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American Bar Association
Forum On The Construction Industry, MS 11.2
750 North Lake Shore Drive
Chicago, IL 60611



ABA FORUM ON THE CONSTRUCTION INDUSTRY

The ABA Forum on the Construction Industry 2004 Annual Meeting
Lawyers Serving the Construction Industry Through Education and Leadership

In cooperation with the Construction Litigation Committee of the ABA Section of Litigation

ANNUAL MEETING 2004

Winning Advocacy: From Contracts through Trial, Sophisticated Strategies for the Construction Lawyer

May 6-8, 2004
Scottsdale, Arizona
Hyatt Regency Gainey Ranch

Winning Advocacy: From Contracts through Trial, Sophisticated Strategies for the Construction Lawyer

Dear Colleagues

We are counselors and advocates to the construction industry and those who design, build, and procure construction services. From the inception of a project to the final resolution of any disputes we must provide these services in a zealous and effective manner, without losing sight of the practical realities of business. This three day program will provide practical insight and sophisticated strategies to enhance the quality of services we provide to our clients, and to help us help our clients achieve success.

The program provides a balanced mix of practice pointers for both transactional and litigation construction lawyers. Starting with suggestions on effective modification of standard contract terms, through a trial demonstration with local jurors, and concluding with an entertaining and informative ethics presentation on challenges to marketing of legal services, this program will afford you the opportunity to refine your skills and build upon the experiences of your colleagues.

The presentations are intended to address very practical problems faced by all construction lawyers whether seasoned by years of experience or just embarking on their careers. We will examine how to satisfy the expectation of in-house counsel, how to help our clients manage the risks in the construction process, and how to effectively manage the complex construction case. Further, the program will include an insightful primer on the business practices of construction entities. We will also examine strategies for challenging experts, innovations in the computation of impact damages, and the mistakes commonly made in the use of technology in the courtroom.

One half day will be devoted to trial advocacy – two leading practitioners will first share their theories on how to effectively argue to a judge or jury, followed by mock arguments to both a distinguished jurist and a locally selected jury panel. Critical evidentiary issues, an exploration into both the world of damages from every perspective, and standard of care issues impacting designers and contractors in a world where clients' needs change at an ever-increasing pace, are the subject of other presentations.

The program is scheduled with two half day sessions (Day 2 and 3) to allow participants and their families to take advantage of the stunning vistas of Arizona and magnificent grounds of the Hyatt Gainey Ranch Resort. Please join us May 6 - 8 at this oasis in the desert of Arizona, the Hyatt Gainey Ranch Resort.

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Atlanta, GA

Michael S. Zetlin
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Desert Botanical & Heard Museum Tour

A cultural tour dedicated to celebrating the natural beauty and heritage of Arizona — along with the history of the state.

Your afternoon begins at the Desert Botanical Gardens, where thousands of native plants and cacti flourish in their natural desert setting. The serenity and splendor of the Gardens offer a glimpse into what the desert may have been like before settlers came.

The journey into Arizona's past continues at the Heard Museum of Anthropology and Primitive Art, where hundreds of years of Southwestern history is showcased in its collections of Native American artifacts. Of special interest is the Kachina Doll Gallery, with a rare assortment of Hopi Kachina dolls, including those from the renowned collection of the late Senator Barry Goldwater.

Buses will leave the hotel at 1:00 PM and return at 5:30 PM. The \$60 per person includes transportation, lunch, guide service, souvenir booklet, admissions, taxes and gratuities.



Golf Tournament

On Friday afternoon the Forum will conduct a golf tournament at the golf course adjoining the hotel. With a 1:30 PM shotgun start, the tournament will be formatted to give all participants a chance to win team and individual prizes. For \$125, each golfer will play 18 holes with a cart, have lunch, and have free beverages on the course. Although \$125 covers only a portion of the greens fees, cart and lunch, the remaining cost for this event is being underwritten by various competition sponsors. We will pair foursomes into sponsored teams. Prizes will be awarded for individual and team competition. Players of all levels are welcome

for an afternoon of fun and sun. We picked this type of golf format to accommodate players of all levels. Please check below so that proper pre-planning can be successful.

