



EMINENT DOMAIN

Answers to Appraisal Issues & Helpful Litigation Strategies

June 13-14, 2013 • St. Regis • Houston

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THURSDAY
Happy Hour! and
Private Networking
Reception Sponsored by:



"As usual, this seminar was outstanding. If you want to understand or get involved in eminent domain, this is a seminar you must attend. It is without peer."

Cavitt Wendlandt, Esq., Senior Attorney, Texas Office of the Attorney General, Austin

Dear Colleague:

Attend this conference and receive fresh perspectives on the practice of eminent domain law in Texas!

Learn from a diverse network of faculty who represent the leaders in your field, a knowledgeable group who will be available to answer your tough questions. Take the opportunity to visit with the faculty and meet your colleagues at networking breaks and at the happy hour reception on Thursday evening.

Speakers include judges, attorneys, real estate professionals, planners and appraisers. They will teach you about:

- **New Legal Developments and Pending Cases**
- **Leading Legal Issues in Pipeline Condemnations**
- **Treasures and Traps: Mining Your Relocation Claims**
- **Development Challenges Caused by Takings**
- **The US 290 Corridor: Project Update**
- **Pre-Suit Property Acquisition Procedures**
- **The Ethics of Legal Marketing and Advertising**
- **Daubert Challenges in Condemnation Cases**
- **Do's and Don'ts for the Appraiser: Unusual Appraisal Issues**
- **Project Influence, Access, Construction and Other Hypotheticals in Condemnation Appraisals**
- **Valuation of Billboards**
- **A Review of *Enbridge Pipelines v. Avinger Timber***
- **Perspectives from the Bench**

Join us in June for the eminent domain event of the year.

Sincerely,



Kimberli D. Loessin, Esq.
Program Chair
Barron & Adler, Houston

Thursday, June 13

- 8:15 Registration and Continental Breakfast
- 8:45 **Welcome and Introduction**
Overview of Day One
Kimberli D. Loessin, Esq., Program Chair
Barron & Adler, Houston
- 9:00 **Case Law Update**
New Developments and Pending Cases
Christopher M. Clough, Esq.
Barron & Adler, Austin
- 10:00 Networking Break
- 10:15 **Leading Legal Issues in Pipeline Condemnations**
Condemnor Perspective
Thomas Zabel, Esq.
Zabel Freeman, Houston
Condemnee Perspective
Leanne Johnson, Esq.
Orgain, Bell, and Tucker, Beaumont
- 11:30 **Maximizing Your Relocation Claims**
Mining Your Relocation Claims
Mike Sullivan, Owner
Range West Consultants, Prescott, AZ
- 12:20 Lunch Break
- 1:45 **Development Challenges Caused by Takings**
A Land Planning Perspective
Peter Boecher, CRE, AICP, Senior Associate
TBG Partners, Houston
Kerry R. Gilbert, Principal
Kerry R. Gilbert & Associates, Katy
- 2:40 **The US 290 Corridor**
Project Update
Karen Othon, US 290 Public Information Officer
Texas Department of Transportation, Houston
Michael Zientek
Senior Public Involvement Representative
HNTB, Houston
- 3:15 Networking Break
- 3:30 **Pre-Suit Property Acquisition Procedures**
Condemnors' Perspectives
Victoria Jiminez, Esq.
Right of Way Division
Harris County, Houston
Randy Ward, Esq.
Right of Way Division
Texas Department of Transportation, Austin
Moderator: Kimberli D. Loessin, Esq., Program Chair
- 4:30 **The Ethics of Legal Marketing and Advertising**
What Does the Client Get for \$19.95?
Teresa L. Schneider, Esq.
Winstead, Houston
- 5:30 Adjourn to Happy Hour! and Private Networking Reception
Sponsored by: 

