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UP TO 6 CLE CREDITS INCLUDING ETHICS

The PBA Federal Practice Committee and The University of Pittsburgh School of Law

# Federal Practice INSTITUTE

Get the inside scoop on federal court practice  
**ONE** day, **SIX** CLE credits, **NINE** federal judges

FEDERAL PRACTICE INSTITUTE

FRIDAY, OCT. 25, 2019

**PITTSBURGH**  
University of Pittsburgh School of Law  
Barco Law Building, 3900 Forbes Ave.

**TUITION (INCLUDES COURSE BOOK AND LUNCH)**

- \$299 Standard
- \$150 Attorneys licensed 5 years or less, judicial law clerks & paralegals

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**NEW IN 2019—DIGITAL DOWNLOAD OF COURSE BOOKS**

We've created a new format that provides user-friendly electronic access to the extensive written materials prepared by our faculty. One copy of the electronic Institute materials is included with your registration. Before the Institute, a link for the downloadable materials will be emailed to you.

All attendees will receive the course book as a digital download. A printed copy of the course book is available, at a discount to attendees, for \$40. Additional copies are available for \$69. If you wish to purchase the printed version of the course book, please call PBI Customer Service at 800-932-4637. Printed versions of the course book will not be distributed at the course; please allow up to two weeks after the program for the printed versions of the course book to be shipped.

**Registration Policy:**  
Walk-in registrations will be accepted on a space-available basis. Please check [www.pbi.org](http://www.pbi.org) or call (800) 247-4724 to confirm space is available and the schedule has not changed.

**Registration Transfers:**  
Requests for transfers will be honored if they are received before the course date.

**Services for Persons with Disabilities:**  
If you require special arrangements, please contact Customer Service at (800) 932-4637 at least ten days before the course date.

**Speaker Substitutions:**  
PBI reserves the right to substitute speakers at all programs.

**Registration Confirmation:**  
To receive a confirmation, please be sure to include your email address on the registration form.

**Weather Related Cancellations:**  
Check [www.pbi.org](http://www.pbi.org) or call (800)-932-4637 ext. 2205.



This program has been approved by the Pennsylvania Continuing Legal Education Board for 5 hours of CLE credit in substantive law and 1 hour of ethics. Ethics information has been integrated throughout this program. To receive 1 hour of ethics credit, you must attend the entire course.

**MAIL**  
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5080 Ritter Rd.  
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17055-6903

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717-796-2348

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800-247-4724  
800-932-4637

[www.pbi.org](http://www.pbi.org)

## ADVANCE YOUR KNOWLEDGE OF FEDERAL PRACTICE

- Explore the latest developments affecting your practice
- Network with federal judges, and knowledgeable practitioners
- Get a **downloadable course book** that will be your “go-to” reference

## HEAR FROM 9 FEDERAL JUDGES

It's your chance to hear directly from the judges and take away tips and strategies for trying your case in federal court

**Pittsburgh | Fri., Oct. 25, 2019**  
University of Pittsburgh School of Law  
Barco Law Building, 3900 Forbes Ave.



Continuing Legal Education Arm  
of the Pennsylvania Bar Association

# Federal Practice INSTITUTE

FRIDAY, OCT. 25, 2019

## WHAT YOU'LL DISCOVER

- ▶ **Key differences** between trying a case in **state court versus federal court**
- ▶ **Best strategies** for bringing your case in federal court
- ▶ How to **be the best advocate** for your client in federal court

### Hear from 9 federal judges in the Western and Middle Districts of Pennsylvania

- ▶ Here is your chance to hear directly from the judges and take away tips and strategies for trying your case in federal court.
- ▶ Learn how the judges think about key issues.
- ▶ Understand the procedures involved in moving your case through the court.

### Get all the tools you need to succeed in federal court

Using a hypothetical case, federal judges, seasoned practitioners, and academics will explore the latest developments affecting your federal practice. Advance your knowledge of federal practice and become a better advocate for your client while connecting with the federal judges and other practitioners who practice in the federal courts.

## PITT LAW Alumni Weekend

Kick off alumni weekend with the Federal Practice Institute then join Pitt students and alumni for these great homecoming events.



## Pittsburgh | University of Pittsburgh School of Law

### Pitt Law Alumni Homecoming Reception

Fri., Oct. 25 | 6:00 PM | Barco Law Building | 3900 Forbes Ave.  
Reconnect with classmates and faculty prior to the Homecoming Fireworks and Laser Show.

### Pitt Law Alumni Homecoming Tailgate

Sat., Oct. 26 | Two hours prior to kickoff | Heinz Field  
100 Art Rooney Avenue

### Pitt Panthers vs. Miami Hurricanes

Sat., Oct. 26 | Time TBA | Heinz Field | 100 Art Rooney Avenue  
Visit [law.pitt.edu/reunion](http://law.pitt.edu/reunion) to purchase tickets in the Pitt Law section.

