00 **The Appraiser's Perspective**
What You Need to Know
Richard Parham, Principal
Calhoun, Collister & Parham, Tampa
John Veasey, MAI, SRA
Weigel-Veasey Appraisers, Middleburg
- 12:00 Lunch Break
- 1:30 **Affordable Housing**
An Alternative or Complimentary Residential Land Use; Properties That Qualify for Government Affordable Housing Financing May be More Valuable Than Conventional Residential Uses in Today's Distressed Property Market
Barry Goldmeier, President
Advanced Housing Corporation, Coral Gables
- 2:15 **Bert Harris Act Legislative and Judicial Update**
When Does the One Year Start in Which to File a Claim? What if the Landowner and/or Government Made Mistakes of Fact or Law? What are Existing Uses, Vested Rights, and Reasonable Landowner Investment Backed Expectations?
Ronald L. Weaver, Esq.
Stearns Weaver Miller Weissler Alhadeff & Sitterson, Tampa
- 3:15 Afternoon Break
- 3:30 **Koontz v. St. John's Water Management District**
A Case Study in Inverse Condemnation
Keith Williams, Esq., Senior Attorney, Office of Counsel
South Florida Water Management District, West Palm Beach
- 4:15 **The Magic of 73.013**
A Post-Kelo Case Study
Edgar Lopez, Esq.
Broad and Cassel, Orlando
- 5:00 Q&A Panel
Members of the Faculty
- 5:15 Evaluations and Adjourn

TELL US WHAT YOU WANT!

Do you have specific questions or topics you hope to see covered in this program? Would you like to see a Conference on another topic? Would you like to learn about sponsorship and exhibit opportunities?

Contact **CLE INTERNATIONAL** Managing Program Attorney Heidi A. Ray, heidi@cle.com.

MEET YOUR DISTINGUISHED FACULTY

PROGRAM CO-CHAIRS

Paul Bain has represented individuals and corporations exclusively in eminent domain and property rights litigation throughout the State of Florida for over 15 years. He has represented clients both large and small with collectively over 100,000 acres of property in Florida.

Bruce Harris practices property rights and eminent domain exclusively. He has handled hundreds of cases on behalf of property owners and condemning authorities. He is a frequent speaker on eminent domain issues. He serves as an adjunct professor at the University of Florida and Florida A & M University's College of Law.

Tracy Marshall is a trial lawyer who practices in the areas of eminent domain, land use litigation and commercial litigation. She is board certified in Civil Trial Law by the Florida Bar. Her eminent domain practice includes representation of both property owners and taking authorities and she has worked on over 600 condemnation parcels.

KEYNOTE SPEAKER

C. Alan Lawson has been on the bench since 2002, and in his current position with the Fifth District Court of Appeal since 2006. He was an Assistant County Attorney in Orange County, Florida, from 1997 to 2001. In 2005, he received the Outstanding Jurist Award for his involvement in the Florida Council on Crime and Delinquency.

FACULTY

Robert Bentz has 26 years' experience in planning and has been retained as an expert witness for FDOT and private property owners. His firm offers land planning, landscape architecture, transportation engineering and environmental consulting services. He has extensive experience and knowledge of site planning, zoning and land use approvals throughout Florida.

Richard Diaz Jr. is a registered civil engineer with over 30 years of experience in land development, engineering, transportation, planning, site design, permitting and right of way. He has been actively involved as an expert witness and litigation consultant in right of way acquisitions and eminent domain matters for over 25 years.

Mary Dorman represents private property owners and business owners in their eminent domain cases throughout Florida. She has been practicing eminent domain and transportation-related law in Florida for the past 15 years, and has worked on over 1,000 parcels during this time.

Blake Gaylord practices in the fields of eminent domain and property rights. He is a member of the International Council of Shopping Centers (ICSC), the Florida Bar Association and the Hillsborough County Bar Association.

Barry Goldmeier is a land and affordable housing developer with projects in Florida and New Jersey. He has been involved in eminent domain proceedings as both a property owner and consultant for a taking authority over his 35-year career.

Edgar Lopez focuses on a variety of eminent domain matters and is frequently responsible for complex condemnation cases across Florida. As counsel for both property owners and condemning authorities, he has a uniquely well-rounded expertise in Florida eminent domain law.

John Murphy specializes in eminent domain, inverse condemnation and other complex jury trials. He has served as lead counsel in several significant, successful jury trials. He is a chair of CLE International's Eminent Domain Conference in Los Angeles.

D. Mark Natirboff is an experienced litigator in both eminent domain and other civil actions. He brings an international perspective to the practice of law, having worked in Moscow, and lived in England, France, Switzerland, Egypt, Sudan and Kenya.

Richard Parham has nearly 20 years of experience working in eminent domain, and has completed thousands of appraisals for potential eminent domain litigation. He has been qualified as an expert witness to testify in state and federal courts. He is a Florida State Certified General Real Estate Appraiser.

Robert Scanlan handles general litigation with an emphasis on property tax, eminent domain and inverse condemnation issues. He formerly spent 14 years with the Office of the Attorney General as Chief of the Eminent Domain Section and 14 years with FDOT.

William Smith has been providing alternate dispute resolution services to the legal community, government agencies, and private business entities and individuals since 1991. He has mediated over 3,000 cases.

John Veasey has over 35 years' experience in real estate appraisal, specializing in the field of eminent domain. Clients include both condemning authorities and landowners.

Ronald L. Weaver has extensive experience in advising landowners, development companies, and local governments in environmental, land use, and property rights law and real estate acquisition and financing. He is a frequent speaker and author on growth management, concurrency, property rights, and takings issues.

Keith Williams has been with SFWMD since 2002. He was formerly with the Palm Beach County Attorney's Office. Prior to that, he was a senior attorney in the Public Lands Section of the State of Florida's Department of Environmental Protection.

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Tuition

- \$795 per person
- \$695 each for two or more
- \$695 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$595 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

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- Audio transcript and course materials
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Keynote Presentation
Appellate Practice: Special Considerations
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Honorable C. Alan Lawson
Florida 5th District Court of Appeal
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