

21st Annual Conference *Live!*

EMINENT DOMAIN

Legal, Appraisal & Government Perspectives



October 17-18, 2019 • BASF Conference Center • San Francisco

Dear Colleague:

Whether you are an attorney in private practice, in-house counsel, a government official, developer, planner, appraiser, engineer, right-of-way consultant, or real estate professional, this is one conference you can't afford to miss!

There is no better value for your educational dollar. You will make countless beneficial contacts during multiple networking opportunities, and hear from the top experts as they discuss the latest important developments in the eminent domain field.

- **The Implications of *Sanchez* and *Stamps* on Expert Testimony in Valuation Litigation**
- **Inverse Condemnation, Dedication, and Injunctions Under the *Prout* and *Jamison* Cases**
- **2018-2019 Case Law Update**
- **Prejudgment Possession**
- **Choosing Comparable Sales and Rental Data**
- **Perspectives and Impacts on Goodwill and Loss Opinions**
- **Wildfire Liability and Inverse Condemnation**
- **Insights from the Valley Transportation Authority**
- **Cross-Examination of Experts**
- **What Activities Trigger Relocation Assistance?**
- **... and more!**

Everyone from the experienced and nuanced practitioner to those just entering the condemnation arena will benefit from the in-depth analysis of the issues.

We look forward to seeing you in October.

Sincerely,

Brenda Aguilar-Guerrero



Brenda Aguilar-Guerrero, Esq.
Program Co-Chair
Meyers Nave, Oakland

Barton Hechtman



Barton G. Hechtman, Esq.
Program Co-Chair
Matteoni, O'Laughlin & Hechtman, San Jose

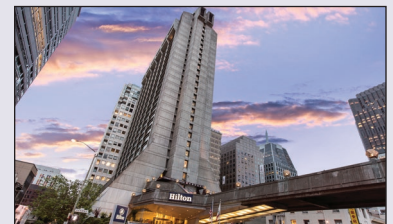
CONFERENCE LOCATION & HOTEL ACCOMMODATIONS



Bar Association of San Francisco (BASF) Conference Center

301 Battery Street
San Francisco, CA 94111

The BASF Conference Center in the Bentley Reserve building is centrally located in the Financial District, adjacent to the Embarcadero Center, and is a 5-10 minute walk from the Montgomery and Embarcadero BART stations.



Hotel Reservations

Hilton Financial District
750 Kearny Street
San Francisco, CA 94108
Call (800) 774-1500 and reference the Hilton San Francisco Financial District Hotel and Group Code CLE.

Featuring a prime location in downtown San Francisco and just across the street from Chinatown, the hotel features a warm cosmopolitan vibe and sweeping views of the city and the bay, all steps away from San Francisco's iconic entertainment and nightlife.

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SCHEDULE AND INFORMATION **INSIDE➔**

