

WHAT CIVIL COURT JUDGES WANT YOU TO KNOW

FORT MYERS, FLORIDA
OCTOBER 2, 2009

Presented by our distinguished judges panel:



HONORABLE
JOHN E.
DURYEA JR.



HONORABLE
CYNTHIA A.
ELLIS



HONORABLE
JOSEPH C.
FULLER



HONORABLE
ALANE C.
LABODA



HONORABLE
HUGH E.
STARNES

HONORABLE JAMES R. SHENKO

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SEMINAR OUTLINE

AM SESSION 9:00 - 12:00

PANEL MEMBERS

Hon. John E. Duryea Jr.

Hon. Alane C. Laboda

Hon. Hugh E. Starnes

Ronald L. Buschbom
Moderator

I. CASE MANAGEMENT AND PRETRIAL CONFERENCES

- A. Case Management
- B. Tips for a Productive Settlement Conference
- C. Mistakes to Avoid at the Pretrial Conference

II. SCHEDULING ORDERS

III. EFFECTIVE AND INEFFECTIVE DISCOVERY PRACTICES

- A. Interrogatories
- B. Be Careful What You Object To
- C. Discovery Issues Judges Should Never Hear
- D. The Emerging World of E-Discovery
- E. Getting Accurate Answers From Your Clients

IV. MOTION HEARING - WHEN, WHY, AND HOW?

- A. Discovery Disputes
- B. Filing Dispositive Motions
- C. Motions in Limine

V. JUDGES VIEW ON TECHNOLOGY IN THE COURT ROOM

- A. What Technology Is Available?
- B. Advantages/Disadvantages of High Tech Presentation
- C. Evidentiary Issues Relative to the Use of Technology in the Courtroom

PM SESSION 1:00 - 4:30

PANEL MEMBERS

Hon. Cynthia A. Ellis

Hon. Joseph C. Fuller

Hon. James R. Shenko.

Ronald L. Buschbom
Moderator

VI. VOIR DIRE: DO'S AND DON'TS

VII. TRIAL PRACTICE TIPS IN CIVIL COURT

- A. How to be "Trial Ready"
- B. Jury Instructions Beyond the Standard List
- C. The Value of a Good Appearance

VIII. WITNESSES AND EVIDENCE: MISTAKES TO AVOID

- A. How a Witness Ruins a "Good" Case
- B. Expert Witnesses
- C. Introducing Evidence at Trial
- D. The Proper Way to Object in Court
- E. Learning When Not to Object
- F. When is a Side Bar Appropriate?

IX. OPENING STATEMENTS AND CLOSING ARGUMENTS

- A. What is an Opening Statement?
- B. The Significance of an Opening Statement
- C. Effective Closing Argument Strategies
- D. Objecting During Argument

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SEMINAR OVERVIEW

ABOUT THIS SEMINAR

Reach a Civil Litigation Resolution as Quickly as Possible – With Insight From the Bench

When was the last time that you had an easy and convenient way to spend a day with the judges you come before – and hear their thoughts on the law, on legal practices and on personal likes and dislikes in their courtrooms? This unique program has been designed to give you the chance to interact directly with your local civil litigation judges – and ask them the questions that are on your mind. You'll gain insights that will help you to customize your presentation to each judge's specific likes and dislikes, discuss what juries think about trial attorneys – and learn ways to reconcile them with the fact that they are leaving their normal lives to help decide your cases. Take this day to listen, learn and get the answers to the questions that you have wanted to ask a civil court judge! **Enroll today!**

12 BENEFITS OF ATTENDING

- Learn what the judges prefer at case management and pretrial conferences.
- Form solid working relationships with court administrative staff.
- Be confident that you're correctly handling motion hearings and motions for summary judgment.
- Utilize discovery practices that are effective and ethical.
- Learn tips and tricks to implement in your next set of voir dire questions.
- Identify the most common witness and evidence errors that judges hope you'll avoid.
- Have the ability to ask any question and hear an answer from each panel judge.
- Get the judges' perspective on vital topics such as scheduling orders and discovery issues.
- Successfully commence and defend initial proceedings using the judges' recommendations.
- Learn powerful strategies for dealing with civil cases.
- Include the elements that matter to judges when they make decisions about your cases.
- Learn what the specific nuances are for each judge so that you can tailor your practices to suit that courtroom prior to trial.

WHO SHOULD ATTEND

This unique **intermediate level program** will help civil litigation attorneys take their knowledge of civil law issues to the next level so they can offer their clients the solid, straightforward advice they need during a civil law case.

CREDIT INFORMATION

The specific continuing education credit(s) listed below are for attending the live seminar. The credits may or may not apply for the audio version of this seminar. Please check with your credit board for details. For additional questions regarding continuing education credits, please contact us at **866-240-1890**.