Friday, June 14

- 8:15 Continental Breakfast
- 8:45 **Welcome Back**
Overview of Day Two
Kimberli D. Loessin, Esq., Program Chair
- 9:00 **Daubert Challenges in Condemnation Cases**
Pros and Cons
Paul Radich, Esq.
Andrews Kurth, Houston
- 9:50 **Do's and Don'ts for the Appraiser**
Unusual Appraisal Issues
Ted Whitmer, Esq., MAI, CCIM
Ted Whitmer Companies, College Station
- 10:45 Networking Break
- 10:55 **Project Influence, Access, Construction**
And Other Hypotheticals in Condemnation Appraisals
Matthew C. Deal, CRE, Partner and
Mark O. Sikes, Partner
Deal Sikes & Associates, Houston
- 11:45 **Valuation of Billboards**
State of Texas v. Clear Channel Outdoor, Inc.
Richard L. Rothfelder, Esq.
Rothfelder & Falick, Houston
- 12:30 Lunch Break
- 1:45 **Featured Presentation: Judges' Panel**
Perspectives from the Bench with Q&A
Judge Theresa Chang
Harris County Civil Court at Law No. 2, Houston
Judge Debra Ibarra Mayfield
Harris County Civil Court at Law No. 1, Houston
- 3:00 Networking Break
- 3:10 **Enbridge Pipelines v. Avinger Timber**
Review of the Texas Supreme Court's August 2012 Opinion
Thomas E. Sheffield, Esq.
Thomas Sheffield Law Office, Kemah
- 4:00 **Ethics**
Issues for Eminent Domain Professionals
Thomas H. Watkins, Esq.
Brown McCarroll, Austin
- 5:00 Evaluations and Adjourn

**Earn up to 13 Hours MCLE Credit
Including Two Hours of Ethics
Earn up to 13 Hours Real Estate, Appraiser,
and Engineering Credit**

MEET YOUR DISTINGUISHED FACULTY

PROGRAM CHAIR

Kimberli D. Loessin is a Partner and Managing Attorney of Barron & Adler's Houston Office. She joined the firm in May 2006 and practices in the fields of eminent domain and land use litigation. She began her legal career as a federal law clerk in the Eastern District of Texas. She then served as in-house counsel for ExxonMobil Corporation, one of the world's largest oil producers, where she was a commercial litigator, and then as a litigator for the firm of Kasowitz, Benson, Torres & Friedman, where her practice was comprised of complex commercial and mass tort litigation. In her current role with Barron & Adler, Kim has narrowed her focus to eminent domain and land use law where she practices in both state and federal courts, including the Court of Federal Claims.

FEATURED PRESENTERS

Judge Theresa Chang

Harris County Civil Court at Law No. 2, Houston

Judge Debra Ibarra Mayfield

Harris County Civil Court at Law No. 1, Houston

FACULTY

Peter Boecher, CRE, AICP, Senior Associate
TBG Partners, Houston

Christopher M. Clough, Esq.
Barron & Adler, Austin

Matthew C. Deal, CRE, Partner
Deal Sikes & Associates, Houston

Kerry R. Gilbert, Principal
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Victoria Jiminez, Esq.
Right of Way Division
Harris County, Houston

Leanne Johnson, Esq.
Orgain, Bell, and Tucker, Beaumont

Karen Othon
US 290 Public Information Officer
Texas Department of Transportation, Houston

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Randy Ward, Esq.
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Texas Department of Transportation, Austin

Thomas H. Watkins, Esq.
Brown McCarroll, Austin

Ted Whitmer, Esq., MAI, CCIM
Ted Whitmer Companies, College Station

Thomas Zabel, Esq.
Zabel Freeman, Houston

Michael Zientek
Senior Public Involvement Representative
HNTB, Houston

CLE INTERNATIONAL PROGRAM ATTORNEY:
Michelle Messner, michelle@cle.com

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3rd Annual Conference



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New Developments & Pending Legal Cases

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**Featured Presentation: Judges' Panel
Perspectives from the Bench with Q&A**



Judge Theresa Chang
**Harris County Civil Court
at Law No. 2**
Houston

Judge Theresa Chang was unanimously appointed to be Presiding Judge of Harris County Civil Court at Law No. 2 by the Commissioners Court on February 28, 2012. Currently, Judge Chang serves as a Commissioner of the Commission for Lawyer Discipline of the State Bar of Texas. She has served on the Board of Directors of the State Bar of Texas and the Asian American Bar Association.



Judge Debra Ibarra Mayfield
**Harris County Civil Court
at Law No. 1**
Houston

Judge Debra Ibarra Mayfield was unanimously appointed by the Commissioners' Court as presiding judge of Harris County Civil Court at Law No. 1 on October 11, 2011. Before taking the bench, Judge Mayfield was a partner in the law firm of Rymer, Moore, Jackson & Echols, where she handled all phases of litigation for a wide variety of clients statewide. She has served the courts as a bilingual guardian *ad litem* and as a special commissioner in eminent domain proceedings.

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