Register today at www.minncle.org or call 651-227-8266 or 800-759-8840.

To pay by credit card, register online or by phone.

2017 **CIVIL LITIGATOR** HALF-DAY SEMINARS

February 15, 22 & 27, 2017 • Minnesota CLE Conference Center

TUITION FOR IN-PERSON FEB. 15 SEMINAR:

- ☐ $155 MSBA member / paralegal
- ☐ $175 standard rate

TUITION FOR IN-PERSON FEB. 22 & 27 SEMINARS *(per seminar)*:

- ☐ $175 MSBA member / paralegal
- ☐ $195 standard rate

Register me for these IN-PERSON seminars in Minneapolis:

- ☐ 1) Ethics for Civil Litigators ..... Feb. 15 (9:00 am) 1683-17
- ☐ 2) 2017 Civil Litigator's Annual Short Course ..... Feb. 22 (9:00 am) 1666-17
- ☐ 3) Federal Court Practice Essentials ..... Feb. 22 (1:00 pm) 1667-17
- ☐ 4) Effective Civil Motion Practice ..... Feb. 27 (9:00 am) 1668-17
- ☐ 5) How to Appeal to the Minnesota Court of Appeals ..... Feb. 27 (1:00 pm) 1669-17

WEBCAST REGISTRATIONS & PRICING

Tuition for Feb. 15 webcast is $175 and Feb. 22 & 27 webcasts is $195 (per webcast). Register for the webcasts online at www.minncle.org.

PAYMENT:

- ☐ **I have a Minnesota CLE Season Pass.**SM
- ☐ **Enclosed is a check for $** _____

To pay by credit card, please register online or by phone.

SCHOLARSHIPS AVAILABLE

Minnesota CLE maintains a scholarship program for those with a financial need. Most scholarships awarded are 50% off the seminar price. To obtain an application, contact Grant at **gdavies@minncle.org** or **651-254-2111**.

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GENERAL INFORMATION

LOCATION

Live In-Person Seminars
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370
Third Floor City Center, Minneapolis

Live Webcasts
Webcasts can be viewed online at www.minncle.org.

CREDITS

Minnesota CLE has applied to the Minnesota State Board of CLE and the MSBA for the credits noted on each seminar schedule.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend, please contact Minnesota CLE as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call 651-227-8266 or 800-759-8840.

CANCELLATION / NO-SHOW POLICY

Paid registrants who cancel their registration at least 3 business days before the program will receive a full credit on their account; if fewer than 3 business days, a $25 administrative fee will be deducted.

NEW LAWYER SCHOLARSHIP PROGRAM

In recognition of the challenges facing lawyers entering the profession, Minnesota CLE has established a scholarship program for unemployed and underemployed lawyers admitted fewer than three years. Those wishing to apply for such assistance should contact Grant at **gdavies@minncle.org** or **651-254-2111** for details.

QUESTIONS?

Call Minnesota CLE at **651-227-8266** or **800-759-8840** or visit us online at **www.minncle.org**.

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2017

CIVIL LITIGATOR

HALF-DAY SEMINARS

5 Convenient, Focused 3-Hour Courses to Inform Your Practice

Attend in-person or view via live webcast

Wednesday, February 15, 2017

1 **Ethics for Civil Litigators**

Wednesday, February 22, 2017

2 **The 2017 Civil Litigator's Annual Short Course**

3 **Federal Court Practice Essentials**

Monday, February 27, 2017

4 **Effective Civil Motion Practice**

5 **How to Appeal to the Minnesota Court of Appeals**

5 focused 3-hour seminars in February – Attend 1 or more!

1 Ethics for Civil Litigators –

4 Ethics Sessions Tackle Negotiation Tactics, E-Discovery Competence, Multi-Jurisdictional Practice and Frequent Client Complaints

Wednesday, February 15, 2017
3.0 ethics credits applied for
3.0 civil litigation specialist credits applied for

8:30 – 8:55 a.m. CHECK-IN & CONTINENTAL BREAKFAST
8:55 – 9:00 a.m. WELCOME & INTRODUCTION

9:00 – 9:30 a.m.

The Dissatisfied Civil Litigant-Client – Frequently Seen Complaints at the Ethics Office

Topics will include non-communication, fee issues, conflicts of interest, and other areas of concern for the civil litigator.

– *Megan D. Engelhardt*
Office of Lawyers Professional Responsibility; Saint Paul

9:30 – 10:30 a.m.

