

TWENTY-SIXTH ANNUAL NATIONAL SEMINAR ON FEDERAL SENTENCING

proudly presented by

The Tampa Bay Chapter of the Federal Bar Association,
The National Association of Criminal Defense Lawyers,
The Criminal Law Section of the Federal Bar Association,
and
The Criminal Justice Section of The American Bar Association

**Wednesday - Friday
June 28-30, 2017**

**Sirata Beach Resort
St. Petersburg, Florida**

**WEDNESDAY
JUNE 28, 2017**

2:00 - 5:00 p.m.

BASIC GUIDELINES TRAINING (Optional Session)

The Basic Federal Sentencing Guidelines Training is designed to provide an introduction to the Federal Sentencing Guidelines for those with limited federal sentencing experience. This session may be taken alone or in connection with the remainder of the seminar.

- **L. Russell Burress**
*Principal Training Advisor
Office of Education and Sentencing Practice
United States Sentencing Commission
Washington, DC*
- **Cathy A. Battistelli**
*Former Deputy Chief United States Probation Officer
District of New Hampshire
Concord, New Hampshire*

**THURSDAY
JUNE 29, 2017**

7:30-8:15 a.m.

**REGISTRATION &
CONTINENTAL BREAKFAST**

8:15 a.m.

WELCOMING REMARKS

8:30-10:00 a.m.

**A VIEW FROM THE BENCH
PLENARY SESSION**

Federal judges will discuss their personal views on federal sentencing policy and procedure. The panel will also discuss current events and topics in federal sentencing law.

- **Honorable Nancy Atlas**
*United States District Court
Southern District of Texas*
- **Honorable Bernice B. Donald**
United States Court of Appeals for the Sixth Circuit
- **Honorable Gerard Lynch**
United States Court of Appeals for the Second Circuit
- **Honorable Carlos Mendoza**
*United States District Court
Middle District of Florida*

Moderator:

- **Morris "Sandy" Weinberg, Jr., Esq.**
*Zuckerman Spaeder, LLP
Tampa, Florida*

10:00 - 10:15 a.m.

BREAK

10:15-11:45 a.m.

**UPDATE ON FEDERAL SENTENCING LAW AND POLICY
PLENARY SESSION**

This session will provide information regarding legislative developments in the criminal justice system. Panelists will discuss federal sentencing law and policy, including new precedent, changes in policies and procedures, and their personal opinions on sentencing issues.

- **Mary Price**
*Families Against Mandatory Minimums
Washington, DC*
- **Norman Reimer, Esq.**
*Executive Director
National Association of Criminal Defense Lawyers*
- **Jonathan Wroblewski, Esq.**
*Director of the Office of Policy and Legislation
Criminal Division, Department of Justice*
- **Carter Burwell, Esq.**
*Deputy Chief Counsel to Senator John Cornyn
Committee on the Judiciary*

Moderator:

- **James E. Felman, Esq.**
*Kynes, Markman & Felman, P.A.
Tampa, Florida*

11:45-1:30 p.m.

LUNCH ON YOUR OWN & BONUS SESSIONS WITH VENDORS

12:00-12:30 p.m.

JUSTICE INVOLVED IS ONE THING

Advocating for Families of Those Declared Sex Offenders Requires a Dialogue

12:30-1:00 p.m.

WHAT'S A YEAR (OR MORE) OUT OF PRISON WORTH?

Secrets to Successful Sentencing Videos from Producer with a 98% Success Rate.

PREPPING FOR PRISON-GETTING THE BEST OUT OF THE WORST TIME IN YOUR LIFE.

Saving Your Money, Your credit, Your family and Your Sanity

THURSDAY (Continued)

JUNE 29, 2017

1:30 - 2:30 p.m.

CONCURRENT SESSIONS

ECONOMIC CRIMES

- **Honorable Jed Rakoff**
*United States District Court
Southern District of New York*
- **John Gleeson, Esq.**
*Debovoise & Plimpton, LLP
New York, New York*
- **Robin Kaplan, Esq.**
*McDonald Hopkins, LLC
Miami, Florida*
- **Matthew Mueller, Esq.**
*Wiand Guerra King, PA
Tampa, Florida*
- **Charles N. Curlett, Jr., Esq.**
*Levin & Curlett, LLC
Baltimore, Maryland*

Moderator:

- **Kerri Ruttenberg, Esq.**
*Jones Day
Washington, DC*

2:35-3:35 p.m

CONCURRENT SESSIONS

PLEA BARGAINING

Panelists will discuss issues arising in plea bargaining, including DOJ policy, appeal waivers, Rule 11(c)(1)(C) plea agreements, stipulations, substantial assistance and Early Disposition Programs.

- **Jane Moscovitz, Esq.**
*Moscovitz & Moscovitz, P.A.
Miami, Florida*
- **John Lauro, Esq.**
*Lauro Law Firm
Tampa, Florida*
- **Kevin Napper, Esq.**
*Kevin J. Napper, P.A.
Tampa, Florida*
- **To Be Determined**

Moderator:

- **Gus Centrone, Esq.**
*Centrone & Shrader, PLLC
Tampa, Florida*

3:35- 3:50 p.m.

