

Featuring Speakers From:

- City of Chicago
- Greene and Letts
- Illinois Department of Financial and Professional Regulation
- Klein, Thorpe & Jenkins, Ltd.
- Neal & Leroy, LLC
- Noonan & Lieberman, Ltd.
- Pugh, Jones & Johnson, P.C.
- Rachlis Durham Duff & Adler LLC
- Shaw Gussis Fishman Glantz Wolfson & Towbin LLC
- Shefsky & Froelich
- Ungaretti & Harris LLP
- Winston & Strawn LLP

Who Should Attend:

All real estate, commercial and land use attorneys, corporate managers, landowners, brokers, governmental officials, appraisers, lenders and consultants

An Intensive One-Day Seminar on

Real Estate and Land Use Litigation

Strategies and practical tips for anyone anticipating being involved in commercial real estate litigation

March 1, 2012

Chicago, Illinois

The Gleacher Center

Credits: IL 7 CLE (includes 1 ethics) pending (call about others)
Quick when/where: 8:30 a.m., 450 North Cityfront Plaza Drive

Land Use Litigation Seminar

March 1, 2012 | Chicago, Illinois
The Gleacher Center

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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Richard F. Friedman, Esq., Program Co-Chair
Neal & Leroy, LLC ~ Chicago, IL

Mardell Nereim, Esq., Program Co-Chair
Chief Assistant Corporation Counsel
City of Chicago ~ Chicago, IL

8:45 Risks and Relief in Property Acquisition

Foreclosures and Chicago's new ordinance to protect communities by requiring mortgagor's to record and board up vacant buildings: What are the requirements and what implementation issues are arising?

Ruth B. Sosniak, Esq.
Noonan & Lieberman, Ltd. ~ Chicago, IL

Obtaining relief for failed transactions: Rescission, specific performance, breach of contract, interference with prospective economic advantage and misrepresentation

Michael Rachlis, Esq.
Rachlis Durham Duff & Adler LLC ~ Chicago, IL

10:15 Break: Coffee, Tea and Conversation

10:30 Land Use Entitlements, Vested Rights, and the Validity of Zoning Decisions: Evolving Issues on Procedural Rights and the Standard of Review

Where do the Klaeren rules on procedural rights for public participation stand today? What is the role of the LaSalle factors under Napleton's rational basis standard of review?

Local government perspective

William Aguiar, Esq., Assistant Corporation Counsel
City of Chicago ~ Chicago, IL

Owner Perspective

Jacob H. Karaca, Esq.
James G. Wargo, Esq.
Klein, Thorpe & Jenkins, Ltd. ~ Chicago, IL

Objector perspective

Ronald S. Cope, Esq.
Ungaretti & Harris LLP ~ Chicago, IL

12:15 Lunch (on your own)

1:15 The New Citizen Participation Act and Fairness Hearings: Perspectives on Dealing with the Process

Overview of the act and recent cases involving Strategic Law Suit Against Public Participation (SLAPP) suits; emerging use of fairness hearings as a form of protection for the community

Richard F. Friedman, Esq., Program Co-Chair

Perspective of the media and the community participants

Julie A. Bauer, Esq.
Winston & Strawn LLP ~ Chicago, IL

Neighborhood representative perspective

LaVon M. Johns, Esq.
Pugh, Jones & Johnson, P.C. ~ Chicago, IL

Developer perspective

David B. Goodman, Esq.
Shaw Gussis Fishman Glantz Wolfson & Towbin LLC
Chicago, IL

3:00 Break: Soda, Tea and Conversation

3:15 Surprising New Developments in Condemnation

Illinois Supreme Court's adoption of the Kirby Rule requiring as-of-taking valuation; practice changes five years after the Eminent Domain Act

Allen P. Walker, Esq.
Greene and Letts ~ Chicago, IL

3:45 How to Use Appraisers Effectively and Ethically in Land Valuation

Making more effective use of appraisers as land valuation experts through compliance with Uniform Standards of Professional Appraisal Practice

Brian Weaver, Appraisal Coordinator
Illinois Department of Financial and Professional Regulation
Chicago, IL

4:15 Ethical Issues for Attorneys in Real Estate Litigation

New Illinois Rules of Evidence, gathering and certifying discovery answers, and other discovery issues; trouble spots in discussions between hiring attorney and the appraiser on land valuation; institution in SLAPP suits

Kim R. Walberg, Esq.
Shefsky & Froelich ~ Chicago, IL

5:15 Evaluations and Adjourn



About the Seminar



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Key features of Illinois land use practice are changing as a result of recent case law and statutory updates. Evolving trends in zoning, new wrinkles in the Illinois discovery process, and important developments in community participation, including major changes to the Klaeren due process rules, are just some of the important changes land use practitioners in Illinois are dealing with.

LSI is pleased to announce an intensive one-day seminar on Real Estate and Land Use Litigation to help address the confusion surrounding these important evolutions in Illinois land use law. Our faculty includes many of the most respected Illinois land use practitioners who will share practical tips and strategies aimed at anybody anticipating being involved in commercial real estate or land use litigation in Illinois. Key topics on the agenda include the Illinois Supreme Court's adoption of the Kirby Rule requiring as-of-taking valuation, the ramifications of the trend in zoning away from the traditional LaSalle standards and SLAPP suits, the emergence of fairness hearings as a community participation and protection tool and ethical issues related to the new discovery rules and the use of appraisers.

We will also discuss the requirements and implementation issues of the controversial new Chicago ordinance requiring mortgagors to pay for maintenance on vacant and abandoned properties.

