

New York Law Course Faculty

Hon. Kevin M. Carter

County Court Judge
Erie County Family Court
Presented Subject: Matrimonial and Family Law

Christine Chung

Professor of Law
Albany Law School
Presented Subject: Contracts

Neil B. Cohen

Jeffrey D. Forchelli Professor of Law
Brooklyn Law School
Presented Subject: Conflict of Laws

Hon. Sheila A. DiTullio

Erie County Court Supervising Judge
Erie County Court
Presented Subject: Criminal Law and Procedure

Xavier R. Donaldson, Esq.

Senior Trial Counsel and Founding Partner
Donaldson & Chilliest LLP
Presented Subject: Criminal Law and Procedure

David L. Ferstendig, Esq.

Attorney at Law
Law Offices of David L. Ferstendig, LLC
Adjunct Professor of Law at Brooklyn Law School
and New York Law School
Presented Subject: Civil Practice and Procedure

Hon. Thomas P. Franczyk (Ret.)

Teaching Faculty; Co-Director of Trial Advocacy
University at Buffalo Law School
Presented Subject: Evidence

Michael J. Hutter, Jr.

Professor of Law
Albany Law School
Presented Subject: Civil Practice and Procedure

Elena Karabatos, Esq.

Partner
Schlüssel Ostrow Karabatos, PLLC
Presented Subject: Matrimonial and Family Law

David G. Keyko, Esq.

Partner
Pillsbury Winthrop Shaw Pittman LLP
Presented Subject: Professional Responsibility

William P. LaPiana

Associate Dean for Academic Affairs and Student
Engagement
Rita and Joseph Solomon Professor of the Law of
Wills, Trusts and Estates
New York Law School
Presented Subject: Trusts, Wills and Estates

Hon. James T. McClymonds

Chief Administrative Law Judge
New York State Department of Environmental
Conservation
Presented Subject: Administrative Law

Carmen Pacheco, Esq.

Founding Partner
Pacheco & Lugo, PLLC
Presented Subject: Real Property

Michael F. Perley, Esq.

Sr. Member/Treasurer
Hurwitz & Fine, P.C.
Presented Subject: Torts and Tort Damages

Robert J. Permutt, Esq.

Assistant General Counsel Lead
Nationwide Mutual Fire Insurance Company
Presented Subject: Torts and Tort Damages

Roderick Quebral, Esq. (Ret.)

Attorney
New York State Attorney Grievance, 8th Judicial
District
Presented Subject: Professional Responsibility

Patricia J. Shevy, Esq.

Founder
The Shevy Law Firm LLC
Presented Subject: Trusts, Wills and Estates

Charles K. Whitehead

Myron C. Taylor Alumni Professor of Business Law
Cornell Law School
Presented Subject: Business Relationships

New York Law Course Faculty

Hon. Kevin M. Carter **Erie County Family Court**

Judge Kevin M. Carter graduated from Canisius College in 1986 where he received his Bachelors of Arts degree. He earned his Juris Doctor degree in 1989 from the State University of New York at Buffalo Law School.

Prior to taking the bench, Judge Carter was a general practitioner. He practiced law in New York State Supreme Court, county courts, local criminal courts and the family courts throughout the State of New York, as well as various federal district courts. He served as an attorney for children in cases involving custody, visitation, juvenile delinquents and persons in need of supervision. In 1998, the Supreme Court Appellate Division 4th Judicial Department recognized Judge Carter for his distinguished service to the Law Guardian Program in the 8th Judicial District.

Judge Carter became an associate in the law firm of Sullivan & Oliverio in 1999 where his practice concentrated in general civil litigation.

In addition to the practice of law, Judge Carter served as a full-time professor of criminal law and procedure at Erie Community College-North from 1992 to 2002. He currently serves as an Adjunct Professor of criminal law and procedure at Canisius College.

In May 2002, Judge Carter was appointed by Governor George E. Pataki to serve in Erie County Family Court. The New York Senate confirmed his appointment on June 4, 2002. Judge Carter was elected by the people of Erie County in November 2002 to a 10 year term and re-elected in November 2012.

In the spring of 2008, Justice Sharon T. Townsend, Administrative Justice, 8th Judicial District, designated Judge Carter acting New York State Supreme Court Justice where he presided over post matrimonial cases and civil jury trials involving personal injury actions.

During the fall of 2017, Justice Paula L. Feroletto, Administrative Judge, 8th Judicial District, designated Judge Carter the presiding judge over the newly formed Erie County Youth Part.

Professor Christine Sgarlata Chung **Albany Law School**

Professor Christine Sgarlata Chung teaches contracts, business organizations, and courses focused on securities regulation and white-collar crime at Albany Law School. In her teaching and scholarly work, Professor Chung examines financial market regulatory systems, corporate governance, municipal finance, financial crimes, and consumer and investor protection. She frequently presents on academic and professional panels, and regularly appears on television, on radio, and in print media to discuss topics ranging from municipal financial distress to the latest insider trading case. In addition to her teaching and scholarship, Professor Chung serves as Director of Business Law Programming at Albany Law School and also serves as Director of the law school's Institute for Financial Market Regulation. She is the co-author of *Business Organizations Law in Focus* (Wolters Kluwer).

