



The Best Faculty.
The Best Experience.
Since 1983.

BACK IN TAMPA

REGULATORY & JUDICIAL TAKINGS

The *Beach Renourishment* Case and its Implications

May 19-20, 2011 • Sheraton Riverwalk Hotel • Tampa

Featured Panel Presentation

A Discussion of the *Stop the Beach Renourishment v. Florida DEP* Case and Other Coastal Takings Issues



James S. Burling, Esq., Director of Litigation
Pacific Legal Foundation, Sacramento

Mr. Burling has been with Pacific Legal Foundation since 1983. His cases involve regulatory takings, environmental and land use regulations, eminent domain, and Indian law. In 2001, he successfully argued a leading property rights case, *Palazzolo v. Rhode Island*, before the U.S. Supreme Court. He is a frequent lecturer at continuing legal education courses on topics such as the regulation of wetlands, eminent domain and the "taking" of private property. He is also the Chairman of the Federalist Society's Environmental Law and Property Rights Practice Group.



Martha M. Collins, Esq.
Collins Law Group, Tampa

Ms. Collins is the founder of Collins Law Group, where she has successfully litigated, lobbied, and negotiated for many of Florida's largest precedent-setting environmental and land use cases and policies. She has appeared before numerous governmental agencies in Florida and Washington, DC, including, the Florida Governor, Cabinet and Legislature, and members of the U.S. Congress. Her work has been quoted or referenced in the *New York Times*, the *Washington Post*, *Forbes*, *Politico*, *National* and *Florida Public Radio*, and newspapers across the country and world. Ms. Collins is Vice Chair for the Environmental and Land Use Section of the Florida Bar.



Scott D. Makar, Esq., Solicitor General
Office of the Attorney General, Tallahassee

Mr. Makar has been Solicitor General for the State of Florida since February 2007. The position, first established in February 1999, is patterned in part after the U.S. Office of the Solicitor General, which conducts litigation on behalf of the United States in the U.S. Supreme Court and supervises the handling of litigation in federal appellate courts. Florida's Solicitor General serves three primary roles: overseeing civil appeals involving the State's interests in all state and federal appellate courts as well as all appeals in the U.S. Supreme Court; teaching at the Florida State University College of Law; and serving as a legal policy advisor to the Attorney General.



Gary Oldehoff, Esq.
Lewis, Stroud & Deutsch, Boca Raton

Mr. Oldehoff concentrates his practice on complex litigation, land use and development law, constitutional law, civil rights law, employment law, and appellate law, with an emphasis on local government representation. He has extensive trial and appellate experience before state and federal administrative agencies, as well as state and federal trial and appellate courts. He has special expertise in local government law and in land use law and constitutional law, and he regularly lectures on land use topics.



D. Kent Safriet, Esq.
Hopping Green & Sams, Tallahassee

Mr. Safriet argued the *Beach Renourishment* case, a seminal property rights takings case, before the U.S. Supreme Court on December 2, 2009. He routinely represents clients in civil litigation and appeals before State and Federal courts. His practice focuses on claims under the Bert Harris Act, land use and development approvals, regulatory takings, coastal regulation and permitting issues, CERCLA Superfund Actions, aquaculture issues, endangered species issues, and solid and hazardous waste issues.

Schedule and Information inside

REGISTER NOW! www.cle.com/takings or (800) 873-7130

8:30 Registration and Continental Breakfast

9:00 **Welcome and Introduction**

Overview of Day One

Margaret L. Cooper, Esq., Program Co-Chair
Jones, Foster, Johnston & Stubbs, West Palm Beach**Ronald L. Weaver, Esq., Program Co-Chair**
Stearns Weaver Miller Weissler Alhadeff & Sitterson, Tampa9:15 **Featured Presentation**

The Double Fallacy of Judicial Takings

Michael Allan Wolf, Esq., PhD
Professor and Richard E. Nelson Chair
in Local Government Law

University of Florida Levin College of Law, Gainesville

10:15 Networking Break

10:30 **Appraisal Aspects of Takings Law**

In Regulatory Takings, Is the Appraiser's Appraisal Credible?

