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**11th Annual Conference!**

# Eminent Domain

**Has *Kelo* Gone Too Far?**

**August 10-11, 2006 • Adam's Mark Hotel • Downtown Denver**

## **Who Should Attend:**

- Attorneys
  - Judges
  - Government Officials
  - Appraisers
  - Real Estate Professionals
  - Engineers
  - Landowners
  - Developers
  - Consultants
  - Planners
  - Right-of-Way Professionals
- ... anyone involved in land valuation and condemnation in the West!

As we have done for the past 10 years, CLE International has brought together the industry's most knowledgeable and experienced eminent domain professionals to provide you with the education you need to keep abreast of this ever-changing field. This year's faculty will bring you the latest national and local updates and evolving issues and solutions that will affect you and your clients. To keep on top of all the recent and upcoming changes, you must attend this Conference!

## **Featured Presentation:**

### Legislative Roundtable

- State Representative Terrence Carroll explains his opposition to new eminent domain legislation.
- Bob Hoban of Hale Friesen gives an insider's perspective on what went into drafting the proposed new legislation.
- Erin Goff, Staff Attorney and Chief Lobbyist on eminent domain issues for the Colorado Municipal League, defends the current laws and explains why the Colorado Municipal League opposes the new legislation.



Visit our website at [cle.com](http://www.cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

Register Online at [www.cle.com](http://www.cle.com) or Call (303) 377-6600  
Conference Schedule and Speaker Biographies Inside 

**Thursday, August 10****Friday, August 11**

- 8:30 Registration and Continental Breakfast
- 9:00 **Introduction and Welcome**  
*Jack R. Sperber, Esq., Program Chair*  
*Faegre & Benson, Denver*
- 9:15 **National Law Update**  
An Analysis of Important Legal Developments  
*Leslie A. Fields, Esq.*  
*Faegre & Benson, Denver*
- 10:15 Morning Break
- 10:30 **Condemnation Process and Procedure**  
An Overview of the Basic Law, Procedures and Practice in Colorado Eminent Domain Proceedings  
*Mark E. May, Esq.*  
*May and Associates, Centennial*
- 11:15 **Using Contracts to Purchase as Evidence in Urban Renewal Condemnations**  
Project Influence and Other Concerns  
*Timothy J. Flanagan, Esq.*  
*Fowler, Schimberg & Flanagan, Denver*
- 12:00 Lunch Break
- 1:30 **The Sheridan Urban Renewal Project**  
Legal and Practical Issues  
*Donald M. Ostrander, Esq.*  
*Duncan, Ostrander & Dingess, Denver*  
*Kenneth K. Skogg, Esq.*  
*Lowe, Fell & Skogg, Denver*
- 2:30 **The Uniform Relocation Act**  
Recent Amendments  
*Margie Newman, SRWA and Manager, Special Projects*  
*Lee Satterfield, President and Principal*  
*H.C. Peck & Associates, Littleton*
- 3:15 Afternoon Break

- 3:30 **Featured Presentation—  
Legislative Roundtable**  
A Look Back at the Bills Proposed and a Look Ahead to How the Results Will Affect Future Eminent Domain Proceedings  
*Erin Goff, Esq., Staff Attorney*  
*Colorado Municipal League, Denver*  
*Robert T. Hoban, Esq.*  
*Hale Friesen, Denver*  
*Representative Terrence Carroll, District 7*  
*Colorado State House of Representatives, Denver*

- 4:45 Q&A Panel  
*Members of the Faculty*
- 5:00 Adjourn

- 8:30 Continental Breakfast
- 9:00 **Introduction**  
*Jack R. Sperber, Esq., Program Chair*
- 9:15 **Can the Parts Be Worth More Than the Whole?**  
Just Compensation for Easements  
*Jack R. Sperber, Esq., Program Chair*
- 10:00 Morning Break
- 10:15 **Legal Instructions in a Condemnation Case**  
Instructions the Jury Can Understand  
*William M. Schell, Esq.*  
*Opperman & Schell, Denver*
- 11:15 **Damages and Benefits Revisited**  
Establishing the Evidence  
*Robert R. Duncan, Esq.*  
*Duncan Ostrander & Dingess, Denver*
- 12:00 Lunch Break
- 1:30 **Appraisal Case Study**  
Determining Just Compensation for the Marshall Islands Atomic Testing  
*Wayne L. Hunsperger, President, MAI, SRA*  
*Hunsperger & Weston, Greenwood Village*
- 2:30 Afternoon Break
- 2:45 **Water Rights Acquisitions and Related Issues**  
Takings and Damages  
*Wayne B. Schroeder, Esq.*  
*Grimshaw & Haring, Denver*
- 3:30 **Ethics**  
Staying on the Right Side of the Line for Trial Lawyers and Litigants  
*Traci Van Pelt, Esq.*  
*McConnell Siderius Fleischer Houghtaling & Craigmile, Denver*
- 4:30 Q&A Panel  
*Members of the Faculty*
- 4:45 Evaluations and Adjourn

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Dates!