THURSDAY, OCTOBER 17		FRIDAY, OCTOBER 18	
8:15	Registration and Continental Breakfast	8:30	Continental Breakfast
8:45	Introduction and Welcome Overview of Day One Brenda Aguilar-Guerrero, Esq., Program Co-Chair Meyers Nave, Oakland Barton G. Hechtman, Esq., Program Co-Chair Matteoni, O’Laughlin & Hechtman, San Jose	8:55	Welcome Back Overview of Day Two Brenda Aguilar-Guerrero, Esq., Program Co-Chair Barton G. Hechtman, Esq., Program Co-Chair
9:00	Case Law Update 2018-2019 Barton G. Hechtman, Esq., Program Co-Chair	9:00	Choosing Comparable Sales and Rental Data How Appraisers Pick Them and the Pitfalls Related Thereto Walter D. Carney, MAI, Senior Managing Director Valbridge Property Advisors, San Jose Terry S. Larson, MAI Smith & Associates, San Mateo
9:45	Inverse Condemnation, Dedication, and Injunctions Under the <i>Prout</i> and <i>Jamison</i> Cases Joseph P. Carroll, Esq., Deputy Attorney California Department of Transportation, Sacramento	10:00	Networking Break
10:30	Networking Break	10:15	The Breaches of Williamson County Implications of <i>Nick vs. Township of Scott</i> Gerry Houlihan, Esq. Matteoni, O’Laughlin & Hechtman, San Jose
10:45	Can Experts Still Rely on Naked Hearsay? The Implications of <i>Sanchez</i> and <i>Stamps</i> on Expert Testimony in Valuation Litigation Les A. Hausrath, Esq. and Joshua D. Cohen, Esq. Wendel, Rosen, Black & Dean, Oakland Norman C. Hulberg, MAI, Senior Managing Director Valbridge Property Advisors, San Jose	11:00	The Evolving World of Relocation What Activities Trigger Relocation Assistance? F. Gale Connor, Esq. Miller Starr Regalia, San Francisco Karen Eddleman, SR/WA, R/W-RAC, Vice President Associated Right of Way Services, Pleasant Hill
12:00	Lunch Break (on your own)	12:00	Lunch Break (on your own)
1:15	Definitions and Data Perspectives and Impacts on Goodwill and Loss Opinions Donna Desmond, ASA, President Donna Desmond Associates, Los Angeles Madeleine Mamaux, CFA, ASA Desmond, Marcello & Amster, Los Angeles	1:15	California’s Wildfires and Potential Inverse Condemnation Liability Tracking Senate Bill 901 Patricia A. Cirucci, Esq. Director and Managing Attorney, Commercial Litigation Southern California Edison, Rosemead Brian Manning, Esq. Desmond, Nolan, Livaich & Cunningham, Sacramento
2:15	FF&E (Furnishings, Fixtures, and Equipment) Appraisals Valuing Tangible Personal Property Marcus R. Pigrom, ASA, Senior Manager Desmond, Marcello & Amster, Los Angeles	2:15	Networking Break
3:00	Networking Break	2:30	Cross Examination of Experts Tips and Tactics Scott E. Jenny, Esq. Jenny and Jenny, Martinez Ralph R. Nevis, Esq. Day Carter Murphy, Sacramento
3:15	Prejudgment Possession What You Need to Know Anne Elizabeth Smiddy, Esq. Meyers Nave, San Diego Brenda Aguilar-Guerrero, Esq., Program Co-Chair	3:30	Eliminating Bias in the Legal Profession Eminent Domain Camille Hamilton Pating, Esq. Meyers Nave, Oakland
4:15	Condemnation Oversight for Multi-Modal Uses Insights from the Valley Transportation Authority Dennis Ratcliffe, Esq., Attorney, Civil Engineer, Director BART Extensions Program and Evelyn N. Tran, Esq., General Counsel Santa Clara Valley Transportation Authority, San Jose	4:30	Evaluations and Adjourn
5:15	Adjourn	<div> Earn up to 12 Hours MCLE Credit Including One Hour of Elimination of Bias Credit Earn up to 12 Hours of IRWA and Appraiser Credit </div>	

PROGRAM CO-CHAIRS



Brenda Aguilar-Guerrero is the chair of her firm's Eminent Domain Practice Group. She has been specializing in complex eminent domain and inverse condemnation matters for the past 20 years.

Prior to joining her firm, she was the managing partner for Erickson, Beasley & Hewitt, a boutique law firm that specialized in representing public entities in eminent domain matters.



Barton G. Hechtman specializes in land use law and eminent domain and has represented a wide variety of property and business owners, public entities and tenants. His work includes assemblage of

parcels for large public projects and asserting just compensation, goodwill, severance and impaired access claims on behalf of property and business owners. Peer-recognized as a *Northern California Super Lawyer* in Land Use/Zoning, Mr. Hechtman is the current Co-Chair of the Eminent Domain/Inverse Condemnation subsection of the Real Property Law Section of the California State Bar.

SPEAKERS

Walter D. Carney is a highly experienced forensic appraiser, having provided expert testimony in jury and bench trials in state and federal courts, as well as in major arbitrations and mediations. He is a frequent lecturer and speaker on real estate appraisal matters.

Joseph P. Carroll is a Deputy Attorney for the California Department of Transportation.

Patricia A. Cirucci manages the Commercial Litigation Section of the SCE Law Department. She represents the company in contract, real property and bankruptcy litigation, regulatory litigation, and other commercial disputes.