E-Discovery – Professionalism and Ethics in an Electrified Battlefield

Lawsuits have long been won and lost because of discovery, and e-discovery has electrified that battlefield. E-discovery presents unique ethical challenges as well as challenges to professionalism, which arrive not only in the form of obstructive tactics and incivility; they enter the case when a lack of competence with e-discovery technologies and data issues causes unnecessary burden and cost. Two experienced trial attorneys identify and analyze these issues, and provide concrete practice tips to avoid ethics and professionalism problems in e-discovery.

– *John M. Degnan*
Briggs and Morgan, P.A.; Minneapolis
– *Mary T. Novacheck*
Bowman and Brooke LLP; Minneapolis

10:30 – 10:45 a.m. BREAK

10:45 – 11:15 a.m.

Two Can Play That Game: Ethics and Negotiation Tactics

Some negotiation tactics walk a fine line between a clever gambit and an unethical proposal. This session will discuss whether lawyers may prepare draft documents for a client to present to the opposing party and when threats to file or withhold criminal charges violate ethics rules.

– *Christopher A. Grgurich*
Lindquist & Vennum LLP; Minneapolis

11:15 a.m. – 12:15 p.m.

If It's Tuesday, This Must Be Omaha: The Ethics of Multi-Jurisdictional Practice

While your law license is defined by geographic boundaries, you likely cross state lines in your practice – whether you are deposing a witness, sending a letter, or filing a document. But sometimes crossing state lines can also result in crossing ethical lines. How do you know what aspects of legal practice you are allowed to do outside of your licensed jurisdiction? This practical ethics session examines the limits on multi-jurisdictional practice and clarifies today's confusing court decisions on practicing across state lines.

– *Eric T. Cooperstein*
Law Office of Eric T. Cooperstein, PLLC; Minneapolis

2 The 2017 Civil Litigator's Annual Short Course –

Your Essential Yearly Update Distilled into a Practical Program Agenda

Wednesday, February 22, 2017
3.0 CLE credits applied for, including .75 ethics credit
3.0 civil litigation specialist credits applied for

8:30 – 8:55 a.m. CHECK-IN AND CONTINENTAL BREAKFAST
8:55 – 9:00 a.m. WELCOME AND INTRODUCTION

9:00 – 9:30 a.m.

New Minnesota & Federal Rules – Including a New Timing Rule

Recent changes to the Minnesota Civil Rules, General Rules of Practice, and Rules of Civil Appellate Procedure, and their federal counterparts, including a federal timing change regarding electronically served discovery.

– *David F. Herr, Course Chair*
Maslon LLP; Minneapolis

9:30 – 10:00 a.m.

7 Tips for Effective Case Management – Including Examples from Recent Cases

Two seasoned civil litigators discuss case management techniques for federal and Minnesota state court practice, including approaches you may not have tried or perhaps even be aware of. They'll analyze the pros and cons of these various approaches, and include insights from recent case examples and their own experiences using (or deciding not to use) those techniques.

– *Seth Leventhal*
Leventhal pllc; Minneapolis
– *Sonia Miller-Van Oort*
Sapientia Law Group; Minneapolis

10:00 – 10:30 a.m.

Significant New Cases – The 2016/17 Minnesota and Federal Civil Practice Cases Every Litigator Needs to Know

A practical case law update covering case decisions in 2016 and early 2017 significant for civil litigation practice.

– *Deborah A. Ellingboe*
Faegre Baker Daniels LLP; Minneapolis
– *Aaron P. Knoll*
Faegre Baker Daniels LLP; Minneapolis

10:30 – 10:45 a.m. BREAK

10:45 – 11:30 a.m.

The Realized Effects of the New Discovery Rules & How Strategy and Practice Are Changing

In December 2015, significant, much-discussed changes to the federal discovery rules went into effect. In 2013, the Minnesota courts adopted a rule of proportionality, requiring Minnesota state courts and parties to consider – in all aspects of the litigation – the balance of costs with the benefits. The panelists will discuss how federal courts have been interpreting the discovery changes over this past year; how Minnesota state courts have interpreted the proportionality requirement as it applies to discovery; and how litigators have changed strategy and practice (or not) in light of the changes.

– *Brooke Anthony*
Anthony Ostlund Baer & Louwagie P.A.; Minneapolis
– *The Honorable Hildy Bowbeer, Magistrate Judge*
U.S. District Court – Minnesota; Saint Paul
– *The Honorable Eric L. Hylden, Judge*
Minnesota 6th Judicial District; Duluth
– *Moderator: David F. Herr, Course Chair*

11:30 a.m. – 12:15 p.m.

New Developments in Ethics and Professional Responsibility

0.75 ethics credit applied for

Recent ethics and attorney discipline matters affecting civil litigators, and developments in Minnesota legal malpractice cases.