New York Law Course Faculty

Prior to joining Albany Law School, Professor Chung served as a partner at Goodwin Procter LLP, where she was a member of the firm's securities and white-collar crime practice groups. While at Goodwin, Professor Chung specialized in complex business litigation and civil and criminal securities-related enforcement matters, including proceedings involving the Department of Justice, the United States Securities and Exchange Commission, FINRA, and various state attorneys general. She also specialized in compliance and risk management counseling. Her clients included mutual funds, investment advisors, broker-dealers, bank holding companies, operating companies, officers, directors, and employees.

Before joining Goodwin, Professor Chung served as Branch Chief of the Enforcement Division of the United States Securities and Exchange Commission, among other posts. As a member of the Enforcement Division, Professor Chung specialized in investigating and litigating cases involving a wide range of securities-related misconduct, including alleged financial reporting fraud, insider trading, and professional misconduct by securities industry and accounting professionals.

Professor Chung is admitted to practice in New York, Massachusetts, Illinois, and the District of Columbia.

Professor Neil B. Cohen **Brooklyn Law School**

Neil B. Cohen, the Jeffrey D. Forchelli Professor of Law at Brooklyn Law School, teaches courses in domestic and international commercial law, contracts, and conflict of laws. For over two decades, Professor Cohen has been a key participant in major domestic and international law reform projects with respect to commercial transactions. In recognition of his accomplishments, in 2014 Professor Cohen received both the American Law Institute's John Minor Wisdom Award and the Homer Kripke Lifetime Achievement Award of the American College of Commercial Finance Lawyers. He was the Reporter for Revised Article 1 of the Uniform Commercial Code and for the American Law Institute's *Restatement of the Law of Suretyship and Guaranty*; in honor of his accomplishments as Reporter for the *Restatement*, he was named as the Institute's R. Ammi Cutter Reporter. Professor Cohen currently serves as the Director of Research of the Permanent Editorial Board for the Uniform Commercial Code and as co-Reporter for *Principles of the Law: Data Economy*, a joint project of the American Law Institute and the European Law Institute. In addition, he has been a member of several drafting committees for revising various articles of the Uniform Commercial Code, including the two most recent revisions of Article 9 (Secured Transactions).

Professor Cohen has been active since 1995 in the modernization, harmonization, and internationalization of international commercial law. He has served as a member of United States delegation to the United Nations Commission on International Trade Law for its work on harmonizing and modernizing the law of secured credit, as a member of the Working Group at the Hague Conference on Private International Law that prepared the Hague Principles on Choice of Law in International Commercial Contracts, and as an observer and working group

New York Law Course Faculty

member for the work of the International Institute for the Unification of Private Law (Unidroit) in its development of principles for international contracts. Since 2009, he has been a member of the United States Department of State's Advisory Committee on Private International Law.

Hon. Sheila A. DiTullio **Erie County Court**

The Honorable Sheila A. DiTullio has served as an Erie County Court Judge since January 1996 was named a New York State Acting Supreme Court Justice in January 2008 presiding over a caseload comprised mostly of criminal matters, but also consisting of a civil calendar, and both criminal and civil appeals from the local courts.

Prior to her judicial post, she served as the first female Chief of the Erie County District Attorney's Office Grand Jury Bureau from 1988-1995; first female chief of the Erie County District Attorney's newly created sex crime unit from 1984-1986 and worked as an assistant district attorney prosecuting criminal matters over a span of 12 years for three different District Attorneys.

Judge DiTullio also served as an Assistant Attorney General in the New York State Attorney General's Office from 1986-1988 practicing environmental law.

Judge DiTullio was an instructor in the Trial Technique program at the University of Buffalo Law School and has been practicing law as a Judge and trial lawyer for the past 35 years.

Xavier R. Donaldson, Esq. **Donaldson & Chilliest, LLP**

Xavier R. Donaldson, is a senior trial counsel and founding partner of Donaldson & Chilliest, LLP, with offices in New York City and a former Assistant District Attorney in Bronx County. He is admitted to practice law in the Courts of the State of New York, the Southern and Eastern Districts of New York and the Second Circuit Court of Appeals. Mr. Donaldson has also represented individuals in the Federal and State Courts of the District of Columbia, Western District of Pennsylvania, Chicago, Illinois, Miami, Florida and New Jersey on a *Pro Hac Vice* basis.

Mr. Donaldson graduated from Saint Augustine's University in Raleigh, North Carolina Magna Cum Laude. He then received a law degree from Howard University School of Law in Washington, D.C. in 1994.

