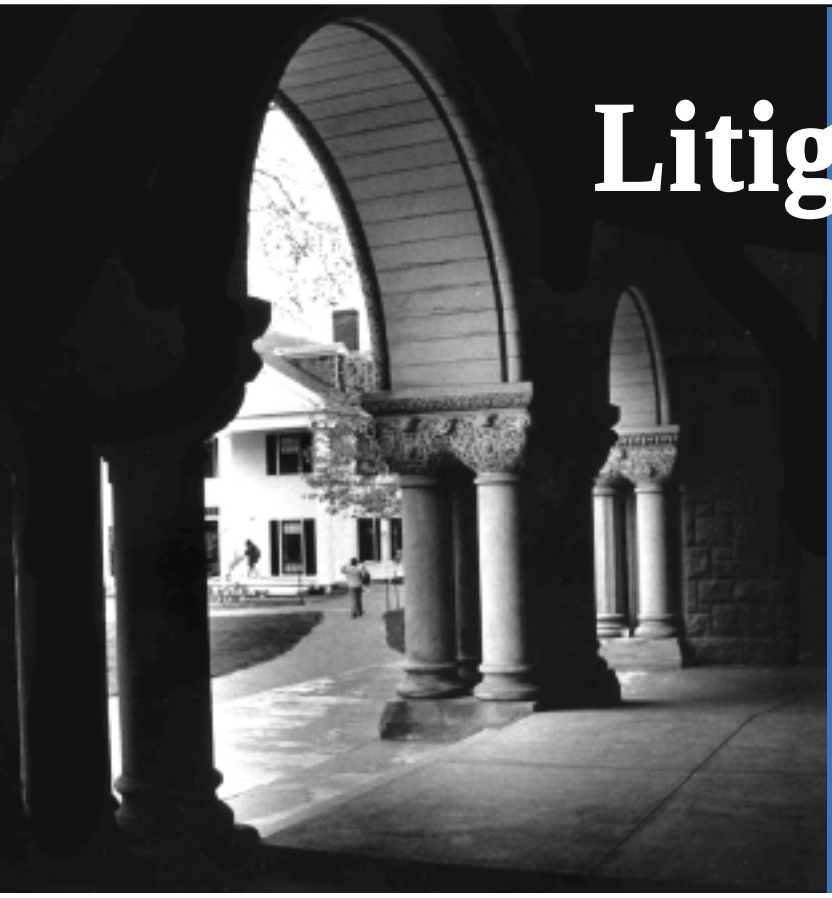
GEORGETOWN UNIVERSITY LAW CENTER
CLE/ENVIRONMENTAL LAW & POLICY INSTITUTE



The 8th Annual Conference on:

Litigating Takings

and Other Constitutional Challenges to Land Use and Environmental Regulations

OCTOBER 27-28, 2005

Harvard Law School
Cambridge, Massachusetts

14.5/17.4 CLE credits based on a 60/50 minute hour

This year's conference focuses on the U.S. Supreme Court's trilogy of takings cases – presenting the most important collection of takings issues in a single Supreme Court term in nearly 25 years: *Lingle v. Chevron*, *Kelo v. City of New London*, and *San Remo Hotel v. City and County of San Francisco.*

GEORGETOWN UNIVERSITY LAW CENTER CLE/ ENVIRONMENTAL LAW & POLICY INSTITUTE

Co-Sponsors:

- **Harvard Law School**
- **Massachusetts Attorney General's Office**
- **Massachusetts Municipal Association**
- **International Municipal Lawyers Association**
- **National League of Cities**
- **National Association of Counties**
- **U.S. Conference of Mayors**

WHO SHOULD ATTEND?

- City, county and municipal attorneys
- Private attorneys working on land use and environmental issues
- Land use and environmental regulators
- Assistant state attorneys general
- Federal government attorneys
- Local and state elected officials

BENEFITS OF ATTENDING:

The 8th Annual Georgetown Conference will bring together leading scholars and practitioners to discuss cutting edge issues in takings and related constitutional challenges to land use and environmental programs.

Key features of this year's conference include:

- In depth discussion about this year's trilogy of Supreme Court takings cases, including their practical implications for federal, state, and local policy making.
- Presentations by leading academic scholars on the basic constitutional, policy, and economic issues raised by takings claims, including discussion of how to integrate these insights into day-to-day legal practice.
- A diverse program faculty with a great deal of experience litigating regulatory takings and other types of constitutional claims arising from land use and other regulatory programs.

