

EMINENT DOMAIN

Looking Forward

February 11-12, 2013 • Omni Hotel at Southpark • AUSTIN

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Dear Colleague:

Don't miss the Event of the Year for top Eminent Domain professionals in Texas!

Experience in person what last year's attendees raved about:

"Timely topics, excellent faculty. Among the best I have attended."
(Marlin M. Blake, Marlin M. Blake & Associates, Dallas)

"This was, by far, the most beneficial course I have attended in years. [The program co-chairs] are giants in this field." (Don Crow, Yates Law Firm, Horseshoe Bay)

"This is the best that I have attended so far!" (William C. Coleman, ROW Appraiser, Kemp)

"The discussion on SB18 was very engaging and informative. The faculty was extraordinary."
(Steven J. Thoreson, SH 130 Concession Company, Buda)

New topics this year:

- *LaSalle Pipeline v. Donnell Lands*
- Trends, Numbers and Practical Considerations in Pre-Suit Proceedings
- Jurisdictional Challenges in the Wake of *Whittington* and *Malcolmson*
- *State of Texas v. Clear Channel Outdoor, Inc.*
- Groundwater Regulation After *Day* and *Bragg*
- Unique Challenges Facing Condemnor's Counsel Today
- Mediating Eminent Domain Cases
- *Daubert* Challenges in Condemnation Cases
- Analysis of Remainder Damages in Electric Transmission Line Cases
- *Enbridge v. Avinger*
- Appraising C-Stores
- Inverse Condemnation: Examining the *Penn Central* Test
- Preparing the Condemnation Case from the Condemnor's Perspective
- *In re State of Texas* (The *Laws* Decision)

Register today! We look forward to seeing you in February.



Stephen I. Adler, Esq.
Program Co-Chair
Barron & Adler, Austin



Michael M. Barron, Esq.
Program Co-Chair
Barron & Adler, Austin



Roy R. Brandys, Esq.
Program Co-Chair
Barron & Adler, Austin

Monday, February 11

8:00	Registration and Continental Breakfast
8:30	Introduction and Welcome Stephen I. Adler, Esq., Program Co-Chair Michael M. Barron, Esq., Program Co-Chair and Roy R. Brandys, Esq., Program Co-Chair Barron & Adler, Austin
8:40	Case Law Update Review and Analysis of Eminent Domain Cases from 2012 Christopher M. Clough, Esq. Barron & Adler, Austin
9:20	Inverse Condemnation Examining the <i>Penn Central</i> Test William W. Wade, President Energy and Water Economics, Columbia, TN
10:00	Enbridge v. Avinger The Appraisal Dilemma and Remainder Damages R. Scott Moran, Esq. Burford & Ryburn, Dallas
10:30	Networking Break
10:45	Pre-Suit Proceedings Trends, Numbers and Practical Considerations Randy Ward, Esq., Right of Way Attorney Acquisition/Eminent Domain Section, Right of Way Division Texas Department of Transportation, Austin
11:15	Senate Bill 18 - The Aftermath Current and Anticipated Applications Paul D. Barkhurst Jr., Esq. Barkhurst & Hinojosa, San Antonio Philip Arnold, Esq. Assistant Attorney General, Transportation Division and Cavitt F. Wendlandt, Esq. Senior Attorney, Transportation Division Office of the Attorney General, Austin Michael M. Barron, Esq., Program Co-Chair
12:15	Lunch Break
1:30	Preparing the Condemnation Case From the Condemnor's Perspective Sejin Brooks, Esq. Assistant Attorney General, Transportation Division and Renee Hollander, Esq. Assistant Attorney General, Transportation Division Office of the Attorney General, Austin
2:15	Featured Presentation <i>LaSalle Pipeline v. Donnell Lands</i> Nissa Dunn, Esq. Thomas Alan Zabel, Esq. San Antonio Zabel Freeman, Houston
3:00	Unique Appraisal Issues Ted Whitmer, Esq., MAI, CCIM Ted Whitmer Companies, College Station
3:30	Networking Break
3:45	In re State of Texas The <i>Laws</i> Decision - What Does It Mean and How Will It Be Applied? Anthony J. Blazi, Esq. Assistant Attorney General, Transportation Division and Susan D. Bonnen, Esq. Assistant Attorney General, Transportation Division Office of the Attorney General, Austin Stephen I. Adler, Esq., Program Co-Chair
4:30	Ethics in Eminent Domain Cases Thomas H. Watkins, Esq. Brown McCarroll, Austin
5:30	Adjourn