As an attorney, Mr. Donaldson has served as lead trial counsel to verdict on criminal matters including murder, federal and state narcotic conspiracies, gang associated criminal activity, bank fraud, mail and wire fraud, immigration fraud, federal and state firearm conspiracies, domestic violence and a variety of other federal and state matters. Mr. Donaldson also provides critical

New York Law Course Faculty

advice and counsel to Federal and State elected officials, businesses facing federal investigation, not for profits, prominent entertainers and professional athletes.

Mr. Donaldson currently serves as Adjunct Professor of Trial Advocacy at Brooklyn Law School, has appeared on various radio and television programs providing legal commentary on nationally recognized legal issues and has served as a lecturer, panelist and guest professor at prestigious law schools and universities as well as participated in programs designed to educate attorneys on current issues affecting the law.

Mr. Donaldson has served as the Administrator of the prestigious New York County Supreme Court Judicial Screening committee where he presided over the evaluation, vetting and interviewing of candidates for prominent seats on the New York County Supreme Court and has also vetted candidates for the Appellate Divisions of the State of New York and New York State Court of Appeals.

Mr. Donaldson is a former President and Board Member of the Metropolitan Black Bar Association. Mr. Donaldson also serves as a Delegate of the New York State Bar Association, member of the New York State Bar Association firearm task force and as a member of the Criminal Justice and International Law Executive Committees of New York State Bar Association.

Mr. Donaldson has received awards from the New York Attorney General's Office, the New York State Black and Hispanic Caucus, the Bronx District Attorney's Office, the New York City Council, local political organizations and is consistently invited to speak at high schools, youth programs, community boards and other associations relating to the significance of the law, public policy, business and politics.

David L. Ferstendig, Esq. Law Offices of David L. Ferstendig, LLC

David L. Ferstendig, currently a member of Law Offices of David L. Ferstendig, LLC, New York, was a founding officer of the law firm Breindel & Ferstendig, P.C. He litigates a spectrum of civil and commercial matters, including breach of contract, products liability, toxic tort, insurance and reinsurance coverage, jewelers' block, political risk, environmental liability, trade secret, and professional indemnity. Mr. Ferstendig is also an adjunct law professor at Brooklyn Law School and New York Law School, where he teaches New York Practice. He is the General Editor of Weinstein, Korn & Miller New York Civil Practice: CPLR (LexisNexis), the premier 15-volume litigation treatise cited regularly as authoritative by New York State and Federal courts; author of Ferstendig, Chase New York CPLR Manual (LexisNexis) and LexisNexis AnswerGuide New York Civil Litigation; and General Editor of CPLR Practice Insights, published in New York Consolidated Laws Service (LexisNexis). He has written articles for the New York Law Journal, authored a law review article entitled: "A Practitioner's Continued Uncertainty: Disclosure from Nonparties," 74 ALB. L. REV. 731 (2010/2011) and was a panelist at New York University School of Law in March 2013 for the symposium entitled "The CPLR at Fifty: Its Past, Present, and Future" which resulted in the publication of his remarks, "The CPLR:

New York Law Course Faculty

A Practitioner’s Perspective.” Mr. Ferstendig has co-authored two law review articles with New York University School of Law Professor Oscar Chase entitled: Chief Judge Kaye: Improving the Pace and Integration of Litigation, 92 N.Y.U. L. REV. 11 (2017) and Should Counsel for a Non-Party Deponent be a “Potted Plant”?, 2014 N.Y.U. J. Legis. Pub. Pol’y Quorum 52. Mr. Ferstendig has provided expert testimony interpreting the meaning and application of New York law and has been quoted as an expert on legal procedure in New York in The Washington Post. He was a 2015 and 2011 recipient of New York Law School’s Otto L. Walter Distinguished Writing Award. A graduate of New York University School of Law, Mr. Ferstendig has lectured on civil practice issues for bar associations, the New York State Judicial Institute and LexisNexis, among others. He is a member and past Chair of the CPLR Committee for the New York State Bar Association. Effective with the May 2015 edition, Mr. Ferstendig became the Editor of the New York State Law Digest. He was selected by the New York State Board of Law Examiners to be a faculty member presenting Civil Practice and Procedure to bar examination candidates as part of the New York law course.

Hon. Thomas P. (Tim) Franczyk (Ret.) University at Buffalo School of Law

Thomas P. (Tim) Franczyk is an adjunct professor of law at the University at Buffalo School of Law where he teaches Evidence, Professional Responsibility and Trial Technique. He is also co-director of UB Law School’s Trial Advocacy Program. He coaches trial teams and drafts case problems for the annual Buffalo Niagara Trial Competition which hosts 32 law schools every year. A retired judge (Erie County Court and Buffalo City Court from 1996-2017) and former Erie County prosecutor (1982-1996), Judge Franczyk is also a member of the New York State Judicial Advisory Committee on Evidence.