– *Kevin P. Hickey*
Bassford Remele; Minneapolis

3 Federal Court Practice Essentials –

Avoiding Pitfalls and Putting Your Best Foot Forward

Wednesday, February 22, 2017
3.0 standard CLE credits applied for
3.0 civil litigation specialist credits applied for

12:30 – 12:55 p.m.
CHECK-IN & REGISTRATION

12:55 – 1:00 p.m.
WELCOME & INTRODUCTION

1:00 – 4:15 p.m.
(includes 15-minute break)

Federal Court Practice Essentials

Proving or defending a federal case can be a challenge, especially if you don't do it every day. If you're new to federal court – or haven't been there lately – this program provides critical information about what to expect and helps you avoid pitfalls. Join us for a half-day workshop packed with strategies and tips for successfully navigating federal court practice.

You'll leave with practical insights on:

- The sequence of litigation from Rule 16 conference through post-trial motions
- Federal pleading standards under *Twombly/Iqbal*
- Tips and traps for discovery, motion practice, and settlement conferences
- When the Local Rules apply – and when they don't
- Navigating ECF filing, courtroom technology, and handling evidence at trial
- Why, when, and how to communicate with the court
- PLUS – Sweating the "small" stuff (appearances, pro hac vice motions, courtroom etiquette)

All sessions taught by:

– *Karin Ciano*
Karin Ciano Law PLLC; Minneapolis
– *Sybil L. Dunlop*
Greene Espel PLLP; Minneapolis
– *Damien A. Riehl*
Lawyer and Technologist; Saint Paul

4 Effective Motion Practice –

The Do's and Don'ts Critical to Success

Monday, February 27, 2017
3.0 standard CLE credits applied for
3.0 civil litigation specialist credits applied for

8:30 – 8:55 a.m.
CHECK-IN & CONTINENTAL BREAKFAST

8:55 – 9:00 a.m.
WELCOME & INTRODUCTION

Motion practice is the lifeblood of civil litigation. In this program, experienced practitioners share key "do's and don'ts" regarding non-dispositive and dispositive motions in Minnesota state and federal district courts. You'll leave with an enhanced understanding of practical and strategic considerations related to effective motion practice, with an eye toward how best to advance your clients' interests in the litigation process.

9:00 – 9:45 a.m.

Non-Dispositive Motions:

How to Use Them, How to Defend Against Them, and Why They're Too Important to "Just Go Through the Motions"

– *Katie J. Bergstrom, Course Co-Chair*
Gray Plant Mooty; Minneapolis
– *Gregory R. Merz, Course Co-Chair*
Gray Plant Mooty; Minneapolis

9:45 – 10:15 a.m.

7 Drafting Tips for Persuasive Motion Papers

– *Forrest Tahdooahnippah*
Dorsey & Whitney LLP; Minneapolis

10:15 – 10:30 a.m.
BREAK

10:30 – 11:30 a.m.

Dispositive Motions:

The When's, Why's and How's – Plus Practical and Strategic Considerations

– *Katie J. Bergstrom & Gregory R. Merz*

11:30 a.m. – 12:00 p.m.

Making the Most of Oral Argument

– *Felicia J. Boyd*
Barnes & Thornburg LLP; Minneapolis
– *Roshan N. Rajkumar*
Bowman and Brooke LLP; Minneapolis

12:00 – 12:15 p.m.
QUESTIONS & ANSWERS

5 How to Appeal to the Minnesota Court of Appeals –

An Indispensable, Fast-Paced Seminar for the Civil Litigator Who Doesn't Specialize in Appellate Practice

Monday, February 27, 2017
3.0 standard CLE credits applied for
3.0 civil litigation specialist credits applied for

12:30 – 12:55 p.m.
CHECK-IN & REGISTRATION

12:55 – 1:00 p.m.
WELCOME & INTRODUCTION

1:00 – 4:15 p.m.
(includes 15-minute break)

#1: Where to Start When It Comes to an Appeal

- The Ethical Duty of Competence
- Applicable Rules and Statutes, Plus Other Key Resources
- What Orders and Judgments Are Appealable?
- What's the Timing?
- How to Figure Out Costs and Benefits – or – Just Because You Can Appeal, Doesn't Mean You Should

#2: The Mechanics of the Appeal

- Procedural Steps
- Unfixable Mistakes That Will Prove Fatal to Your Appeal

#3: Step by Step Through the Initial Notice, Service and Filing

This session details what the rules require as you submit your first documents to the Minnesota Court of Appeals to initiate the appeal. The documents that you will review in this session will include annotated appeal documents and filing communications.

All sessions taught by:

– *Katherine S. Barrett Wiik*
Robins Kaplan LLP; Minneapolis
– *Erik F. Hansen*
Burns & Hansen, P.A.; Minneapolis