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Be sure to ask for the State Bar of Georgia negotiated base rate when making your reservations. Based on availability.

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104 Marietta Street NW • Atlanta, GA

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- **From the East on I-20:** Take the Windsor-Spring Exit. Turn right on Spring Street. Turn right on Marietta Street.
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<http://www.gabar.org>

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MAIL: ICLE • P.O. Box 1885 • Athens, GA 30603-1885 (make check payable to ICLE)

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note: *If you have any special needs please let us know in advance by calling the ICLE office.*

Duplicate registrations may result in multiple charges to your account. A \$15 administrative fee will apply to refunds required because of duplicate registrations.

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ELEVENTH CIRCUIT APPELLATE PRACTICE INSTITUTE • October 14-15, 2010 • 7472

EARLY REGISTRATION \$385
 ON-SITE REGISTRATION \$405

GOVERNMENT ATTORNEYS:
 EARLY REGISTRATION \$325
 ON-SITE REGISTRATION \$345

I am unable to attend. Please send written materials and bill me. (MATERIALS AND PRICE UNAVAILABLE UNTIL AFTER SEMINAR.)

Early registrations must be received 48 hours before the seminar.

**REGISTER EARLY
 SPACE IS LIMITED!**

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AGENDA

Presiding: *Ivan B. Cooper*, Program Chair, Lightfoot Franklin & White, L.L.C., Birmingham, AL

Planning Committee *Matthew J. Conigliaro*, Program Vice-Chair, St. Petersburg, FL
Marc James Ayers, Birmingham, AL
James F. Bogan, III, Atlanta, GA
Laurie Webb Daniel, Atlanta, GA
Thomas D. Hall, Tallahassee, FL
Adam M. Hames, Atlanta, GA
Christopher J. McFadden, Decatur, GA
Jill A. Pryor, Atlanta, GA
Teresa W. Roseborough, Long Island City, NY
Scott Burnett Smith, Huntsville, AL
William H. Webster, Montgomery, AL
Amy Levin Weil, Atlanta, GA

THURSDAY, OCTOBER 14, 2010

- 8:45 **REGISTRATION AND CONTINENTAL BREAKFAST**
 (All attendees must check in upon arrival. A jacket or sweater is recommended.)
- 9:00 **WELCOME AND OPENING REMARKS**
- 9:05 **A ROUNDTABLE DISCUSSION WITH JUDGE ROSEMARY BARKETT—ONE VIEW FROM THE BENCH**
Hon. Rosemary Barkett, Judge, United States Court of Appeals for the Eleventh Circuit, Miami, FL
- 9:50 **WHAT NOT TO DO—MISTAKES WE HAVE SEEN**
Moderator: *Rachel Lary*, Lightfoot Franklin & White, L.L.C., Birmingham, AL; former Law Clerk to Chief Judge Joel F. Dubina
Panelists:
Lawrence R. Sommerfeld, Assistant United States Attorney, Chief, Appellate Section, Atlanta, GA; former Law Clerk to Judge Frank M. Hull
Mary Webb Pyrdum, Bondurant, Mixson & Elmore, LLP, Atlanta, GA; former Law Clerk to Judge R. Lanier Anderson
- 10:50 **BREAK**
- 11:00 **BREAKOUT SESSION WITH JUDGES**
Hon. Joel F. Dubina, Chief Judge, United States Court of Appeals for the Eleventh Circuit, Montgomery, AL
Hon. Stanley F. Birch, Jr., Judge, United States Court of Appeals for the Eleventh Circuit, Atlanta, GA
Hon. Rosemary Barkett, Judge, United States Court of Appeals for the Eleventh Circuit, Miami, FL
Hon. James C. Hill, Judge, United States Court of Appeals for the Eleventh Circuit, Jacksonville, FL
Hon. Frank M. Hull, Judge, United States Court of Appeals for the Eleventh Circuit, Atlanta, GA
Hon. Beverly B. Martin, Judge, United States Court of Appeals for the Eleventh Circuit, Atlanta, GA
Hon. Phyllis A. Kravitch, Judge, United States Court of Appeals for the Eleventh Circuit, Atlanta, GA
- 12:00 **LUNCHEON AND FEATURED REMARKS**
Introduction: *Kevin C. Newsom*, Bradley Arant Boult Cummings, Birmingham, AL
Featured Speaker: *Beth S. Brinkmann*, Deputy Assistant Attorney General for Appellate Civil Division, United States Department of Justice, Washington, DC
- 1:30 **WALK TO COURTHOUSE**
- 2:00 **EFFECTIVE WRITING AND EDITING: THOMAS JEFFERSON, HANK WILLIAMS, AND OTHERS**
Hon. Ed Carnes, Judge, United States Court of Appeals for the Eleventh Circuit, Montgomery, AL
- 3:15 **BREAK**
- 3:30 **MOCK ORAL ARGUMENT: IS A BAN ON SALE OF VIOLENT VIDEO GAMES TO MINORS UNCONSTITUTIONAL?**
Judges:
Hon. Charles R. Wilson, Judge, United States Court of Appeals for the Eleventh Circuit, Tampa, FL
Hon. William H. Pryor, Jr., Judge, United States Court of Appeals for the Eleventh Circuit, Birmingham, AL
Hon. R. Lanier Anderson, III, Judge, United States Court of Appeals for the Eleventh Circuit, Macon, GA
Advocates:
John C. Neiman, Jr., Bradley Arant Boult Cummings, Birmingham, AL
Chilton D. Varner, King & Spalding LLP, Atlanta, GA