Judge Franczyk is a 1982 graduate of Syracuse College of Law where was a member of the National Trial Team (NTC National Finalists in 1982), and a 1979 graduate of Buffalo Law State College (BA Journalism, Magna Cum Laude). He lectures to lawyers and law students on a variety of legal topics from Search and Seizure to Expert Witnesses and matters of Advocacy and Evidence.

Judge Franczyk is a member of the New York State Bar Association, Erie County Bar Association and the Kensingtons rock-and-roll band. He and his wife Michele, a middle school English teacher, reside in Buffalo. Their daughters, Claire and Natalie live and work in Richmond Va.

Professor Michael J. Hutter Albany Law School

Michael J. Hutter is a member of the Albany Law school faculty, having joined the faculty in 1976. His teaching areas include Evidence, New York Practice, Federal Jurisdiction and Procedure, Conflict of Laws and Trade Regulation. He is a recipient of teaching awards from Western New England Law School and Albany Law School, New York State Academy of Trial

New York Law Course Faculty

Lawyers, Capital District Trial Lawyers Association, and the Suffolk County Bar Association. Professor Hutter has also served as Special Counsel to Powers & Santola, LLP since 2002. In this capacity, he advises the firm on its on-going litigation matters and handles the firm's appellate work. He also handles appeals on behalf of other law firms, corporations, individuals, municipal entities, and government officials, including judges, arguing over 375 appeals in all of New York's appellate courts, state and federal.

Professor Hutter is a recognized expert in the area of New York Practice and Evidence. He has served as an educator to the New York State Court System, invited by the New York State Office of Court Administration, and its Judicial Institute, to teach evidence and discuss practice and evidence developments at its annual seminars for Justices and Judges throughout the state, as well as seminars for law clerks and court attorneys. Recently, he was appointed by the Chief Judge of the State of New York to act as the Reporter to a Special Committee, composed of sitting and retired judges, charged with compiling a guide to New York's existing law of evidence that will be readily available to judges, lawyers and the public. Professor Hutter is also the Evidence columnist for the New York Law Journal, publishing a bi-monthly article discussing recent New York evidence cases decided by the courts. Professor Hutter has also been active in service to the legal profession, serving as President of the Albany County Bar Association, and serving on statewide public service commissions and study groups.

Professor Hutter is an honors graduate of Brown University, receiving scholarships during his four years of matriculation, and Boston College Law School. In law school, he was the Editor-In-Chief of Boston College's law review (*Annual Survey*), and was elected to the Order of the Coif. After graduation, Professor Hutter served as a law clerk to Judge Matthew J. Jasen, an Associate Judge of the New York Court of Appeals, for two years.

Elena Karabatos, Esq. **Schlissel Ostrow Karabatos, PLLC**

Elena is a partner in the matrimonial firm of Schlissel Ostrow Karabatos, PLLC. Ms. Karabatos is the President of the Nassau County Bar Association (NCBA). She is a Past President of the New York Chapter of the American Academy of Matrimonial Lawyers. She is a Fellow of the American College of Family Trial Attorneys. She is a member of the Attorney for the Children Advisory Committee for the Tenth Judicial District. Elena is a member of the Matrimonial Practice Advisory and Rules Committee for the New York State Office of Court Administration. Elena is also a member of the ADR Advisory Committee for the Office of Court Administration. Elena is a member of the Executive Committee of the Family Law section of the New York State Bar Association and was a member of the Nassau County Bar Association Delegation for the New York State Bar Association House of Delegates (2009-2012). Elena is a member of the New York Family Law American Inn of Court.

She was Chair of the Matrimonial Law Committee of the NCBA (2009-2011) for which she received the NCBA Directors' Award 2010-2011 for outstanding service as Chair. She served as the chairperson of the Child Custody Sub-Committee and the co-chairperson of the Appellate Practice Sub-Committee of the NCBA. Elena has also served as a member of the Judiciary Committee of the

New York Law Course Faculty

NCBA, and on various Task Forces for the NCBA. She was appointed by the presiding Justice of the Appellate Division to a special committee of the Nassau County Courts to make recommendations to the court system for the establishment of model custody litigation practices. She is a co-author, with partner Stephen W. Schlissel, of the second edition of *Separation Agreements and Marital Contracts* (Michie 1997). She attended the Trial Advocacy Institute of the American Bar Association Family Law Section.

She frequently lectures on a wide range of family law topics, regarding custody and parenting issues as well as financial issues, for various organizations such as the New York State, New York County and Nassau County Bar Associations, New York County Lawyer's Association, Nassau Academy of Law, the Practising Law Institute, The National Business Institute, Office of Court Administration-Judicial Seminars, Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, as well as various other organizations. Elena has taught a course on negotiation at Hofstra Law School for over fifteen years. For many years, Elena served as the course chairperson for the continuing legal education program on Matrimonial Litigation and Equitable Distribution at Fordham Law School, where she lectured on various topics.