## SCHEDULE

9:00 AM - 10:00 AM

### First Things: Case Assessment, Forum Selection and Interim Relief

Chief Judge Hornak, Judge Horan, Professor Hellman, Mr. O'Donnell, Mr. Mercer (moderator)

This panel will set up the hypothetical case to be used throughout the day. Come to hear a lively discussion on forum selection, removal, remand, jurisdiction, initial case assessment and temporary restraining orders and preliminary injunctions practice.

10:00 AM - 11:00 AM

### Pretrial Procedures

Judge Bissoon, Judge Brann, Ms. Jones, Ms. Conrad (moderator)

Here is your opportunity to hear the judges discuss scheduling, electronic discovery, pretrial orders, motions in limine and jury selection.

11:00 AM - 11:15 AM

### Break

11:15 AM - 12:15 PM

### Stay Where You Are: A Bankruptcy Has Been Filed!

Judge Taddonio, Judge Fitzgerald (Ret.), Mr. Campbell, Ms. John (moderator)

The filing of a bankruptcy petition under Title 11 triggers an automatic stay of the commencement or continuation of proceedings in state and federal court. This panel will discuss the impact of a bankruptcy filing on pending litigation from the perspective of the bench as well as both creditor's and debtor's counsel.

12:15 PM - 1:15 PM

### Lunch

4:30 PM - 6:00 PM

### Reception sponsored by the Federal Practice Committee

Join us immediately following the program. It's the perfect way to visit with your colleagues and meet the judges.

6:00 PM

### Pitt Law Alumni Reunion Reception

You're invited to help Pitt Law School kick off alumni weekend at the Alumni Reunion Reception.

1:15 PM - 2:15 PM

### Better Preparing Law Students for the Future

Dean Wildermuth

Law schools are at a critical moment of change in how we provide legal education. We know, for example, our students need excellent interpersonal communication skills, agility with technology, effective teamwork and collaboration strategies, an understanding of the deep value provided by diverse teams and a commitment to engage and lead in our communities. How do we ensure that our students acquire these important skills and knowledge?

2:15 PM - 3:15 PM

### Danger Beneath the Surface: When Civil Litigation Digs Up Criminal Conduct

Judge Lenihan, Professor Harris (invited), Mr. Novara, Mr. Kaufman, Mr. Sweitzer (moderator)

This panel will address issues arising from parallel proceedings, such as the line between civil and criminal fraud and the ethical handling of criminal allegations.

3:15 PM - 3:30 PM

### Break

3:30 PM - 4:30 PM

### Appellate Review: "Knocking on the Door" of the Court of Appeals During Litigation

Judge Fisher, Judge Hardiman, Mr. Byer, Ms. Haywood, Ms. Hersperger (moderator)

This panel will address when the appellate court may "open the door" to your "knock" prior to a final order in the case, including appeals from orders denying or granting remand, temporary or preliminary injunctions, grand jury subpoenas, and proper preservation of the record during this process.

## JUDICIAL FACULTY

### Hon. Cathy Bissoon

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF PA, PITTSBURGH

### Hon. Matthew W. Brann

U.S. FEDERAL COURT, WILLIAMSPORT

### Hon. D. Michael Fisher

SENIOR JUDGE, U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT  
DISTINGUISHED JURIST IN RESIDENCE  
UNIVERSITY OF PITTSBURGH SCHOOL OF LAW, PITTSBURGH

### Hon. Judith K. Fitzgerald (Ret.)

TUCKER ARENSBERG, PITTSBURGH

### Hon. Thomas M. Hardiman

U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT, PITTSBURGH

### Hon. Marilyn J. Horan

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF PA, PITTSBURGH

### Hon. Mark R. Hornak

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF PA, PITTSBURGH

### Hon. Lisa Pupo Lenihan

U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF PA, PITTSBURGH

### Hon. Gregory L. Taddonio

U.S. BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PA, PITTSBURGH

## FACULTY

### Robert L. Byer, Esq.

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### Nancy Conrad, Esq.

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PNC FINANCIAL GROUP, PITTSBURGH

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JOHN & JOHN, ATTORNEYS AT LAW  
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### Marie Milie Jones, Esq.

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### Stephen R. Kaufman, Esq.

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### Jeremy A. Mercer, Esq.

PORTER WRIGHT MORRIS & ARTHUR LLP, PITTSBURGH

### Michael J. Novara, Esq.

FEDERAL PUBLIC DEFENDER'S OFFICE  
WESTERN DISTRICT OF PENNSYLVANIA  
PITTSBURGH

### Brendan A. O'Donnell, Esq.

HOUSTON HARBAUGH PC, PITTSBURGH

### Brett G. Sweitzer, Esq.

FEDERAL COMMUNITY DEFENDER  
OFFICE EASTERN DISTRICT OF PENNSYLVANIA, PHILADELPHIA

### Amy J. Wildermuth

DEAN, UNIVERSITY OF PITTSBURGH  
SCHOOL OF LAW, PITTSBURGH