



**The 2013 IMLA Mid-Year Seminar
April 14-16, 2013
Omni-Shoreham Hotel
Washington, D.C.**

Tentative Program

SATURDAY, APRIL 13, 2013

IMLA Board of Directors Meeting

9:00 am – Noon

Diplomat Ballroom
West End

**State League Counsel and Municipal Attorneys
Association Department Meeting**

3:00 pm – 5:00 pm

Diplomat Ballroom
West End

Chair: William C. Mathewson
General Counsel
Michigan Municipal League
Ann Arbor, Michigan

**Vice
Chair: Robert S. Croom**
Deputy General Counsel &
Director of Legal and
Legislative Affairs
South Carolina
Association of Counties
Columbia, South Carolina

Recorder: JoAngela Woods
General Counsel
Indiana Association of Cities & Towns
Indianapolis, Indiana

SUNDAY, APRIL 14, 2013

IMLA Section and Department Workshops

These small forums provide a unique opportunity for attendees to network, ask questions, share experiences and hear comprehensive presentations from experts from around the country. Workshop participants also review recent case law and the implications for local government lawyers in each practice area.

IMLA Registration and Exhibit Area

8:00 am – 6:00 pm

(Closed 2:00 pm – 4:00 pm)
Diplomat and Palladian Foyer
West End

Personnel Section Workshop

8:45 am – 10:15 am

Room TBA
West End

Chair: Daniel D. Crean
Executive Director
New Hampshire Municipal Association
Pembroke, New Hampshire

“Accommodation” in the Public Workplace

- A. Overview**
- B. Statutory Accommodation under the Civil Rights Act & Other Federal Laws**
- C. The Exercise of Protected Constitutional Rights in the Public Workplace**

Daniel D. Crean

Executive Director

New Hampshire Municipal Association
Pembroke, New Hampshire

Jonathan R. Mook

DiMuroGinsberg, P.C.
Alexandria, Virginia

**Telecommunication & Franchise Section
Workshop**

8:45 am – 10:15 am

Room TBA
West End

Chair: Michael Watza

Attorney
Detroit, Michigan

*Wireless siting: the Issue that Won't Go Away
and Grows in Complexity*

Joseph Van Eaton

Best Best & Krieger, LLP
Washington, DC

*FirstNet: Recent Developments and Current
Uncertainties for Local Governments*

Nicholas P. Miller

Best Best & Krieger, LLP
Washington, DC

*RF Radiation: Smart Meters and Other
Developing Problems*

James R. Hobson

Best Best & Krieger, LLP
Washington, DC

*Developments in the Federal Emergency Alert
System: Cable's Perspective*

Michael Ruger

Senior Director, Government Affairs
Comcast Cable Communications, LLC
Philadelphia, Pennsylvania

Special Session

**I. Special Session on Local Government
Standing Issues**

9:00 am – 10:00 am

Diplomat Ballroom
West End

*Issue That Urges States and Federal
Governments to Expand Local Government
Standing to Enforce State and Federal Consumer
Rights Laws on Behalf of Their Constituents.*

Professor Kathleen Morris

Golden Gate University
San Francisco, California

IMLA Coffee Break

10:15 am – 10:30 am

Diplomat and Congressional Ballroom Foyers
West End

Technology Section Workshop

10:30 am – 11:30 am

Congressional A
West End

Chair: Peter B. Haskel

Executive Assistant City Attorney
Dallas, Texas

Peter B. Haskel

Executive Assistant City Attorney
Dallas, Texas

Special Session

II. Special Session on Tiny House Movement

10:30 am – 11:30 am

Diplomat Ballroom
West End

Speaker TBA

IMLA Welcoming Reception

6:30 pm – 8:00 pm

Diplomat Ballroom
West End

MONDAY, APRIL 15, 2013

**IMLA Networking – Meet to Eat
WONK Breakfast**

7:15 am – 8:30 am
Diplomat Ballroom
West End

IMLA Registration and Exhibit Area

7:30 am – 12 Noon
(Closed 12 Noon – 1:30 pm)
1:45 pm – 5:00 pm
Diplomat and Palladian Foyer
West End

IMLA Monday Speakers' Ready Room

8:00 am – 5:00 pm
Forum Room
West End

Opening Ceremonies

8:30 am – 8:45 am
Palladian Ballroom
West End

**Work Session I – Who's Responsible for Your
Investment Losses: The Fallout from the
Financial Crisis**

8:45 am – 10:15 am
Diplomat Ballroom
West End

I. Overview of current state of investment litigation trends involving municipalities, including the LIBOR rate-fixing antitrust litigation, the municipal bond bid-rigging antitrust litigation, and securities lending litigation;

II. Common obstacles municipalities face in all investment litigation, including reliance on third-party advisors, identifying losses, causation issues, and lack of resources in municipal finance departments; and

III. Tips for handling public records law issues, settlement discussions with city council, and media attention in investment litigation.

