

A Discussion of the Court of Appeals Case *Forman v. Henkin*

September 13, 2018

9:00 a.m. – Registration/Breakfast (included, thanks to our sponsor)

9:30 a.m. – 12:30 p.m. – Seminar

Genesee County Courthouse, 1 West Main Street, 2nd Floor, Grand Jury Room, Batavia

3.0 CLE credits: 0.5 Ethics, 0.5 Areas of Professional Practice, 2.0 Skills

(Appropriate for all attorneys)

- 9:00 a.m. Check-in/Breakfast, thanks to our sponsor Counsel Press
- 9:30 a.m. Introduction
Timothy P. Murphy, Esq., *Chair, Appellate Practice Committee*
- 9:40 a.m. Discovery Issues given the Forman case (50 minutes)
Julia M. Hilliker, Esq., *Hodgson Russ LLP*
Karalyn M. Rossi, Esq., *Hodgson Russ LLP*
1. Sample discovery application
 2. Issue and forms on fashioning appropriate orders for discovery
 3. How to monitor the data given in discovery is accurate? Is complete?
 4. Spoliation issues by the other parties
- 10:30 a.m. Social Media in Litigation & Your Strategy (50 minutes)
Scott L. Malouf, Esq., *Social Media Attorney and Solo Practitioner*
Social media and digital information presents unique litigation challenges. This presentation will discuss:
1. What social media and digital information is available
 2. How it is being used by litigants
 3. What you can do to strategically prepare
 4. Recent NY cases on electronic information, including *Forman v. Henkin*
- 11:20 a.m. Ethics (25 minutes)
David G. Brock, Esq., *Kavinoky Cook LLP*
1. Ethical considerations in accessing nonpublic information on social media
 2. Ethical issues in advising your client on their use of information posted on social media
- 11:45 a.m. Panel Discussion with the Hon. Eugene F. Pigott, Jr. (25 minutes)
- 12:10 p.m. Q&A
- 12:30 p.m. Adjourn

Breakfast is included, thanks to our sponsor,

**Erie Institute of Law Registration Form -
Court of Appeals Case Forman v. Henkin**

\$75 BAEC/GCBA Member

\$110 Non-Member

\$10 Hard copy of material

The Erie Institute now provides material via electronic delivery. Please be sure to add your email address below. If you prefer a hard copy, check the box above and add \$10 to the registration fee. Thank you.



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Accreditation: The Erie Institute of Law has been certified by the New York State Continuing Legal Education Board as an accredited provider of continuing legal education in the state of New York.

Cancellation Policy: If you are unable to attend a seminar for which you have already registered, call the CLE department at 852-8687. For a full refund, notice of your cancellation must be received 48 hours in advance of a program. **Cancellations received less than 48 hours in advance are subject to a \$10 administrative fee.**

Mail or Fax to: Erie Institute of Law, 438 Main Street, Sixth Floor, Buffalo, New York 14202, (716) 852-8687, Fax (716) 852-7641. Register online at www.eriebar.org. Tuition assistance available. Please call to request an application.