Joshua D. Cohen chairs his firm's Intellectual Property Litigation Group. He counsels business, technology and real estate clients, addressing their sophisticated litigation issues.

F. Gale Connor focuses on real property law including eminent domain and inverse condemnation, commercial leasing, and real estate financing. He regularly contributes to industry publications and speaks about real estate matters throughout California.

SPEAKERS

Donna Desmond has specialized in business valuation since 1986. She has completed thousands of appraisal assignments for both governmental entities and private parties throughout the Western United States.

Karen Eddleman is a Vice President and Relocation Consultant with Associated Right of Way Services.

Les A. Hausrath is one of the Bay Area's go-to attorneys on eminent domain issues. Cities, counties, special districts and other public entities, as well as private clients throughout the state, hire him to make sure their interests are actively and thoroughly represented in public acquisitions.

Gerry Houlihan has successfully represented property owners in condemnation and inverse condemnation actions at the trial and appellate levels. His work also includes challenges to the right to take and asserting business goodwill, highest and best use, severance damages and impairment of access claims.

Norman C. Hulberg has provided valuation services in a wide variety of complex civil litigation including real estate, land use, condemnation, estate matters, property taxation, contract disputes, partnership and corporate disputes, environmental lawsuits, professional negligence cases, and more.

Scott E. Jenny has more than 20 years of experience real estate-related matters, particularly those involving eminent domain, land use, and zoning disputes. He has successfully fought to protect the rights of individual, family, and business property owners throughout the state.

Terry S. Larson has over 35 years of appraisal experience specializing in litigation, eminent domain, and special purpose properties while managing the litigation group. He is qualified as an expert witness in multiple courts and has testified in many cases.

Madeleine Mamaux has more than 20 years of business valuation experience. She is an expert on a range of topics including loss of goodwill in eminent domain proceedings, economic damages, and business valuation assignments.

Brian Manning primarily represents property and business owners in eminent domain cases. He has been named a Rising Star in Eminent Domain by *Super Lawyers* (2013-2019) and has handled numerous Court of Appeal cases involving condemnation.

Ralph R. Nevis is a partner in his firm's Litigation and Renewable & Traditional Energy practice groups. He has represented public and private energy clients in a variety of actions including eminent domain, real property and contract disputes, and more.

Camille Hamilton Pating chairs Meyers Nave's statewide Workplace Investigations practice. She shares her expertise as a frequent presenter at conferences and seminars on topics that include preventing workplace bullying and harassment, recognizing implicit bias, social media, and ethics.

Marcus R. Pigrom is head of his firm's Tangible Assets appraisal department, and regularly provides expert witness testimony at deposition and trial regarding fixtures and equipment valuation. He has completed hundreds of appraisal assignments in connection with eminent domain and other types of proceedings.

Dennis Ratcliffe has been involved in the BART Extensions Program since 2002. He is familiar with the long history of the program, completion of the Phase I extension to Berryessa in North San Jose, and the future extension through downtown San Jose to Santa Clara.

Anne Elizabeth Smiddy represents public entities and private businesses in a wide range of litigation, transactions and regulatory matters, including eminent domain, real estate, construction, employment, cyber security, trade secret, professional liability, and commercial disputes.

Evelynn N. Tran has been with VTA since 2006. She helped draft the agency's 2016 Measure B sales tax measure, and she has managed the legal process involved with the real estate acquisitions and environmental review for the BTA's Bay Area Rapid Transit Silicon Valley project.

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\$895 each for 2 or more
\$795 each for 5 or more

Government or Nonprofit:

\$895 per person
\$795 each for 2 or more
\$695 each for 5 or more

Course Materials provided in electronic format only.

Audio Home Study Course – available after the Conference

\$995 Audio Transcript and Course Materials

Course Materials Only – available after the Conference

\$250

Cancellation

Full tuition refunds (less a \$75 administrative charge) will be given only if notice of cancellation is received at least seven days prior to the Conference. Substitutions may be made at any time.

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Featuring Experts From:

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- California Department of Transportation
- Desmond, Marcello & Amster
- Donna Desmond Associates
- Santa Clara Valley Transportation Authority
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