Commercial Leases  
July 28, Honolulu  
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September 11-12, Phoenix  
Land Use Law  
September 14-15, Tampa

Western Water Law  
SuperConference  
September 25-26, Las Vegas  
Film & Television Law  
September 28-29, Los Angeles

For more information about these and other programs, visit our website at [www.cle.com](http://www.cle.com).

## Eminent Domain

# meet your faculty

<p><b>Program Chair</b></p> <p><b>Jack R. Sperber</b> represents landowners, developers, tenants and condemners in a wide variety of complex eminent domain cases. He has counseled many landowners in acquisitions by the E-470 Public Highway Authority, CDOT, RTD and other governmental entities in all aspects of condemnation and relocation benefits. He has also represented water and sanitation districts, pipeline companies, public utilities and governments in all phases of the land acquisition process.</p>	<p><b>Leslie A. Fields</b> is a nationally-recognized eminent domain expert. She has represented private landowners in the condemnation of approximately 15,000 acres of land, mineral and water rights for Denver International Airport, one of the largest condemnations in Colorado history.</p> <p><b>Timothy J. Flanagan</b> is a Special Assistant Attorney General in Nebraska, advising the State on interstate water matters. His litigation practice emphasizes water rights, eminent domain and construction disputes. He has tried over 250 commercial cases. Approximately 60 of his clients' cases are officially reported.</p>	<p><b>Lee Satterfield</b> boasts a 12-year career in right-of-way acquisitions and relocation. She is Relocation Certified and has been certified as an Instructor of relocation courses by the International Right of Way Association. Presently, she is working with Carter Burgess on the Connecticut Department of Transportation's New Britain Busway Project.</p> <p><b>William M. Schell</b> is one of Colorado's most seasoned and admired eminent domain attorneys. For over 20 years, Mr. Schell has practiced eminent domain, takings and condemnation law. He represents either property owners or condemning authorities. While an advocate for his clients, he provides an objective assessment of both sides of any dispute.</p>
<p><b>Featured Presenters</b></p> <p><b>Terrence Carroll</b> is District 7's delegate in the Colorado State House of Representatives. He is Chairman of the State Judiciary Committee. Other Committee assignments include the State Veteran and Military Affairs and the Legal Services Committees.</p> <p><b>Erin Goff</b> works with municipal attorneys throughout Colorado analyzing and resolving municipal legal problems. She assists in training and answering legal inquiries for other municipal officials, and coordinates the League's Annual Seminar each fall.</p> <p><b>Robert T. Hoban</b> specializes in land use, eminent domain, public policy, and governmental relations. He represents both private and governmental entities in all aspects of eminent domain proceedings. In addition, he has assisted numerous governmental officials in drafting legislation.</p>	<p><b>Wayne L. Hunsperger</b> focuses on eminent domain, environmentally impaired properties and other complex real estate appraisal issues. His projects have included valuation of high-amenity natural land located in both a national park and a Native American tribal reservation, and development of a valuation methodology to be used in Colorado for estimating loss of use and enjoyment, environmental damages and post-remediation stigma.</p> <p><b>Mark E. May</b> has been practicing law since 1982, specializing in real estate condemnation, real estate foreclosure, property tax, municipal law and special districts law. He served as an Assistant Attorney General for Colorado from 1984-1986.</p> <p><b>Margie Newman</b> specializes in the planning, coordination and implementation of right-of-way services on federally assisted projects for highways, light and commuter rails. Previously, as Real Property Manager with RTD, she was responsible for all property management and land acquisition projects. Major projects included the Light Rail Projects.</p>	<p><b>Wayne B. Schroeder</b> has practiced water, environmental and eminent domain law since 1970, when he joined the staff of the Denver Water Board, and was later appointed as an Assistant Attorney General for the State of Colorado, representing principally the State Department of Highways. He has tried or settled hundreds of water and environmental, eminent domain and inverse condemnation cases, and has offered argument over 50 times in various appellate courts.</p> <p><b>Kenneth K. Skogg</b> specializes in complex commercial litigation with an emphasis on real estate and eminent domain at all levels of state court, the U.S. District Court for the District of Colorado, and the Tenth Circuit Court of Appeals. He is a frequent lecturer on eminent domain law and practice.</p>
<p><b>Robert R. Duncan</b> focuses on right-of-way acquisitions for governmental entities, eminent domain law, private condemnation, highway access matters, real estate law and civil litigation. Current and past clients include: private landowners and developers, the E-470 Public Highway Authority and the Colorado Department of Transportation.</p>	<p><b>Donald M. Ostrander</b> concentrates on condemnation, urban renewal, regulatory takings, and trespass actions. He began his practice at the Colorado Attorney General's office. He has lectured and written on eminent domain, condemnation cases and valuation issues.</p>	<p><b>Traci Van Pelt</b> handles a variety of complex civil cases. The current focus of her practice is the defense of legal and medical professionals in malpractice and professional liability cases. Before beginning her own firm in 2001, she worked for Long &amp; Jaudon. Her career began as a civil litigator in San Francisco at Bronson, Bronson &amp; McKinnon.</p>