Elena is an experienced negotiator of settlements and a trial lawyer. She is certified in advanced mediation by the Straus Institute of Dispute Resolution and by the Association of the Bar of the City of New York in mediating custody and visitation matters. She has been a facilitator and lecturer for the Nassau County P.E.A.C.E. (Parental Education and Custody Effectiveness) program. Elena has been selected for inclusion in "Best Lawyers in America" and "New York Super Lawyers" in the area of Family Law. In 2017 she was also listed as one of the Top 100 Lawyer in the 2017 New York Metro Super Lawyers. She has been recognized by "Ten Leaders" in the field of Matrimonial and Divorce Law, Long Island, and she has also been recognized in the "Who's Who in Women in Professional Services" for the Long Island Business News. In 2017, she was voted as one of Long Island's Ten Top Legal Eagles by Pulse Magazine. Elena was also named one of Long Island's Power Women in Business by *Long Island Press*.

For many years Elena was a member of the Planning Board for the Village of Sands Point, New York. Elena received a BA from Tufts University in 1983 cum laude and her JD from Brooklyn Law School in 1986. Elena is married to Bryan Skarlatos, a partner in the law firm Kostelanetz & Fink, LLP.

David G. Keyko, Esq. **Pillsbury Winthrop Shaw Pittman, LLP**

David Keyko is a partner in the law firm's Litigation practice and is located in the New York office. His practice has focused on major, complex litigation, often involving multiple parties. He has handled cases involving allegations of securities or other types of fraud, antitrust violations, ethics issues and trusts and estates issues across the country, often involving insurance coverage issues. He has conducted internal investigations and represented clients responding to government probes. Trials include: representing a plaintiff in a four-week bench trial in federal court in New York concerning a fraudulent scheme to finance the importation of coffee beans, which resulted in a \$90 million judgment; a five-week jury trial in federal court in

New York Law Course Faculty

New Jersey concerning an alleged scheme to manipulate world-wide commodity prices; and a four-month bench trial in federal court in Louisiana concerning the finances of a bankrupt oil and gas company. He has also served as an expert witness in connection with legal malpractice litigation. Among the prominent cases Mr. Keyko has handled was the representation of the primary claimant to a \$1.5 billion estate in lawsuits filed in several jurisdictions.

Mr. Keyko was named the "New York City Best Lawyers Ethics and Professional Responsibility Law Lawyer of the Year" for 2012, 2017 and 2019. He has lectured and written widely on securities, antitrust, legal ethics and general litigation topics, and chairs PLI's programs on federal pretrial practice and ethics for corporate lawyers. He is a former columnist for the *New York Law Journal* and has written several dozen articles on litigation and ethics issues for such publications as the National Law Journal, and Metropolitan Corporate Counsel, on whose advisory board Mr. Keyko served and is on Law360's Legal Editorial Advisory Board.

Mr. Keyko has undertaken a variety of pro bono projects, including representing for over 20 years a death row inmate in Alabama asserting that the inmate is innocent of the crime for which he was convicted, serving as Chair of the Board of MFY Legal Services, Inc., and serving two terms as a member of the Departmental Disciplinary Committee of the First Department. He was Chairman of the Professional Responsibility Committee of the Association of the Bar of the City of New York. He chaired the ad hoc committee of the Association that commented on proposed SEC regulations under Section 307 of the Sarbanes-Oxley Act of 2002. He is currently the chair of the Association's Legal Referral Service Committee and is a member of the Association's Professional and Judicial Ethics Committee.

Mr. Keyko is Pillsbury's Chief Ethics Counsel and a member of the firm's Sarbanes-Oxley Committee, Opinions Committee and Professional Responsibility Committee.

Dean William P. LaPiana **New York Law School**

Professor William P. LaPiana holds both a Ph.D. in History and a J.D. from Harvard, where he also received his B.A. and an M.A. After graduating from Harvard Law School in 1978, Professor LaPiana, who is originally from suburban Buffalo, spent four years as an associate at Davis Polk & Wardwell in New York.

After four years spent at the University of Pittsburgh Law School, Professor LaPiana joined the faculty at New York Law School in 1987. In 1993, he was named the Rita and Joseph Solomon Professor of the Law of Wills, Trusts and Estates. Since May, 2015 he has been Associate Dean for Academic Affairs.

His doctoral dissertation was published as *Logic and Experience: The Origins of Modern American Legal Education* (Oxford University Press, 1994). An analysis of the intellectual roots of the case method and of the reasons for its success, it is widely cited in discussions of legal education and, as Professor LaPiana notes, still sells enough copies to buy one average bottle of wine per year. In 2012 he published *Inside Wills and Trusts: What Matters and Why*, part of the

New York Law Course Faculty

“Inside” series of student study aids published by Wolters Kluwer. Professor LaPiana’s other major publication is *Drafting New York Wills and Related Documents*, 4th edition, published by LexisNexis of which he is co-author with Prof. Ira Mark Bloom.