Michael Y. Cannon, MAI, SRA, ASA, FRICS, CRE
Executive Director
Integra Realty Resources, Miami**Stephen J. Matonis, MAI, MRICS, President**
Integra Realty Resources, Orlando11:30 **Alternatives to Litigation**

Recent Case Law and the Applicability of Statutes of Limitations to Regulatory Takings Claims

John R. Herin Jr., Esq.
Stearns Weaver Miller Weissler Alhadeff & Sitterson, Tampa

12:15 Lunch Break

1:30 **The Bert Harris Act**

Recent Developments; Mediation Update

Amy B. Boulris, Esq.
Brigham Moore, Coral Gables**Ronald L. Weaver, Esq., Program Co-Chair**

2:30 Networking Break

2:45 **Ripeness Aspects of the Bert Harris Act**

Deciding Whether a Claim is Ready for Adjudication

Margaret L. Cooper, Esq., Program Co-Chair3:45 **Voting Referenda**

And the Comprehensive Planning Act

Joanne M. O'Connor, Esq.
Jones, Foster, Johnston & Stubbs, West Palm Beach4:30 **The Rails-to-Trails Statute**

Takings Cases Involving the Statute

Danaya C. Wright, Visiting Professor of Law
Georgetown Law Center, Washington, DC

5:15 Adjourn

8:30 Continental Breakfast

9:00 **Welcome Back**

Overview of Day Two

Margaret L. Cooper, Esq., Program Co-Chair
Ronald L. Weaver, Esq., Program Co-Chair9:15 **Zoning for Private and Charter Schools**

Takings and Other Issues

Stanley B. Price, Esq.
Bilzin Sumberg Baena Price & Axelrod, Miami

10:00 Networking Break

10:15 **Development Exactions as Takings**

Case Law Update

Amy B. Boulris, Esq.
Ronald L. Weaver, Esq., Program Co-Chair11:00 **Ethics**

Considerations for Environmental Practitioners

Deborah A. Ruster, Esq.
Peterson & Myers, Lake Wales

12:00 Lunch Break

1:15 **Featured Panel Presentation**A Discussion of the *Stop the Beach Renourishment v. Florida DEP* Case and Other Coastal Takings Issues**James S. Burling, Esq., Director of Litigation**
Pacific Legal Foundation, Sacramento, CA**Martha M. Collins, Esq.**
Collins Law Group, Tampa**Scott D. Makar, Esq., Solicitor General**
Office of the Attorney General, Tallahassee**Gary Oldehoff, Esq.**
Lewis, Stroud & Deutsch, Boca Raton**D. Kent Safriet, Esq.**
Hopping Green & Sams, Tallahassee**Moderator: Michael Allan Wolf, Esq., PhD**
Professor and Richard E. Nelson Chair in Local
Government Law

3:30 Networking Break

3:45 **Alternative Remedies to Judicial Takings Claims**Equal Protection; Declaratory Judgment; *Certiorari* Review**John W. Little III, Esq.**
Brigham Moore, West Palm Beach4:30 **Damages**

Aspects of Bert Harris and Other Takings Claims

H. Adams Weaver, Esq.
Jones, Foster, Johnston & Stubbs, West Palm Beach

5:15 Evaluations and Adjourn

MEET YOUR DISTINGUISHED FACULTY

PROGRAM CO-CHAIRS

Margaret L. Cooper handles a variety of complex commercial and business litigation matters, with particular emphasis on cases involving real estate and zoning litigation, employment law issues, and general commercial litigation and appeals. She is a Board Certified Lawyer in both Civil Trial and Business Litigation. She is a former Chairman of the Florida Bar Grievance Committee, 15th Judicial Circuit, and a member of the Florida Bar Judicial Procedures Nominating Committee. She has been recognized as one of the Top Lawyers in South Florida by the South Florida Legal Guide.

Ronald L. Weaver is the Chairman of the Land Use, Environment and Government Affairs Department at his firm. He has extensive experience in advising landowners, development companies and local governments in environmental, land use and property rights law and real estate acquisition and financing. He has conducted land use, environmental, zoning, Developments of Regional Impact (DRI), comprehensive plan, and concurrency due diligence for the acquisition and development of over \$3 billion worth of Florida property in 30 different counties and 50 cities, including a \$600 million due diligence of 12 properties for one acquisition/financing.