CALL 202-662-9851 TO REGISTER NOW

RECEIVE 14.5 CLE CREDITS
(based on a 60 minute hour)

Accreditation has been or will be requested for this program from states with mandatory Continuing Legal Education Requirements for 14.5 hours, of which 0.0 hours will apply to legal ethics for states based on a 60-minute hour. Georgetown University Law Center is an accredited CLE provider in most MCLE states.

GULC-CLE is a State Bar of Massachusetts approved MCLE provider.

Conference Location:

Harvard Law School
1563 Massachusetts Ave., Cambridge, MA 02138
(617) 495-3100 phone

Registration Information:

HOTELS:
The following hotels are recommended for conference participants based on the hotels' proximity to Harvard Square. Room availability is limited, so please be sure to book rooms well in advance of the conference.

Sheraton Commander Hotel
16 Garden Street, Cambridge, MA 02138
(617) 547-4800 phone
(617) 234-1396 fax
Rate: $255/single or double occupancy
A personalized website has been created for Conference participants:
www.starwoodmeeting.com/Book/gelpi
Guests can access the site to learn more about the event and to book, modify, or cancel a reservation. This hotel is located across the street from Harvard University.

Harvard Square Hotel
110 Mount Auburn Street
Cambridge, MA 02138
www.harvardsquarehotel.com
(617) 864-5200 phone
(617) 864-2409 fax
Approximate Rate: $260/single or double occupancy
This hotel is a short walk from Harvard University.

The Inn at Harvard
1201 Massachusetts Ave.
Cambridge, MA 02138
www.theinnatharvard.com
(617) 491-2222 phone
(617) 520-3711 fax
Approximate Rate: $260/single or double occupancy
This hotel is a short walk from Harvard University.

Doubletree Guest Suites Boston
400 Soldiers Field Road, Boston, MA 02134
www.doubletree.com/
(617) 783-0090 phone
(617) 783-0897 fax
Approximate Rate: $199/single or double occupancy
This hotel is located one mile from Harvard University; a free shuttle can be arranged by guests ahead of time for transportation to and from the conference.

DISCLAIMER:
Speakers are subject to change.

SERVICES FOR PEOPLE WITH SPECIAL NEEDS:
Call 202-662-9851

SCHOLARSHIPS:
Submit written request to
Georgetown Environmental Law & Policy Institute
Georgetown University Law Center
600 New Jersey Ave, NW
Washington, DC 20001
Or fax to 202-662-9005
Deadline: October 1, 2005

INFORMATION:
Call: 202-662-9851
Fax: 202-662-9005
E-Mail: gelpi@law.georgetown.edu
Web: www.gelpi.org

FACULTY

Gregory P. Bialecki
Partner
DLA Piper Rudnick Gray Cary
Boston, MA

Lee P. Breckenridge
Professor of Law
Northeastern University School of Law
Boston, MA

Scott G. Bullock
Senior Attorney
Institute for Justice
Washington, DC

J. Peter Byrne
Professor of Law
Georgetown University Law Center
Washington, DC

Alan Burch
Assistant U.S. Attorney
U.S. Attorney's Office for the District of Columbia
Washington, DC

Eric R. Claeys
Assistant Professor of Law
St. Louis University School of Law
St. Louis, MO

Susan Cook
Senior Attorney
U.S. Department of Justice
Washington, DC

Robert G. Dreher
Deputy Executive Director
Georgetown Environmental Law & Policy Institute
Washington, DC

Jody Freeman
Visiting Professor of Law
Harvard Law School
Cambridge, MA

Michael S. Giaimo
Partner
Robinson & Cole LLP
Boston, MA

Eric Grant
Attorney at Law
Sacramento, CA

Daniel Halperin
Professor of Law
Harvard Law School
Cambridge, MA

Timothy S. Hollister
Partner
Shipman & Goodwin, LLP
Hartford, CT

Richard J. Lazarus
Professor of Law
Georgetown University Law Center
Washington, DC

R.J. Lyman
Partner
Goodwin Procter
Boston, MA

Karin Marchetti Ponte
General Counsel
Maine Coast Heritage Trust
Topsham, ME

Molly McUsic
Chief Operating Officer
Wyss Foundation
Bethesda, MD

Robert Meltz
Legislative Attorney
Congressional Research Service
Washington, DC

Thomas W. Merrill
Professor of Law
Columbia University Law School
New York, NY

Frank I. Michelman
Robert Walmsley University Professor
Harvard Law School
Cambridge, MA