Professor LaPiana also has been active with the trusts and estates sections of both the New York State and the American Bar Associations, and is an academic fellow of the American College of Trust and Estate Counsel, serving on its Committees on State Laws and Legal Education. He is also a member of the American Law Institute and served on the Members Consultative Groups for the Restatements (Third) of Trusts and of Property (Donative Transfers). Professor LaPiana has been a member of the Office of Court Administration Surrogates Court Committee since 2009. He has been a member of the New York City Bar Associations Surrogates Court, Trusts and Estates Committee and currently serves on the Estate and Gift Tax Committee.

Professor LaPiana was the reporter for the revised Uniform Disclaimer of Property Interests Act, which was promulgated by the Uniform Law Commission in 1999 and has been adopted in fifteen states, the District of Columbia, and the Virgin Islands. He was the American Bar Association advisor to the drafting committee for the Uniform Power of Attorney Act promulgated in 2006. Professor LaPiana has been a frequent speaker at continuing legal education events, including several conferences sponsored by the Real Property Trusts and Estates Law Section of the ABA and the Trusts and Estates Law Section of the New York State Bar Association, the Heckerling Institute, and the New York Estate Planning Institute. He has also been a regular participant since 1987 in the New York University Law School Legal History Colloquium.

Hon. James T. McClymonds **New York State Department of Environmental Conservation**

James T. McClymonds is the Chief Administrative Law Judge for the New York State Department of Environmental Conservation. Judge McClymonds has held that position since March 2003. Prior to that, Judge McClymonds served almost ten years at the New York State Court of Appeals, where he worked as a staff attorney and supervising staff attorney on the Court’s Central Staff, and later as principal law clerk to Associate Judge Howard A. Levine and, briefly, to Associate Judge Susan P. Read. Judge McClymonds is a graduate of New York Law School, where he received a J.D. *magna cum laude* in 1993.

As Chief Administrative Law Judge, Judge McClymonds is the immediate supervisor and day-to-day manager of seven Administrative Law Judges (ALJs) and support staff within the Department’s adjudicatory hearings office, the Office of Hearings and Mediation Services. Judge McClymonds is responsible for overseeing a State-wide enforcement, permit, regulatory fee, and summary abatement hearings docket and proceedings. In addition, Judge McClymonds serves as Presiding ALJ on highly complex or controversial adjudicatory hearings. Along with the Deputy Commissioner for Hearings and Mediation Services and a hearings counsel, Judge McClymonds also prepares necessary Commissioner decisions, rulings and orders for the Commissioner’s approval, and advises the Commissioner, Deputy Commissioner, and hearings counsel on legal issues presented in cases on the hearings docket..

New York Law Course Faculty

In addition to other professional activities, Judge McClymonds is a member of the Local and State Government Law Section of the New York State Bar Association (NYSBA), and is co-chair of that section's Committee on the Administrative Law Judiciary. Judge McClymonds was also a member of NYSBA's former Committee on Attorneys in Public Service (CAPS), and was a co-chair of that Committee's Subcommittee on the Administrative Law Judiciary from 2004 to 2009. In that capacity, Judge McClymonds coordinated the development of the Model Code of Judicial Conduct for State Administrative Law Judges, which was adopted by the NYSBA House of Delegates in 2009.

Judge McClymonds is also an active member on the Executive Committee of the New York State Administrative Law Judges Association (NYSALJA). He served a three-year term as NYSALJA President from 2009-2012.

Judge McClymonds is a regular presenter of Continuing Legal Education programs. Judge McClymonds has presented on topics such as ethics for administrative law judges, the State Administrative Procedure Act and administrative adjudicatory processes, adjudicatory proceedings before the Department of Environmental Conservation, mediation and alternative dispute resolution, and civil practice before the New York State Court of Appeals.

Carmen Pacheco, Esq. Founding Partner of Pacheco & Lugo, PLLC

Carmen A. Pacheco is a founding partner of Pacheco & Lugo, PLLC. Pacheco & Lugo, PLLC is the first Hispanic women-owned law firm of New York established at One World Trade Center in January 1992.

Ms. Pacheco has a comprehensive practice advising clients from initial entity formation to possible exit strategies, strategic joint ventures, licensing, and commercial and residential real property transactions. She has considerable experience with all types of retail, office and ground leases, construction loans, acquisitions and acquisition loans, dispositions, listing and engagement contracts, construction and architect contracts, real estate brokerage, and real estate partnerships and joint ventures. Ms. Pacheco's clients include entrepreneurs and start-up companies in addition to small and medium-sized private companies and government entities.

Ms. Pacheco received her law degree from St. John's University School of Law where she was a published member of the St. John's Law Review and received her undergraduate degree from Brooklyn College of the City of New York. She is also published in the Federal Rules Decisions and has written several Amicus Curiae briefs to the United States Supreme Court.

