

# Effective Motion Practice

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**Thursday, October 11, 2018**

9 a.m.–4:30 p.m.

**Oregon State Bar Center**

16037 SW Upper Boones Ferry Rd., Tigard

CLE credits: 5.25 General and 1 Ethics

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Most lawsuits are not determined at trial. The effective use of motions can make or break your case. With perspectives from both plaintiff's and defense counsel, our seasoned litigators will share valuable insights and practice tips to strengthen your motions. Examine effective ORCP 21 and FRCP 12 motions and learn how to craft a discovery plan tailored to your case. Discover ways to effectively argue (or oppose) summary judgment motions before the court, and take a look at trial motions, including motions *in limine* and motions for a directed verdict or mistrial. Post-trial motions will review JNOV, new trials, and remittitur. In addition, review ethical considerations for motion practice and gain an understanding of anti-SLAPP motions.

**Register by 10/8/18 and save \$20.**

## LIVE EVENT



### Early registration discount

*Register by 10/8/18 and save \$20*

\$125 ONLD member

\$200 OSB member

\$210 Non-OSB member

\$15 Box lunch

\$15 Print course materials  
*(Electronic materials are included with your registration.)*

## LIVE WEBCAST



\$200 Webcast registration  
*(Includes online access to recorded seminar for 60 days after the live event.)*



### Questions or need help with registration?

Call the OSB CLE Service Center:  
**(503) 431-6413 or (800) 452-8260, ext. 413**

50-Year and Active Pro Bono OSB members and Oregon judges and their lawyer staff – please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413 to register for the live seminar.

- 8:00 Registration**
- 9:00 Anti-SLAPP Motions: Challenging Claims Arising from Speech**
- When the statute applies
  - Evidence plaintiffs must present in order to survive
  - Potential defenses plaintiffs need to overcome
  - Attorney fees
- Clifford Davidson, Sussman Shank LLP, Portland**
- 9:45 Motions Against Pleadings**
- Effective ORCP 21 and FRCP 12 motions
  - Tips, traps, and pitfalls
  - Perspectives from plaintiff, defense, and the bench
- The Honorable Youlee You, U.S. District Court for the District of Oregon, Portland**
- Stephen Brischetto, Attorney at Law, Portland**
- Xin Xu, Xin Xu Law Group, Portland**
- 10:30 Break**
- 10:45 Discovery Motions – Take the High Road and Keep Your Eyes on the Prize**
- Craft a discovery plan tailored to your case
  - Respond to discovery requests reasonably and thoroughly
  - Consider preemptive protective orders for overly broad requests
  - Seek sanctions only for clear discovery violations
- C. Marie Eckert, Miller Nash Graham & Dunn LLP, Portland**
- Leslie Johnson, Samuels Yoelin Kantor LLP, Portland**
- 11:45 Lunch (Brown bag lunches are welcome or you may purchase a box lunch when registering.)**
- 12:30 Ethical Considerations for Motion Practice**
- Ex parte communications
  - Conferring
  - Providing adverse legal authority
  - Privilege offense and defense
- Nena Cook, Ater Wynne LLP, Portland**
- 1:30 Summary Judgment Motions Under FRCP 56 and ORCP 47**
- Differences between federal and state rules
  - Presenting your best written argument
  - Effectively arguing your motion or opposition before the court
  - Practical considerations in both state and federal courts
- Courtney Angeli, Buchanan Angeli Altschul & Sullivan LLP, Portland**
- Julie Vacura, Larkins Vacura Kayser LLP, Portland**
- Richard Vangelisti, Vangelisti LLP, Portland**
- 2:30 Break**
- 2:45 Trial Motions**
- Motions *in limine*
  - Pocket motions
  - Motions for directed verdict and peremptory instructions
  - Motions for mistrial
- Travis Eiva, Zemper Eiva Law, Eugene**
- Angela Franco Lucero, Kranovich & Lucero LLC, Lake Oswego**
- 3:45 Post-Trial Motions**
- JNOV
  - New trial
  - Fee petitions and cost bills
  - Remittitur
- Jay Beattie, Lindsay Hart LLP, Portland**
- Shenoa Payne, Richardson Wright LLP, Portland**
- 4:30 Adjourn**

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## Seminar Planner

**Nena Cook**, *Ater Wynne LLP, Portland*

## Products

MP18.CD

Audio CDs with electronic materials ..... \$200

MP18.DVD

DVDs with electronic materials ..... \$230

This seminar will be available on-demand after the live program. Please visit [www.osbar.org/seminars](http://www.osbar.org/seminars) and search for MP18. On-demand access is available for 60 days after the date of purchase.

## General Information

**Cancellations:** Cancellation requests must be received by the OSB CLE Service Center at least 72 hours prior to the date of the seminar to qualify for a refund. Refunds are subject to a \$25 cancellation fee.

**Tuition Assistance:** Email a request stating your financial situation to [cle@osbar.org](mailto:cle@osbar.org) no later than one week before the seminar.

**Dietary Restrictions or Accessibility Accommodations:** Please call (503) 431-6375 or (800) 452-8260, ext. 375, at least 72 hours before the date of the seminar.



CLE  
Seminars

## Upcoming Seminars

### September 7

#### All Day PowerPlay (ADPP18)

Meet your CLE requirements with three seminars in one day that offer access to justice, ethics, and the new combined child and elder abuse reporting credits.

- Breaking Through Bias and Barriers: Exploring Access to Justice in the Legal Profession (BBB18)
- Your Time to Shine: An Oregon Lawyer's Duty to Report Elder and Child Abuse (AR218)
- Exit Row Ethics: What Rude Airline Travel Stories Teach About Attorney Ethics (ERE18)

### September 12

Business Valuation and the Impact of the 2017 Tax Cuts and Jobs Act (BV18)

### September 13

The State of the Union: *Masterpiece Cakeshop* and Other LGBT Law Developments (LGBT18)

### September 28

Nonprofit Formation and Operations: A Primer (NP18)

### October 5

Elder Law 2018: Preparing Clients for the Future (ELD18)

Register now at [www.osbar.org/seminars](http://www.osbar.org/seminars) and search by program code.



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