James R. Milkey
Assistant Attorney General, Chief
Environmental Protection Division
Massachusetts Office of the Attorney General
Boston, MA

Eduardo M. Penalver
Professor of Law
Fordham University Law School
New York, NY

Jeffrey R. Pidot
Chief, Natural Resources Division
Maine Attorney General's Office
Augusta, ME

R.S. Radford
Director, Program for Judicial Awareness
Pacific Legal Foundation
Sacramento, CA

Michael Rubin
Chief, Environmental Unit
Rhode Island Attorney General's Office
Providence, RI

Andrew W. Schwartz
Of Counsel
Shute, Mihaly &Weinberger
San Francisco, CA

Joseph William Singer
Professor of Law
Harvard Law School
Cambridge, MA

Jym St. Pierre
Maine Director
RESTORE
Hallowell, ME

Susan Taylor
Assistant Attorney General
New York Attorney General's Office
Albany, NY

John D. Echeverria, *Program Chair*
Executive Director
Georgetown Environmental Law & Policy Institute
Washington, DC

Thursday, October 27

MODERATOR:

Lee P. Breckenridge,
Northeastern University School of Law

8:00 to 8:30
Registration and Continental Breakfast

8:30 to 8:45
Welcome and Introductions

Jody Freeman,
Harvard Law School

J. Peter Byrne,
Georgetown University Law Center

John D. Echeverria,
Georgetown Environmental Law & Policy Institute

8:45 to 9:45
Lingle v. Chevron

Robert G. Dreher,
Georgetown Environmental Law & Policy Institute

R.S. Radford,
Pacific Legal Foundation

9:45 to 10:45
Kelo v City of New London

Scott G. Bullock,
Institute for Justice

Thomas W. Merrill,
Columbia University Law School

10:45 to 11:00
Break

Comments from Participants in Past Takings Conferences

"Extremely cogent presenters; well conceived topics; powerful papers. The most consistently intellectually stimulating education program I've ever attended!"

Edward Kotkin
President
Kotkin & Associates, APLC
Aliso Viejo, CA

"Great program pitched at a very high level."

Christopher Serkin
Assistant Professor of Law
Brooklyn Law School
New York, NY

"As always, the best conference out there."

Anonymous

11:00 to 12:00
San Remo v. City & County of San Francisco

Eric Grant,
Attorney at Law

Andrew W. Schwartz,
Shute, Mihaly & Weinberger

12:00 to 12:30
Lunch

12:30 to 1:45
Reflections on Takings Law

Frank I. Michelman,
Harvard Law School

1:45 to 2:45
New England's Takings Litigation: Palazzolo et al

James R. Milkey,
Massachusetts Office of the Attorney General

Michael Rubin,
Rhode Island Attorney General's Office

2:45 to 3:00
Break

3:00 to 4:00
Exactions, Dedications and Fees

Eduardo M. Penalver,
Fordham University Law School

Susan Taylor,
New York Attorney General's Office

4:00 to 5:00
Controversies Over Conservation Easements

Gregory P. Bialecki,
DLA Piper Rudnick Gray Cary

Daniel Halperin,
Harvard Law School

5:00
Reception

Friday, October 28

MODERATOR:

R.J. Lyman, *Goodwin Proctor*

8:00 to 8:45
Registration and Continental Breakfast

8:45 to 9:45
Fundamental Issues in Takings Cases

Susan Cook,
U.S. Department of Justice

Robert Meltz,
Congressional Research Service

9:45 to 10:45
Due Process and Equal Protection Claims

Peter Byrne,
Georgetown University Law Center

Michael S. Giaimo,
Robinson & Cole

10:45 to 11:00
Break

11:00 to 12:00
The North Maine Woods: The Challenge of Preserving New England's Wild Lands

Karin Marchetti-Ponte,
Maine Coast Heritage Trust

Jeffrey R. Pidot,
Maine Attorney General's Office

Jym St. Pierre,
RESTORE

12:00 to 12:30
Lunch

12:30 to 1:30
The Ownership Society

Joseph William Singer,
Harvard Law School

1:30 to 2:45
Whither the Takings Issue

Eric R. Claeys,
St. Louis University School of Law

Richard J. Lazarus,
Georgetown University Law Center

Molly McUsic,
Wyss Foundation

2:45 to 3:00
Break

3:00 to 4:00
Regulatory Contracting

Alan Burch,
Office of the U.S. Attorney, Washington, D.C.