Robert R. Marcus
Smith Moore Leatherwood LLP
Charlotte, North Carolina
and

C. Bailey King, Jr.
Smith Moore Leatherwood LLP
Charlotte, North Carolina

**Work Session II - What's New in Takings Law
and Storm Water regulation: Arkansas Game
& Fish Comm'n v. U.S., (S. Ct. No. 11-597) and
Koontz v. St. Johns River Water Mgmt., (S. Ct.
No. 11-1447) and VDOT v. USEPA (USDC EDVA
Civil Action No. 1:12CV775 Jan 3, 2013)**

8:45 am – 10:15 am
Palladian Ballroom
West End

John D. Echeverria
Director, Environmental Law Center
Vermont Law School
South Royalton, Vermont

Tom Donnelly
Counsel and Message Director
Constitutional Accountability Center
Washington, DC

David P. Bobzien
County Attorney
Fairfax, Virginia
and

Marc E. Gori
Assistant County Attorney
Fairfax, Virginia

IMLA Joint Coffee Break

10:15 am – 10:30 am
Diplomat and Palladian Ballroom Foyers
West End

Work Session III –What’s New in Telecommunications

10:30 am – Noon
Palladian Ballroom
West End

The Big Switchout of the National Telephone Network: Proposals and Issues

Thomas C. Power (Invited)
Deputy Chief Technology Officer for Telecommunications
Office of Science & Technology Policy
Executive Office of the President

Local Government Revenues in a Broadband World: Right of Way compensation

Joseph Van Eaton
Best Best & Krieger, LLP
Washington, DC

Local Government Revenues in a Broadband World: Taxation of Telecommunications; taxation of e-commerce

Gerard Lavery Lederer
Best Best & Krieger, LLP
Washington, DC

Work Session IV – Hot Topics

10:30 am – 12 Noon
Diplomat Ballroom
West End

Mary Flynn
Senior Attorney
Federal Emergency Management Agency
U.S. Department of Homeland Security
Washington, DC

Business Continuity with Municipal Limitations

G. Foster Mills
Managing Attorney
New York City, New York

Energy Performance Contracting and Renewable Energy

Steven (Tip) A. Torres
Pannone Lopes Devereaux & West LLC
Providence, Rhode Island

Joint Luncheon: IMLA and Amicus Awards Ceremony

12:10 pm – 1:30 pm
Empire Ballroom
West End

Luncheon Speaker

Francine J. Kerner
Chief Counsel
Transportation Security Administration
U.S. Department of Homeland Security
Washington, DC

Work Session V – A Look at Congress: Federal Legislative Updates

1:45 pm – 3:15 pm
Palladian Ballroom
West End

Edwin Rosado
Legislative Director
National Association of Counties
Washington, DC

Carolyn M. Coleman
Director
Federal Relations
National League of Cities
Washington, DC

Dustin McDonald
Director
Federal Liaison Center
Government Finance Officers Association
Washington, DC

Edward A. Somers
Chief of Staff
The U.S. Conference of Mayors
Washington, DC

Work Session VI – First Amendment Issues

1:45 pm – 3:15 pm

Diplomat Ballroom
West End

*Conflicting Rights to Freedom of Speech in
Public Parks*

Ann E. Walther

Rice, Michels & Walther LLP
Minneapolis, Minnesota
and

Michael J. Salchert

Rice, Michels & Walther LLP
Minneapolis, Minnesota

IMLA Coffee Break

3:15 pm – 3:30 pm

Diplomat and Palladian Ballroom Foyers
West End

**Work Session VII – The Supreme Court in
Review, 2012**

3:30 pm – 5:00 pm

Palladian Ballroom
West End

Moderator: Diane C. Wetherbee
City Attorney
Plano, Texas

Paul D. Clement

Bancroft PLLC
Washington, DC

Professor Jeffrey Rosen

George Washington University Law School
Washington, DC

Elizabeth B. Wydra

Chief Counsel
Constitutional Accountability Center
Washington, DC

Lisa Soronen (invited)

Executive Director
State and Local Legal Center
Washington, DC

Large Population Centers Meeting

Time - TBA
Room - TBA
West End

**Membership Committee Meeting with State
Chairs and Regional Vice Presidents**

Time - TBA
Room - TBA
West End

Co-Chair: Mary Ellen Bench
City Solicitor
Mississauga, Ontario, Canada

Co-Chair: Arthur Gutekunst
Senior Assistant
Corporation Counsel
White Plains, New York

International Committee Business Meeting

5:00 pm - 6:00 pm

Forum Room
West End

Chair: Benjamin E. Griffith
YMD Joint Water Management District
Cleveland, Mississippi

TUESDAY, APRIL 16, 2013

IMLA Registration and Exhibit Area

7:30 am – 12 Noon

Diplomat and Palladian Foyer
West End

Work Session VIII - Insurance

8:00 am – 9:00 am

Palladian Ballroom
West End

John J. Davis

Pierce, Davis & Perritano, LLP
Boston, Massachusetts

Work Session IX – Ethics: 20/20 Vision or Short-Sighted? Ethics, Client Data, the Cloud, and Amended Comment 6 to ABA Model Rule 1.1

9:00 am – 10:15 am

Palladian Ballroom

West End

Peter B. Haskel

Executive Assistant City Attorney

Dallas, Texas

IMLA Coffee Break

10:15 am – 10:30 am

Palladian Ballroom Foyer

West End

Work Session X –10 Years After the Sniper – Media Relations and Ethical Considerations

10:30 am – 11:30 am

Palladian Ballroom

West End

Douglas M. Duncan

Former County Executive

Montgomery County, Maryland

Marc P. Hansen

County Attorney

Montgomery County, Maryland

J. Thomas Manger

Chief of Police

Montgomery County Police Department

Montgomery County, Maryland

Captain Nancy Demme

Director, Training and Education Division

Montgomery County Police Department

Montgomery County, Maryland

David Weaver

NASA Associate Administrator for the

Office of Communications and

Former Montgomery County Maryland Public

Information Officer

Montgomery County, Maryland

Adjournment –See you in San Francisco!

For program details visit www.imla.org