FEATURED PRESENTERS

James S. Burling, Esq.
Director of Litigation
Pacific Legal Foundation, Sacramento

Martha M. Collins, Esq.
Collins Law Group, Tampa

Scott D. Makar, Esq., Solicitor General
Office of the Attorney General, Tallahassee

Gary Oldehoff, Esq.
Lewis, Stroud & Deutsch, Boca Raton

D. Kent Safriet, Esq.
Hopping Green & Sams, Tallahassee

Michael Allan Wolf, Esq., PhD
Professor and Richard E. Nelson Chair
in Local Government Law
University of Florida Levin College of Law
Gainesville

FACULTY

Amy B. Boulris, Esq.
Brigham Moore, Coral Gables

Michael Y. Cannon, MAI, SRA, ASA, FRICS,
CRE, Executive Director
Integra Realty Resources, Miami

John R. Herin Jr., Esq.
Stearns Weaver Miller Weissler Alhadeff &
Sitterson, Tampa

John W. Little III, Esq.
Brigham Moore, West Palm Beach

Stephen J. Matonis, MAI, MRICS, President
Integra Realty Resources, Orlando

Joanne M. O'Connor, Esq.
Jones, Foster, Johnston & Stubbs
West Palm Beach

Stanley B. Price, Esq.
Bilzin Sumberg Baena Price & Axelrod, Miami

Deborah A. Ruster, Esq.
Peterson & Myers, Lake Wales

H. Adams Weaver, Esq.
Jones, Foster, Johnston & Stubbs
West Palm Beach

Danaya C. Wright
Visiting Professor of Law
Georgetown Law Center, Washington, DC

4 EASY WAYS TO REGISTER

1 www.cle.com/takings

2 **FAX**
(303) 321-6320

3 **PHONE**
(800) 873-7130

4 **MAIL**
CLE INTERNATIONAL
1620 Gaylord Street
Denver, CO 80206

YES! Please register the following:

Name: _____

Email: _____

Name: _____

Email: _____

Name: _____

Email: _____

Firm: _____

Address: _____

City: _____

State: _____ Zip+4: _____

Phone: _____ Fax: _____

Cancellation

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.

Tuition

- ☐ \$795 per person
- ☐ \$695 each for two or more
- ☐ \$695 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- ☐ \$595 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

Home Study

Audio transcript and course materials
☐ \$795 plus \$10 shipping and handling

Course Materials Only

- ☐ \$150 plus \$10 shipping and handling

Course materials available in: ☐ CD ☐ Binder
☐ Both (Extra cost: \$50/set)

Payment

Check payable to CLE International \$ _____ or

- ☐ charge my:
- ☐ VISA ☐ MASTERCARD ☐ AMEX Expiration Date: _____

Card No. _____

Signature _____



The Best Faculty.
The Best Experience.
Since 1983.

BACK IN TAMPA

REGULATORY & JUDICIAL TAKINGS

The *Beach Renourishment* Case and its Implications

May 19-20, 2011 • Sheraton Riverwalk Hotel • Tampa

Program Co-Chairs



Margaret L. Cooper, Esq.
Program Co-Chair
Jones, Foster, Johnston & Stubbs
West Palm Beach



Ronald L. Weaver, Esq.
Program Co-Chair
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, Tampa

REGISTER NOW! www.cle.com/takings or (800) 873-7130



The Best Faculty.
The Best Experience.
Since 1983.

BACK IN TAMPA

REGULATORY & JUDICIAL TAKINGS

Keeping Up with Changes in the Law

May 19-20, 2011 • Sheraton Riverwalk Hotel • Tampa

Featured Presentation

The Double Fallacy of Judicial Takings



Michael Allan Wolf, Esq., PhD
Richard E. Nelson Chair in Local Government Law
University of Florida Levin College of Law, Gainesville

Professor Wolf has been teaching and writing for over 25 years in the areas of land use planning, environmental law, property, local government, urban revitalization, and legal and constitutional history. His recent publications include: *Land Use Planning and the Environment: A Casebook* (2010, with Charles Haar), *Powell on Real Property: Michael Allan Wolf Desk Edition* (2009), and *The Zoning of America: Euclid v. Ambler* (2008). *Powell on Real Property* is the most prominent treatise in the area and is regularly cited by state and federal courts.

**Earn up to 15 Hours MCLE Credit
Including One Hour of Ethics**

Sheraton Riverwalk Hotel
200 North Ashley Drive
Tampa, FL 33602

For Hotel Reservations
Community World Travel
(888) 724-0500
www.cletravelinfo.com

REGISTER NOW! www.cle.com/takings or (800) 873-7130