

Agenda

Contract Law Primer for Engineers

J. Haftek Jr.

Reviewing the necessary elements of any contract
Understanding contract "legalese"
• Determining performance
• What constitutes a breach of contract?
• What are damages and remedies?
• Liability-shifting contract provisions: warranties, guarantees and indemnities
Making changes to contracts

Professional Liability Law

C. DeMareski

Reviewing the grounds for professional liability claims
Identifying who can bring a claim
Examining common sources of professional liability claims
Reviewing defenses to liability claims
Determining damages
Participating in dispute resolution: arbitration, mediation, litigation
Obtaining insurance coverage for professional liability claims

Complying with Rules of Professional Conduct

J. Suarez

Sealing of documents
Standards for responsible charge of engineering work
Unauthorized practice of engineering
National Society of Professional Engineers' Code of Ethics

Handling Ethical Issues in Professional Engineering Practice

A. Cimino Jr.

Promoting health and welfare vs. managing risk:
complementary or conflicting duties?
Protecting the environment: meeting or exceeding
legal requirements
Watching the bottom line: identifying and balancing economic
pressures in design and construction
Integrating new technologies: identifying and balancing the
benefits and risks

Developments in Federal and New Jersey Environmental Law

S. Humphreys

Reviewing recent changes to and enforcement of:
• Pollution prevention • Water quality enforcement
• Stormwater permitting • Watersheds, wetlands, lakes and streams
Reviewing recent and anticipated developments at the
New Jersey Department of Environmental Protection

Understanding the Investigatory and Disciplinary Practices of the New Jersey State Board of Professional Engineers and Land Surveyors

J. Becker

Understanding the Board's disciplinary powers
Reviewing prohibited practices and grounds for disciplinary action
Investigatory procedures • Disciplinary hearings
Administrative and other penalties and enforcement

Engineering Law and Ethics
Princeton, NJ - Tuesday November 28, 2017

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Learning Objectives

You'll be able to:

Determine the required elements of a contract, and learn what constitutes a breach of contract.

Identify the grounds for professional liability claim.

Avoid the unauthorized practice of engineering.

Understand recent changes in Federal and Michigan environmental law.

Identify and balance economic pressures and ethical practices.



Engineering Law and Ethics

Princeton, NJ - Tuesday November 28, 2017



Evaluate the necessary elements of any contract

Examine common sources of professional liability claims

Review the rules and guidelines on professional conduct for professional engineers

Learn about recent developments in Federal and New Jersey environmental law

Discuss ethical issues in professional engineering practice

Continuing Education Credits

This seminar provides 7.0 CPC credits, including 2.0 ethics credits, to New Jersey professional engineers.



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Faculty

Joseph R. Haftek, Jr.

Counsel with Schenck Price Smith & King, LLP in Florham Park

Mr. Haftek joined Schenck, Price, Smith & King in 2014 and has represented developers, general contractors, subcontractors, suppliers, construction professionals, design professionals and businesses in both state and federal courts. In addition to being a member of the firm's Construction Law Practice Group, where he heads the Bid Protest Team, he is a member of the School Law Practice Group. He was selected to the 2016 and 2017 New Jersey Super Lawyers list and to the 2014 New Jersey Rising Stars list, featured in *New Jersey Monthly* magazine, in the field of construction litigation. Mr. Haftek has lectured to both lawyers and construction industry professionals on topics ranging from construction contracts to public bidding and bid protests. He has experience in handling all aspects of litigation, including prosecution and defense of bid protests, affirmative and construction lien claims; negotiating, drafting and reviewing contracts; collection services; public and school bid protest and contract law issues; and, providing general legal advice and guidance for each phase of the construction process. He is consulting counsel to a number of construction companies, in particular several construction material suppliers.

Craig DeMareski

Partner at Connell Foley in Roseland

Mr. Demareski represents clients in a wide range of professional liability, construction and complex commercial litigation matters. In particular, he regularly defends engineers and other professionals in major professional malpractice litigation in both state and federal courts. His experience includes serving as trial counsel in professional malpractice and business litigation

matters, as well as managing trial teams in large, complex professional liability, construction and commercial litigation matters. Mr. DeMareski has a B.S. degree in Mechanical Engineering from Lafayette College and received his J.D. degree from Seton Hall Law School. His engineering background gives him a unique advantage in grasping complex technical issues in engineering malpractice cases, in communicating effectively with his engineering clients and in proposing and implementing effective legal strategies to resolve matters quickly and efficiently. When matters cannot be addressed through mediation or settlement, his trial experience makes him a strong advocate for his engineering clients in the courtroom.