Currently, Ms. Pacheco is the Representative Liaison between the Puerto Rican Bar Association and *La Junta de Decanos de los Colegios de Abogados de Perú* and *El Colegio de Abogados de Lima – Perú* (2017-2019) and the Chair, Puerto Rican Bar Women's Committee. She was the Diamond Jubilee President, Puerto Rican Bar Association (2017). She is and has been a member of the judicial screening panels; member of the City Bar Council on Judicial Administration;

New York Law Course Faculty

member of the City Bar Committee on Ethics; member of New York Women's Bar Association Committee on Committee on Ethics; member of the Small Business Working Group headed by U.S. Senator Gillibrand. She served as a delegate to: the White House Conference on Small Business; the United States Women's Business Leadership Council; and the Annual Summit for Businesswomen of the Americas (United States Delegate; Executive Board Member of the Board of Trustees of the Brooklyn College Foundation; Executive Committee board member of New York State Bar Association, Committee Section on Commercial and Federal Litigation.

For Ms. Pacheco's dedication to providing pro-bono legal serves to underserved communities and for humanitarian efforts she has receive countless awards and recognitions. In fact her personal biography is published in: 141 Cong. Rec. H__ (daily ed. Nov. 1, 1995)(statement of Rep. Towns) and was recognized as one of fifty distinguished women throughout the Americas and Caribbean. Moreover, Ms. Pacheco has appeared on various television and radio programs for legal commentary. She has also lectured on various legal issues.

Michael F. Perley Hurwitz & Fine, P.C.

A member of Hurwitz & Fine, P.C., Mr. Perley is chair of the Litigation Department and a member of the firm's Board of Directors. He focuses his practice in municipal law, product liability, professional liability, complex litigation and catastrophic injury litigation. Mr. Perley has significant experience defending corporations, municipalities, employers, building owners, contractors and insurance carriers in a wide range of litigated matters including labor law, premises and product liability. Mr. Perley has extensive experience in litigation involving commercial vehicles, having represented numerous commercial carriers in his career. He leads the firm's 24-Hour Emergency Response Team, and is regularly engaged in complex catastrophic property damage, fire loss and bodily injury litigation. Mr. Perley also counsels clients on issues pertaining to lien resolution and Medicare Secondary Payer issues and has testified as an expert witness on the applicability of the Medicare Secondary Payer Act.

An accomplished trial attorney and client advocate, Mr. Perley served as a Town Attorney with 22 years of governmental experience in zoning and land development. In addition to extensive experience in the full range of court proceedings in state and federal court, Mr. Perley's practice also includes extensive counseling on matters including zoning, environmental review, land development, variances, legislative drafting, tax certiorari and eminent domain representing clients before town and village boards, planning boards, zoning boards of appeals and assessment boards of review.

Highly regarded by his peers and in the courts, in 2008, Mr. Perley was named one of the Top 10 lawyers in New York State (outside of New York City) by New York Super Lawyer's Magazine, which conducted a survey of all practicing attorneys in the state. He has also been named to the list of the Best Lawyers in America and the Business First list of Legal Elite of WNY. Mr. Perley was presented with the Pro Bono Service Award by Hon. William Skretny of the U.S. District Court of the Western District of New York for his dedicated service to the federal court. Mr. Perley was also appointed to the Eighth Judicial District Committee on Character and Fitness for

New York Law Course Faculty

admission of applicants to the New York State Bar Association.

Mr. Perley is a former member of the Board of Directors of the Bar Association of Erie County, former President of the Western New York Trial Lawyers Association, and is the National Board Representative of the Buffalo Chapter of the American Board of Trial Advocates. He is a member of the Municipal and School Law Committee and the Committee on Eminent Domain and Tax Certiorari of the Erie County Bar Association, and of the Municipal Law and the Torts, Insurance and Compensation Law Sections of the New York State Bar Association.

Robert J. Permutt, Esq.
Nationwide Mutual Fire Insurance Company

Robert J. Permutt currently serves as the Associate Vice President/Regional Attorney for the Northeast Region of Nationwide Mutual Insurance's Trial Division. In this capacity, he manages and oversees all aspects of Trial Division's operations in the Northeast Region. The region consists of 10 offices, defending lawsuits in six states. Prior to joining Nationwide's Trial Division, Robert served for six plus years in the Office of General Counsel for Nationwide Mutual Insurance. During his last three years in the General Counsel's Office, he was a Lead Assistant General Counsel, supervising a team of attorneys that provided legal support to the Personal Lines Casualty Claims Organization for the Northeast and Mid-Atlantic States. He also individually provided legal support to the New York Personal Lines Casualty Claims Organization.

Robert graduated from the State University of New York at Albany in 1991, with a Bachelor's Degree in History. Robert then attended Brooklyn Law School, obtaining a Juris Doctorate in 1996.