Jody Freeman,
Harvard Law School

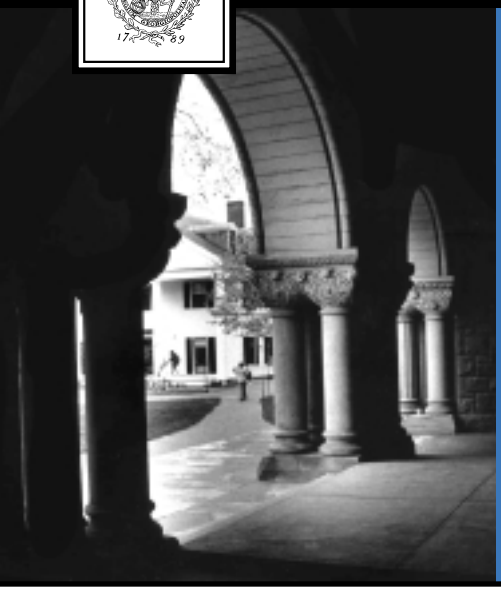
4:00 to 5:00
Valuation Issues

John D. Echeverria,
Georgetown Environmental Law & Policy Institute

Timothy S. Hollister,
Shipman & Goodwin, LLP

5:00
Evaluations and Adjournment

GEORGETOWN UNIVERSITY LAW CENTER
CLE/ENVIRONMENTAL LAW & POLICY INSTITUTE



The 8th Annual

Litigating Takings

and Other Constitutional Challenges to Land Use and Environmental Regulations

Thursday-Friday, October 27-28, 2005

Harvard Law School
1563 Massachusetts Ave.
Cambridge, Massachusetts 02138

14.5/17.4 CLE credits based on a 60/50 minute hour

Co-Sponsors:

- **Harvard Law School**
- **Massachusetts Attorney General's Office**
- **Massachusetts Municipal Association**
- **International Municipal Lawyers Association**
- **National League of Cities**
- **National Association of Counties**
- **U.S. Conference of Mayors**

REGISTRATION/ORDER FORM • Litigating Takings 2005

PLEASE PRINT OR TYPE. Payment must accompany registration.

☐ **$695** Regular ☐ **$495** Public Sector Employee

☐ **$645** GULC alumni class of _____

Name: ☐ Mr. ☐ Ms. _____
(as you would like it to appear on your name badge)

E-mail address: _____
(please print clearly)

Firm/Organization: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: (_____) _____

Fax #: (_____) _____

CLE Credit? ☐ Yes ☐ No What state?_____ *Feel free to copy this form and pass it along to your associates.*

YOUR PRIORITY CODE
☐☐☐☐

Help us expedite your registration. Enter the characters appearing on the upper-right-hand corner of the mailing label. *Please enter this code* even if the label is addressed to someone else. **Thank you.**

CANCELLATIONS/RAIN CHECKS:

Please fax your cancellation notice to (202) 662-9005 by 5:00 p.m. on October 20, 2005 for a refund (less $50 administrative fee). After October 20th, rain checks for future programs will be granted.

I cannot attend, but send me:

☐ Course Materials **$200** ☐ Both materials & cassettes **$385**

For course material and/or cassette orders, individuals or firms with a DC address should add 5.75% sales tax.

FIVE WAYS TO REGISTER:

1. **MAIL** with check payable to GULC to address below.

   ☐ Check enclosed # _____ $_____

   or purchase order may be attached to this form #_____

2. **FAX** to 202-662-9005 if paying by credit card:

   ☐ **VISA** ☐ **MC** ☐ **AMEX**

   Card #: _____

   Expiration Date: _____

   Signature: _____

3. **PHONE** to 202-662-9851 (credit card registrations only)
4. **E-MAIL** your registration information to: gelpi@law.georgetown.edu
5. **AT-THE-DOOR** (no additional charge)

LITIGATING REGULATORY TAKINGS CLAIMS

Georgetown University Law Center
Georgetown Environmental Law & Policy Institute
600 New Jersey Ave. NW
Washington, DC 20001

Non-Profit
U.S. Postage
PAID
Wash., D.C.
No. 3901

Attention Mail Room:
If the individual whose name is on the label is no longer employed, please forward this material to their successor.