- 5:15 **RECEPTION AT GEORGIA BAR CENTER**
- 7:30 **ROUND-ROBIN DINNER FOR FACULTY AND ATTENDEES**
 (local restaurants)

FRIDAY, OCTOBER 15, 2010

- 8:00 **CONTINENTAL BREAKFAST**
- 8:30 **MEET THE NEW CLERK**
John Ley, Clerk, United States Court of Appeals for the Eleventh Circuit, and Staff, Atlanta, GA
- 9:30 **BREAK**
- 9:45 **CIVIL/CRIMINAL BREAKOUT SESSIONS**
- Civil: Appellate Mediation**
Donald Hawbaker, Chief Eleventh Circuit Mediator; Kinnard Mediation Center, Atlanta, GA
Hon. Stanley F. Birch, Jr., Judge, United States Court of Appeals for the Eleventh Circuit, Atlanta, GA
- Criminal: What Exactly is an Anders Brief, and When Should I File One?**
Moderator: *Rosemary T. Cakmis*, Assistant Federal Defender, Chief, Appellate Division, Tampa, FL
Panelists:
John L. Badalamenti, Assistant Federal Defender, Appellate Division, Tampa, FL
Lynn Gitlin Fant, Attorney at Law, Waco, GA
Glennon F. Threatt, CJA Resource Counsel, Birmingham, AL
- 10:45 **CIVIL/CRIMINAL BREAKOUT SESSIONS**
- Civil: Small Windows—When and How to Seek Interlocutory Review in Civil Cases**
Moderator: *William H. Webster*, Webster, Henry, Lyons, White, Bradwell & Black, P.C., Montgomery, AL
Panelists:
D. Leale McCall, Hill Hill Carter Franco Cole & Black, Montgomery, AL
M. Christian King, Lightfoot Franklin & White, L.L.C., Birmingham, AL
Richard B. Rosenthal, The Law Offices of Richard B. Rosenthal, P.A., Miami, FL
- Criminal: Sentencing in the Eleventh Circuit—In Search of a Reasonable Sentence**
Moderator: *Richard H. Deane, Jr.*, Jones Day, Atlanta, GA
Panelists:
David P. Rhodes, Chief, Appellate Division, United States Attorney's Office, Middle District of Florida, Tampa, FL
Tommy Spina, Attorney at Law, Birmingham, AL
James E. Felman, Kynes Markman & Felman, P.A., Tampa, FL
- 11:45 **BREAK**
- 12:00 **Q & A WITH JUDGES / LUNCH**
Moderator: *Scott D. Makar*, Solicitor General, State of Florida, Tallahassee, FL
Panelists:
Hon. Stanley F. Birch, Jr., Judge, United States Court of Appeals for the Eleventh Circuit, Atlanta, GA
Hon. Susan H. Black, Judge, United States Court of Appeals for the Eleventh Circuit, Jacksonville, FL
Hon. James C. Hill, Judge, United States Court of Appeals for the Eleventh Circuit, Jacksonville, FL
Hon. Gerald B. Tjoflat, Judge, United States Court of Appeals for the Eleventh Circuit, Jacksonville, FL
- 1:15 **SUPREME COURT UPDATE**
Paul D. Clement, King & Spalding, Washington, DC
- 2:15 **AMICUS PRACTICE**
Moderator: *Marc James Ayers*, Bradley Arant Boult Cummings, Birmingham, AL
Panelists:
Bryan S. Gowdy, Creed & Gowdy, Jacksonville, FL
Michael B. Terry, Bondurant, Mixson & Elmore, LLP, Atlanta, GA
- 3:15 **ADJOURN**

CANCELLATION POLICY

Cancellations reaching ICLE by 5:00 p.m. the day before the seminar date will receive a registration fee refund less a \$15.00 administrative fee. Otherwise, the registrant will be considered a "no show" and will not receive a registration fee refund. Program materials will be shipped after the program to every "no show." Designated substitutes may take the place of registrants unable to attend.



SEMINAR REGISTRATION POLICY

Early registrations must be received 48 hours before the seminar. ICLE will accept on-site registrations as space allows. However, potential attendees should call ICLE the day before the seminar to verify that space is available. All attendees must check in upon arrival and are requested to wear name tags at all times during the seminar. ICLE makes every effort to have enough program materials at the seminar for all attendees. When demand is high, program materials must be shipped to some attendees.