# conference information

<p><b>Continuing Education Credit</b></p> <p><b>MCLE:</b> This course has been accredited by the Colorado Board of Continuing Legal and Judicial Education for a maximum of 13 hours of credit, including one hour of legal ethics.</p> <p><b>DRE:</b> This course meets the requirements for 13 hours of credit for the Colorado Division of Real Estate.</p> <p><b>Appraisers:</b> This course meets the requirements of the State of Colorado Board of Real Estate Appraisers for 13 classroom hours toward the general requirement.</p> <p>For accreditation in other jurisdictions or disciplines, please contact Shauna Kraczek at (303) 377-6600 or shauna@cle.com.</p> <p><b>Tuition</b></p> <p>The tuition fee of \$695 per person (\$595 for 501(c)(3) organizations, full-time judges, law students, and paralegals) includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks.</p> <p><b>Save When Two or More Register</b></p> <p>Save \$200 or more with our multiple registrant discount! For two or more registering from the same firm, the tuition fee is only \$595 per person (\$495 for 501(c)(3) organizations, full-time judges, law students and paralegals).</p>	<p><b>Reserve Your Room Early</b></p> <p>The Conference will be held at the Adam's Mark Hotel, 1550 Court Place, Denver Colorado 80202. To secure your space and get the lowest rates, please contact Community World Travel at (303) 316-4833, or www.communityworldtravel.com.</p> <p><b>Registration</b></p> <p>Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, register online at www.cle.com, or e-mail your registration to registrar@cle.com. Full payment is due at the time of registration. Walk-in registrations will be subject to space availability. Please call <b>CLE INTERNATIONAL</b> at (303) 377-6600 if you require any special accommodations.</p> <p><b>Homestudy Package</b></p> <p>If you cannot attend, <b>CLE INTERNATIONAL</b> also offers a complete audio transcript of the Conference (including all course materials) for \$695 plus \$10 shipping and handling. This package may qualify for self study credit.</p> <p><b>Cancellation</b></p> <p>Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday prior to the Conference. Substitutions may be made at any time.</p>	<p><b>Course Materials</b></p> <p>Each registrant will receive a set of course materials, prepared by the speakers especially for this Conference, which will be a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p><b>Sponsorship Information</b></p> <p>Sponsorship and exhibition opportunities are still available. For more information, please contact Shauna Kraczek at (303) 377-6600 or shauna@cle.com.</p> <p><b>About CLE International</b></p> <p><b>CLE INTERNATIONAL</b>, a leading provider of continuing professional education, has been presenting high-quality programs nationwide since 1983. <b>CLE INTERNATIONAL</b> is a recognized sponsor by the State of Colorado Supreme Court Board of Continuing Legal and Judicial Education, and in every state with mandatory CLE requirements.</p> <p><b>CLE International Managing Program Attorney:</b> <b>Heidi A. Ray, heidi@cle.com.</b></p> <p><b>CLE International Program Coordinator:</b> <b>Kristyn Schenderlein, kristy@cle.com.</b></p>
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11th Annual Conference!

# Eminent Domain

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August 10-11, 2006 • Adam's Mark Hotel • Downtown Denver

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# Eminent Domain

Eminent Domain Legislation—Out with the Old and in with the New?

August 10-11, 2006 • Adam's Mark Hotel • Downtown Denver

**National Law Update • Damages and Benefits Revisited**

**Appraisal Case Study • Condemnation Process and Procedure**

**The Sheridan Urban Renewal Project**

**Water Rights Acquisitions and Related Issues**

**A Look Back at the Bills Proposed and a Look Ahead to How the  
Results Will Affect Future Eminent Domain Proceedings**