CLE - 7.0 - Approved by The Florida Bar for a maximum of 7.0 general hours of CLER credit including 0.0 hours of ethics. Certification: 5.5 - Civil Trial Course #11889. Approved for self-study credit.

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- Do's, don'ts and peculiarities of specific judges to help avoid mistakes in the courtroom
- Unwritten rules of the courtroom you practice in
- An opportunity to network with other professionals from your area

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door, you may wish to call us first to confirm availability and to
receive information regarding schedule or location changes.

DISTINGUISHED FACULTY

OUR DISTINGUISHED JUDICIAL PANEL

HON. JOHN E. DURYEA JR. is currently serving as a Lee County Judge, a
position he has held since appointment by Governor Jeb Bush in 2003.
He is also the County Court Administrative Judge, serving on behalf of the
eight county court judges in Lee County. He received his B.A. degree from
the University of South Florida and his J.D. degree from Stetson University
College of Law, where he graduated, cum laude, from both institutions.
He was Chief Assistant Statewide Prosecutor, a civil attorney and assistant
state attorney.

HON. CYNTHIA A. ELLIS received her B.A. degree, with honors, from the
University of Florida and her J.D. degree from the University of Florida.
She served as assistant state attorney for both the Eighth and Twentieth
Judicial Circuits, and was appointed to the position of Collier County Judge
in 1989 by Governor Bob Martinez. She was then elected to her first full
term in 1990. Judge Ellis was appointed by Governor Chiles to fill the Circuit
Court. She began her duties on the Circuit Bench in May of 1998. Judge Ellis
is currently assigned to the circuit civil docket, having been assigned to this
docket in 2006. Judge Ellis served as administrative judge for Collier County
from July 1, 2003 to July 1, 2005, and has been appointed to begin a second
term as administrative judge for Collier County beginning July 1, 2007.

HON. JOSEPH C. FULLER received his undergraduate degree from the
University of Florida. He obtained his J.D. degree from South Texas College
of Law, where he graduated cum laude in 1978. Judge Fuller had an active
state and federal civil trial practice from 1978 until his election to the
circuit bench in November, 2006. In March 1990, he became certified as
Civil County and Circuit Court Mediator and also had an active mediation
practice until becoming a judge. Since assuming the bench in January 2007,
he has served in the Juvenile Division as the Juvenile Delinquency Judge in
Lee County and is currently assigned to the civil docket in Lee County.

PROGRAM MODERATOR

RONALD L. BUSCHBOM is the general liability partner in the Fort Myers office of Conroy, Simberg, Ganon, Krevans, Abel, Lurvey, Morrow & Schefer, P.A.,
where he practices in the areas of civil trial, premises liability, personal injury, wrongful death, medical malpractice, products liability law, insurance defense
law, subrogation, automobile negligence, legal malpractice and accounting malpractice. Mr. Buschbom is a member of the Lee County and American bar
associations, The Florida Bar and the Florida Defense Lawyers Association. He is past president of the Southwest Florida Federal Bar Association. Mr. Buschbom
earned his B.S. degree from the United States Naval Academy and his M.B.A. degree and J.D. degree, cum laude, from the University of Miami.

HON. ALANE C. LABODA graduated from George Washington
University. Judge Laboda attended the University of Miami School of
Law, where she received her Juris Doctorate. From 1992 to 1997,
Judge Laboda was an assistant state attorney, with the Office of the
State Attorney for the Twentieth Judicial Circuit in Fort Myers, Florida.
She practiced law as a stockholder with the law firm of Henderson,
Franklin, Starnes & Holt, P.A. from November 1997 to August 2008, when
she was appointed judge to the Circuit Court for the Twentieth Judicial
Circuit by Governor Charlie Christ. Judge Laboda presently serves as a
member of the Judicial Administration and Evaluation Committee for
The Florida Bar.

HON. JAMES R. SHENKO was appointed by Governor Charles Crist as
Circuit Court Judge for the Twentieth Judicial Circuit on July 1, 2008.
Judge Shenko's current docket is domestic relations. Prior to his
appointment, Judge Shenko was a solo practitioner in Fort Myers,
Florida, where he practiced in the areas of mediation, guardianship,
personal injury and general civil litigation. Judge Shenko received his
B.A. degree, cum laude, from the University of South Florida and his
J.D. degree from Florida State University College of Law.

HON. HUGH E. STARNES is a senior judge who served as Circuit Court
Judge in the Twentieth Judicial Circuit from 1978 until 2008. During
most of his 30 years on the bench, he served as a family judge and for
four years he served as chief judge. He received the Lee County Bar
Association "Liberty Bell" award, and the Young Lawyer's Division of The
Florida Bar "Jurist of the Year" award in 2008.

FORT MYERS OCTOBER 2

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SCHEDULE

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SEMINAR TIME 9:00 am — 4:30 pm

Complimentary snacks and refreshments are provided. Lunch is on your own.

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October 2

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