

THE NEW YORK STATE BAR ASSOCIATION
COMMERCIAL AND FEDERAL LITIGATION SECTION
EXECUTIVE COMMITTEE

Minutes of the Meeting of the Executive Committee of the Commercial and Federal Litigation Section held in accordance with the rules of the New York State Bar Association on April 29, 2019.

Members Participating in Person

Robert Holtzman, Chair
Laurel Kretzing, Chair-Elect
Anne Sekel, Treasure
Natasha Shishov, Secretary
Orna Artal
Mark Berman
Louis DiLorenzo
Ignatius Grande
Jay L. Himes
Hon. Frank Maas
Hon. Karla Moskowitz
James Wicks
Carla M. Miller
Kevin J. Quaratino

Members Participating by Telephone

Jonathan Fellows, Vice-Chair
Douglas T. Tabachnik
Michael Fox
Rachel Morgenstern
Courtney Rockett
Laura Sedlack
Jay Safer

Section Chair, Robert Holtzman, called the meeting to order at 6:05 pm.

Review of Minutes

March 21, 2019 minutes were unanimously approved.

Treasurer's Report – Year End 2018

Anne Sekel presented the treasurers report for 2018. Income has decreased over the last bar year by 5%, due to a small dip in dues and sponsorship. There was an increase in income generated from meetings. Expenses have also decreased by 3%. The overall costs and income were less

than 2% off from the proposed budget (under budget by \$4,500). The Section also has a surplus of approximately \$159,000.

Spring Meeting Update

Laurel Kretzing presented an update on the Section's Spring Meeting, which will be held May 3rd through May 5th at the Equinox in Manchester, Vermont. Chief Judge of the Southern District, Honorable Colleen McMahon, will be the honoree of the Robert L. Haig award, on Saturday May 4th. Panels are set and scheduled, which will include a commercial arbitration panel, a Women's Task Force program: Working with Men to Advance Women in the Profession, a trial techniques program from "My Cousin Vinny", and a social media update CLE, geared towards the bench and the bar.

Review of 2019 Social Media Legal Ethics Guidelines

Ignatius Grande presented the report on the 2019 Social Media Legal Ethics Guidelines (Social Media and New Communications Technologies Committee created the guidelines). The last time it was updated was in 2017. Areas where there have been changes: Attorney competence, attorney advertising, online research of jurors and contacting judges.

Mark Berman commented that these guidelines are the leading guidelines for social media ethics. The updated guidelines will go to the NYSBA House of Delegates in June as an informational report. There will be a CLE on 6/17 regarding the guidelines, with the goal of getting a younger audience. The CLE can be attended virtually and will be taped.

One change was suggested to footnote 149, to indicate that the People v Newlander matter is currently pending before the Court of Appeals. With this change, the report was unanimously approved.

Smooth Moved Program Update

Carla Miller reported on this upcoming program, scheduled for May 23, 2019 from 5-8pm at Lincoln Center. There will be a 5pm CLE followed by an awards presentation. The George Bundy Smith Pioneer Award honorees will be former US Attorneys for the SDNY, Joon Kim and Preet Bharara. The CLE program, which will offer one credit in diversity and inclusion, will deal with increasing diversity in the alternative dispute resolution sector. A letter was sent to firms and other NYSBA Sections to encourage sponsorship. If any firm wishes to be a sponsor, please reach out to Carla Miller. Two former 1L Commercial Division Fellows will be featured to highlight the success of the program.

User-Friendly Innovative Courtroom Technology CLE Program

April 30, 2019, in Judge Scarpulla's courtroom from 2-4pm. The program will feature one of the most technologically advanced courtrooms in the State. There will be a presentation of how the

technology works, then refreshments and a networking portion, followed by a “hands on” portion, allowing attendees to access the technology.

Upcoming Bench-Bar Forums

The following bench/bar forums are scheduled and/or are being planned: 1) May 14th in Kings County, Justice Ash and Knipel will preside over diversity and inclusion program in Brooklyn Law School; 2) May 23rd Albany program; 3) June 5th there will be a NYC Commercial Division Bench/Bar Forum; 4) June 14 Westchester Breakfast; and 5) additional programs are being coordinated for Queens and Nassau county.

Ethics and Civility Programs Update

This was the 20th year of the program. Robert Holtzman presented Vincent Syracuse with a plaque at the last Ethics program to celebrate its success. The program has educated more than 6,000 individuals over the years.

Other Business

There will be a program co-sponsored with the Dispute Resolution Section on June 11th at 6pm concerning international arbitration.

Meeting Adjourned at 6:42.