Following his graduation from law school, Robert worked in the Orange County District Attorney's Office for four years, ending his tenure in the office's Violent Felony Unit.

Upon leaving the District Attorney's Office, Robert worked for two New York State insurance defense law firms, handling a varied case load including but not limited to products liability, Labor Law, premises liability, municipal liability and automobile liability cases.

Robert then joined the House Counsel operations for Progressive Insurance Company, handling large loss exposures throughout the Hudson Valley, New York City and Long Island.

Robert is a frequent presenter at New York CLE programs, having presented for the New York State Bar Association, the New York State Judicial Institute, the New York State Board of Law Examiners and Lawline.com.

Robert previously served as a member of the Executive Committee of the Torts, Insurance and Compensation Law Section of the New York State Bar Association and in January of 2014, the Section honored him with their Committee Chairman of the Year award.

New York Law Course Faculty

Roderick Quebral, Esq. (Ret.)

Former Principal Counsel for the Eighth Judicial District Grievance Committee

Roderick Quebral is a 1985 graduate of UB Law School. He was an Assistant District Attorney in Erie County from 1985-1992, including service in the Comprehensive Assault, Rape and Abuse Bureau, the Special Investigations/Prosecutions Bureau, and as an Assistant Bureau Chief in the Felony Trial Bureau. He joined the staff of the Attorney Grievance Committees of the Appellate Division, Fourth Department in 1992 as an Associate Counsel, and served as a Principal Counsel for the Eighth Judicial District Grievance Committee in Buffalo until his retirement in 2018.

Mr. Quebral is a frequent lecturer on topics related to ethics and professional responsibility for continuing legal education programs sponsored by local bar associations in Western New York. He is a member of the Bar Association of Erie County and the St. Thomas More (Catholic Lawyers) Guild, for whom he has served on the Board of Directors and as Treasurer.

Patricia J. Shevy, Esq.

The Shevy Law Firm, LLC

Patricia J. Shevy is the founder of The Shevy Law Firm, LLC, of Albany, New York.

Tricia focuses her practice exclusively in the areas of estate planning and administration, elder law and business succession planning.

Tricia believes in the teamwork approach and regularly works with her clients and their investment advisors, bankers, insurance agents and accountants to ensure that the plan meets the client's long term objectives.

Tricia is an active member of the New York State Bar Association- Continuing Legal Education Committee, Trusts and Estates Section (Chair of the Continuing Legal Education Committee and former Chair of the Life Insurance and Employee Benefits Committee) and Elder Law and Special Needs Section (Co-Chair of the Publications Committee and Co-Editor of the Journal). She is also a member of the Albany County Bar Association and National Academy of Elder Law Attorneys.

Tricia's past public service includes serving on the Boards of Directors of Childs Nursing Home, Albany County Correctional Facility for Children's Benefit, Rensselaer County Housing Resources Corporation and the Watervliet City School District Board of Education, serving as president for 3 years. Currently, Tricia is on the board of directors and Treasurer of The Bus Stop Club, Inc., a support program for the siblings of chronically ill children.

Tricia earned a Bachelor of Science in Management-Finance from Rensselaer Polytechnic Institute in 3 years. Following graduation from RPI in 1994, Tricia received her Juris Doctor, cum laude, from Albany Law School of Union University in 1997, where she was a member of

New York Law Course Faculty

the Justinian Society.

Tricia routinely lectures to small groups regarding estate tax planning, long term care planning, estate planning issues when disabled children are involved as well as the unique issues of estate planning for non-traditional families and small business owners. Tricia also regularly lectures and writes for continuing legal education programs offered by the New York State Bar Association.

Professor Charles K. Whitehead **Cornell Law School**

Charles K. Whitehead is the Myron C. Taylor Alumni Professor of Business Law at Cornell Law School and the founding Director of the Law, Technology and Entrepreneurship program at Cornell Tech. He specializes in business organizations, capital markets, financial institutions and transactions, and mergers and acquisitions. Professor Whitehead represented clients and held senior legal and business positions in the financial services industry, in New York, London, and Tokyo, before entering academia, including as a Managing Director of Nomura Securities International, Salomon Brothers, and Citigroup. His practice included representation involving IPOs and other exempt and registered securities offerings (from start-ups to seasoned global issuers), acquisitions and other strategic transactions, derivatives and other complex financial instruments, and loan and other credit transactions. He was a Research Fellow at Columbia Law School before joining Boston University School of Law in 2006 and Cornell Law School in 2009. Professor Whitehead was the first “foreign expert” visiting professor at Peking University Law School, Beijing, China, and is the first honorary professor at Yaroslav Mudryi National Law University, Kharkiv, Ukraine. He was a law clerk to the Hon. Ellsworth A. Van Graafeiland, U.S. Court of Appeals (2nd Circuit), and is a graduate of Columbia Law School and Cornell University.