Joseph Suarez

Partner at Suarez & Suarez in Jersey City

Mr. Suarez attended Rutgers University School of Law-Newark, and was admitted to the New Jersey Bar in 1982. Subsequent to serving a judicial clerkship with the Civil Assignment Judge in Hudson County, he practiced for a short while with a defense firm in Livingston, New Jersey, after which he became a member of Suarez & Suarez Attorneys at Law. He has been rated AV Preeminent, the highest peer review rating for legal ability and ethical standards, continually since 2002. Mr. Suarez has been representing architects and engineers for over 30 years.

Andrew S. Cimino, Jr.

Partner at Cimino & Filippone, LLC in Hazlet

Mr. Cimino's practice includes the entire range of litigation, with specialization in the defense of professionals including architects, engineers, contractors, physicians, surveyors, and home inspectors. His practice also includes residential and commercial real estate transactions, trust and estate planning, and municipal

court appearances. Prior to starting his own practice, Mr. Cimino was associated with the firm of Ruprecht, Hart & Weeks, LLP, where he was responsible for defending various railroads and architects/engineers. He has also worked as in-house counsel for a major professional liability insurance company. Prior to that, Mr. Cimino was an associate with Peterpaul, Clark & Corcoran LLP, where handled various aspects of litigation.

Steven Humphreys

Special Counsel at Kelley Drye & Warren LLP in Parsippany

Mr. Humphreys is an attorney with the law firm of Kelley Drye & Warren LLP, where he concentrates his practice on all aspects of environmental law and related counseling of businesses. He advises businesses in regulatory compliance and management of environmental risk in matters arising under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the federal Resource Conservation and Recovery Act (RCRA), the Clean Air Act, the Clean Water Act, and various other federal, state and local environmental laws, as well as the environmental aspects of business transactions.

John Becker

Partner at Thompson Becker & Brothwell, LLC in Cherry Hill

Mr. Becker is a graduate of Glassboro State College (B.A. *cum laude*, 1987) and Rutgers University Law School (J.D., 1990). He is a member of the Camden County, New Jersey State, and American Bar Associations. Mr. Becker has 25 years of experience representing architects, engineers, land surveyors, contractors and related construction professionals. He is a frequent lecturer on AIA contracts and design professional liability. Mr. Becker is admitted to the bars of New Jersey, Pennsylvania, and U.S. District Court for the District of New Jersey.

Additional Learning

October Webinar Series

The Distributed Battery Webinar Series

- **The Distributed Battery Webinar, Part I**
Wed., Oct. 11, 2017, 11:00 AM - 2:15 PM CDT
- **The Distributed Battery Webinar, Part II**
Thurs., Oct. 12, 2017, 11:00 AM - 2:15 PM CDT

Floodplain Mapping and Regulation

- **Floods, Floodplains and Introduction to Floodplain Management**
Wed., Oct. 18, 2017, 11:00 AM - 12:30 PM CDT
- **Flood Maps and Flood Zones**
Wed., Oct. 18, 2017, 1:00 - 2:30 PM CDT
- **Elevations in the National Flood Insurance Program (NFIP) and Floodplain Regulation**
Thurs., Oct. 19, 2017, 11:00 AM - 12:30 PM CDT
- **Practical Floodplain Management**
Thurs., Oct. 19, 2017, 1:00 - 2:30 PM CDT

For more information visit:

www.halfmoonseminars.org/webinars/

Registration

Engineering Law and Ethics

Princeton, NJ - Tuesday November 28, 2017

How to Register	
Online: www.halfmoonseminars.org	
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Complete the entire form. Attach duplicates if necessary.	
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Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.	
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Tuition

- () **I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.
- () **I am not attending.** Please send me the CD manual package for **\$289.00**. (S&H included. Please allow five weeks from seminar date for delivery)

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Continuing Education Credit Information

This seminar is open to the public and offers up to 7.0 CPC credits, including 2.0 ethics credits, to New Jersey professional engineers.

HalfMoon Education Inc. is a New Jersey approved continuing education provider (Approval No. 24GP0000700).

Professional engineers seeking continuing education credit in other states will be able to claim the credits earned at this seminar, in most cases. Refer to specific state rules to determine eligibility. Due to New Jersey-specific content, this course does not offer continuing education credit to New York engineers.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Can't Attend? Order the CD/Manual Package:

An audio recording of this seminar is available for \$289 (including shipping). Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Seminar Information

Hyatt Regency Princeton

102 Carnegie Center
Princeton, NJ 08540
(609) 987-1234

Registration
8:00 - 8:30 am
Morning Session
8:30 am - 12:15 pm
Lunch (On your own)
12:15 - 1:15 pm
Afternoon Session
1:15 - 5:00 pm

Tuition

\$279 for individual registration

\$259 for three or more registrations.

Each registration includes a complimentary continental breakfast and printed seminar manual.

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the CD/manual package. You may also send another person to take your place.