Tuesday, February 12

8:00	Continental Breakfast
8:30	Welcome Back Stephen I. Adler, Esq., Program Co-Chair Michael M. Barron, Esq., Program Co-Chair Roy R. Brandys, Esq., Program Co-Chair
8:40	Jurisdictional Challenges In the Wake of <i>Whittington</i> and <i>Malcolmson</i> Ramon A. Molina, Esq. Ross Molina Oliveros, San Antonio
9:20	Daubert Challenges in Condemnation Cases When and When Not To? Jody McSpadden, Esq. and Glenn Sodd, Esq. Dawson & Sodd, Corsicana
10:00	Damage Considerations in Electric Transmission Line Analysis and Methodology Scott T. Doggett, Esq. Burford & Ryburn, Dallas
10:30	Networking Break
10:45	State of Texas v. Clear Channel Outdoor, Inc. Billboard Takings Richard L. Rothfelder, Esq. Rothfelder & Falick, Houston
11:30	Mediating Eminent Domain Cases What's Effective and What's Not Honorable Michael J. Schless, Esq. Mediator and Arbitrator Austin
12:00	Lunch Break
1:15	Cross-Examination of Appraisers In Eminent Domain Cases James K. Spivey, Esq. Spivey Valenciano, San Antonio
2:00	Featured Presentation - How to Win with Convenience Store Appraisals Strengths and Weaknesses of Convenience Retail Appraisal Reports Robert E. Bainbridge, Author, Instructor, Appraiser C-Store Valuations, Ontario, OR
2:45	Networking Break
3:00	Groundwater Regulation After Day and Bragg What Are the Limits and How Do You Measure Damages? Paul M. Terrill III, Esq. The Terrill Firm, Austin Thomas G. Mason, Esq. Graves, Dougherty, Hearon & Moody, Austin
3:45	Unique Challenges Facing Condemnor's Counsel Today What You Should Know Robert B. Neblett, Esq. and W. Brad Anderson, Esq. Jackson Walker, Austin
4:30	Evaluations and Adjourn

Earn up to 12 Hours MCLE Credit Including One Hour of Ethics
Earn up to 12 Hours Real Estate and Appraisal Credit

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PROGRAM CO-CHAIRS

Stephen I. Adler is a past chair of the Eminent Domain Committee of the Real Property Section of the American Bar Association and is a frequent lecturer and author on the litigation of takings cases. He has co-chaired CLE International's Eminent Domain Conferences for eight years.

Michael M. Barron has more than 29 years of experience. He has participated in several hundred special commissioners' hearings and numerous jury trials. He previously served as the Chief of the Antitrust Division of the Texas Attorney General's Office.

Roy R. Brandys joined Barron & Adler in 2008. He is a member of the State Bars of Texas, Illinois and New Mexico and practices exclusively in the area of eminent domain law.

FEATURED PRESENTERS

Robert E. Bainbridge
Author, Instructor, Appraiser
C-Store Valuations, Ontario, OR

Nissa Dunn, Esq.
San Antonio

Thomas Alan Zabel, Esq.
Zabel Freeman, Houston

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FACULTY

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Ross Molina Oliveros, San Antonio

R. Scott Moran, Esq.
Burford & Ryburn, Dallas

Robert B. Neblett, Esq.
Jackson Walker, Austin

Richard L. Rothfelder, Esq.
Rothfelder & Falick, Houston

Honorable Michael J. Schless, Esq.
Mediator, Arbitrator
Austin

Glenn Sodd, Esq.
Dawson & Sodd, Corsicana

James K. Spivey, Esq.
Spivey Valenciano, San Antonio

Paul M. Terrill III, Esq.
The Terrill Firm, Austin

William W. Wade, President
Energy and Water Economics, Columbia, TN

Randy Ward, Esq., Right of Way Attorney
Acquisition/Eminent Domain Section
Right of Way Division
Texas Department of Transportation, Austin

Thomas H. Watkins, Esq.
Brown McCarroll, Austin

Cavitt F. Wendlandt, Esq.
Senior Attorney, Transportation Division
Office of the Attorney General, Austin

Ted Whitmer, Esq., MAI, CCIM
Ted Whitmer Companies, College Station

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Trends & Challenges

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TWO Featured Presentations!

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Nissa Dunn, Esq.
San Antonio

Thomas Alan Zabel, Esq.
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How to Win with Convenience Store Appraisals

Robert E. Bainbridge
Author, Instructor, Appraiser
C-Store Valuations, Ontario, OR

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