COFFEE BREAK

BOOKER: A REVIEW OF

THE FIRST 10 YEARS OF SENTENCING DATA

This presentation will provide a statistical review of sentencing since Booker was decided, including a breakdown by type of violation and an overview of the factors that District Judges have relied upon when imposing below-guidelines variances.

- **Roger Handberg, Esq.**
*Assistant United States Attorney
Middle District of Florida*

RESTITUTION

This presentation will explain the restitution process to help federal practitioners, probation officers and judges determine when restitution must be imposed, to whom, for how much, and in which cases. Those "steps" have been widely received and utilized since the mid-1990's and have been newly modified this year to be even more useful.

- **Catharine Goodwin, Esq.**
Author of Federal Criminal Restitution

THURSDAY (Continued)

JUNE 29, 2017

3:50-4:50 p.m.

CONCURRENT SESSIONS

CREATIVE APPROACHES TO SENTENCING HEARINGS

This presentation will address ways to go beyond traditional motions and sentencing memoranda to get the judge's attention and persuade the Court.

- **A. Margot Moss, Esq.**
Markus & Moss, PLLC
Miami, Florida

DRUG OFFENSES

Panelists will discuss strategies and case law regarding sentencing in cases involving drug offenses, as well as the Sentencing Commission's continued work in the area of drug offenses.

- **Donna Elm, Esq.**
Federal Public Defender
Middle District of Florida
- **Cynthia Roseberry, Esq.**
Project Manager
Clemency Project 2014
- **Professor Gregory Dudley**
Eberly Family Distinguished Professor
Chair, C. Eugene Bennett Department of Chemistry
West Virginia University
Morgantown, West Virginia
- **Dale Parrish**
Assistant Deputy Chief
United States Probation Officer
Middle District of North Carolina

Moderator:

- **Mary Price**
Families Against Mandatory Minimums
Washington, DC

5:30-7:00 p.m.

COCKTAIL RECEPTION

**FRIDAY
JUNE 30, 2017**

7:30-8:30 a.m.

CONTINENTAL BREAKFAST

8:30-9:30 a.m.

CONCURRENT SESSIONS

TO BE DETERMINED

**CRIMINAL HISTORY, ROLE
AND RECIDIVISM ENHANCEMENTS**

- **Harry Sandick, Esq.**
*Patterson Belknap Webb & Tyler, LLP
New York, New York*

9:35-10:35 a.m.

CONCURRENT SESSIONS

CHILD PORNOGRAPHY AND SEX OFFENSES

This presentation will focus on issues related to the offenses of sexual abuse, production of child pornography, trafficking and possession of child pornography, and conditions of supervised release. It will discuss issues related to below and above guideline sentences and case law issues related to sexual offenses.

- **Troy Stabenow, Esq.**
*Assistant Federal Defender
Western District of Missouri*

**EFFECTIVE DEFENSE
SENTENCING SUBMISSIONS**

The speaker will walk attendees through the process of preparing a strong, persuasive sentencing memorandum and sentencing presentation to the court.

- **Kathy Nester, Esq.**
*Federal Public Defender
District of Utah*

10:35-10:50 a.m.

COFFEE BREAK

**FRIDAY
JUNE 30, 2017**

10:50-11:50 a.m.

CONCURRENT SESSIONS

COLLATERAL CONSEQUENCES

- **Honorable Frederic Block**
*United States District Court
Eastern District of New York*
- **Lauren King, Esq.**
*Staff Attorney
American Bar Association
Criminal Justice Section*
- **Professor Jenny Roberts**
*Associate Dean for Scholarship
American University
Washington, DC*

Moderator:

- **LT Lafferty, Esq.**
*Holland & Knight, LLP
Tampa, Florida*

USING SOCIAL SCIENCE AT SENTENCING

To achieve the lowest possible sentence for a client, defense counsel should provide the court with empirical evidence relevant to the purposes of sentencing set forth in 18 USC § 3553(a). There is a wealth of recent research in criminology, social science, behavioral science that provides such evidence. This presentation will review the latest research, show where to find more of it, and provide ideas on how to use it effectively.

- **Laura Mate**
*Federal Defender Sentencing Resource Counsel
Des Moines, Iowa*
- **JaneAnne Murray, Esq.**
*Murray Law LLC
Minneapolis, Minnesota*

11:55 a.m. -12:55 p.m.

CONCURRENT SESSIONS

FIREARMS

- **To Be Determined**

DEPARTURES AND VARIANCES

This panel will discuss current developments and case law relating to guidelines departures and variances; provide practical advice on guidelines departures and variances; and explore issues associated with guidelines departures and variances.

- **Honorable Mark Bennett**
*United States District Judge
Northern District of Iowa*
- **Rob Gristci, Esq.**
*Salter Feiber, P.A.
Gainesville, Florida*
- **Marjorie J. Pearce, Esq.**
*Ballard Spahr, LLP
New York, New York*

Moderator:

- **Katherine Earle Yanes, Esq.**
*Kynes, Markman & Felman, P.A.
Tampa, Florida*

For additional information visit www.fsg2017.com