This seminar is designed for anybody involved in real estate in Illinois, including attorneys, corporate managers, landowners, brokers, appraisers, lenders, consultants and government officials.

You will not want to miss this opportunity to gain a greater clarity on these important and evolving topics in Illinois land use law. Register soon to reserve your seat.

~Program Co-Chairs: Richard F. Friedman, Esq., Neal & Leroy, LLC and Mardell Nereim, Esq., City of Chicago



Richard F. Friedman, *Program Co-Chair*, partner at Neal & Leroy, LLC, is experienced in municipal law, real estate law, public finance, litigation, eminent domain and appellate practice, and is a member of the Managing Group.

Mardell Nereim, *Program Co-Chair*, is the Chief Assistant Corporation Counsel in the Constitutional and Commercial Litigation Division of the City of Chicago's Department of Law. She focuses on constitutional issues, including First and Second Amendment litigation, and land use litigation in state and federal court.

William Aguiar is Assistant Corporation Counsel in the Constitutional and Commercial Litigation Division of the City of Chicago's Department of Law. He is experienced in defending the constitutionality of the city's zoning and other land use ordinances.

Julie A. Bauer, partner in the Litigation Department at Winston & Strawn LLP, has tried cases before state, federal and bankruptcy courts and administrative agencies.

Ronald S. Cope, partner and Chair of the Land Use, Zoning and Eminent Domain Department at Ungaretti & Harris LLP, focuses on local government, land use and financing issues. He is experienced in the creation of TIF Districts, special assessments, special service areas, redevelopment and condemnation of land for public use.

David B. Goodman, member at Shaw Gussis Fishman Glantz Wolfson & Towbin LLC, guides his clients through their complex legal issues in the hope of avoiding litigation or to aggressively protect their interests when litigation is unavoidable. His practice spans the full breadth of commercial litigation.

LaVon M. Johns, partner and Manager of the Real Estate Practice Group at Pugh, Jones & Johnson, P.C., represents commercial and industrial clients in real estate transactions, including acquisitions, dispositions, real-estate based financings, development transactions, office and retail management and leasing relating to real property.

Jacob H. Karaca, partner at Klein Thorpe & Jenkins Ltd., focuses on litigation for municipalities and school districts. He advises clients on municipal issues, including zoning, land-use, planned unit developments, annexation, municipal financing and taxing, and TIF districts.

Michael Rachlis, partner at Rachlis Durham Duff & Adler LLC, is experienced in complex commercial litigation, including various types of contractual disputes, class actions, shareholder derivative suits, insurance coverage actions, intellectual property disputes, partnership and joint venture disputes.

Ruth B. Sosniak, attorney at Noonan & Lieberman, Ltd., focuses on consumer financial services litigation, mortgage foreclosure, real estate, and zoning and land use litigation. Previously, she was a Senior Assistant Corporation Counsel for the City of Chicago's Law Department where her practice focused on low income housing, defense of the City's loan portfolio, property acquisition, and Building and Zoning Code enforcement.

Kim R. Walberg, shareholder at Shefsky & Froelich Ltd., concentrates on commercial litigation, including shareholder disputes, class action defense, construction litigation, zoning litigation, commercial lease disputes, and enforcement of restrictive covenants, as well as defending municipalities in Section 1983 civil rights litigation.

Allen P. Walker, partner at Greene and Letts is experienced in representing for-profit, not-for-profit and municipal corporations in all aspects of commercial, tort and real estate litigation including eminent domain in both state and federal court. He heads the firm's transactional department.

James G. Wargo, partner at Klein, Thorpe & Jenkins, Ltd., concentrates in the areas of school law, municipal law, construction law and litigation.

Brian Weaver is the Appraisal Coordinator at the Illinois Department of Financial and Professional Regulation in the Appraisal Unit.



Registration & Other Seminar Information

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Walk-ins are welcome, subject to space availability.

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Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00

p.m. on Friday, February 24, 2012. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at The Gleacher Center at 450 North Cityfront Plaza Drive in Chicago, IL 60611; (312) 464-8787. For a list of Near North hotels, go to <http://www.choosechicago.com>.

Continuing Education Credits:

Live credits: This program qualifies for IL 7 CLE (includes 1 ethics) pending credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the course materials (either a binder or searchable CD), is available for \$705. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.

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You Will Learn About:

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- *Land use entitlements, vested rights, and the validity of zoning decisions*
- *The New Citizen Participation Act and fairness hearings*
- *New developments in condemnation*
- *Using appraisers effectively in land valuation*
- *Ethical issues for attorneys in real estate litigation*

Watch for our telebriefings on major legal developments.

Members of our distinguished faculties will present analyses of major decisions and other developments as soon as they happen in a one-hour telephone conference.

If you wish to receive announcements for telebriefings that affect you, please make sure we have your email address—send it to me, H. Kate Johnson, President:

kate@lawseminars.com

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Best Practices in Patent Monetization	February 6 & 7, 2012	San Francisco, CA
Developing Applications for Mobile Devices	February 13 & 14, 2012	San Francisco, CA
California's Cap-and-Trade Program for Greenhouse Gas Emissions	February 15, 2012	San Francisco, CA
Winery and Liquor Law in British Columbia	February 27, 2012	Vancouver, BC Canada
Commercial Real Estate Purchases & Sales	March 26 & 27, 2012	Seattle, WA
Commercial Real Estate Leases	April 26 & 27, 2012	Long Beach, CA

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