



LAW OFFICES
WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

John Samberg
JSamberg@wrslawyers.com

FILED

December 19, 2013

DEC 24 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Supreme Court of Nevada
Attn: Tracie Lindeman
201 South Carson Street
Carson City, NV 89701

ADKT 0126

Re: John Samberg Arbitrator Training – Request for Waiver to Attend Next Program

Dear Ms. Lindeman:

This letter is sent with reference to Laura Meyers Gould's letter to you of December 11, 2013 regarding my not having attended the November 21, 2013 Arbitrator Training Program, and my subsequent telephone conversation with Michael Hack of the State Bar of Nevada. As you can see from the attached NBI seminar program, on November 21, 2013 I was presenting a CLE seminar for NBI, and as such was unavailable to attend the Arbitrator Training Program. In advance of the program, both my Legal Assistant, Christine McCaulley, and I reached out to both the State Bar and the Supreme Court, in an effort to obtain guidance regarding my calendar conflict. However, we were cross-referred between offices, and could not obtain clear guidance. I then contacted the Clerk for Judge Bridget Robb Peck, the bench officer who administers the Court Annexed Arbitration Program in Washoe County in which I participate. Having been made aware of my calendar conflict, Judge Peck was kind enough to issue the attached letter dated November 19, 2013, indicating that I should complete the next available program.

In light of the foregoing, in order to remain active on Judge Peck's roster of arbitrators, I request that I be granted a waiver of my having missed the referenced program, with the understanding that I am required to attend the next available program, as per Judge Peck's letter. If a waiver is not available, please let me know and I will withdraw from the Washoe County Court Annexed Arbitration Program, and request that Judge Peck reassign the matter I am handling to another arbitrator.

RECEIVED
DEC 23 2013
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

5594-B Longley Lane, Reno, Nevada 89511
Tel 775.853.6787 Fax 775.853.6774
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13-39161

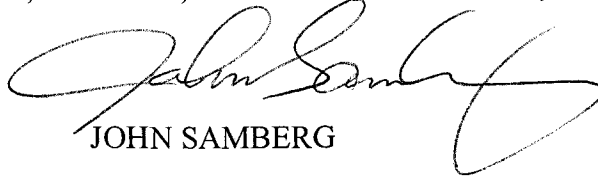
December 19, 2013

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If you have any questions, please do not hesitate to contact me. Thank you for your courtesy and consideration.

Very truly yours,

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP



JOHN SAMBERG

JS:cbm

Enclosures

cc: Hon. Bridget Robb Peck (w/encls.)

Michael Hack (w/encls.)

Laura Meyers Gould (w/encls.)

Clark County ADR Office (per Mr. Hack's request - w/encls.)

STATE BAR OF NEVADA

December 11, 2013

John Samberg
97 River Front Dr.
Reno, NV 89523

RE: Arbitration Training Program

Dear John Samberg,

Please find a copy of the attached letter regarding your current status as an Arbitrator which has been sent to the Supreme Court of Nevada. If you have any questions you may contact me at michaelh@nvbar.org or (702)-382-2200. Thank you.

Sincerely,



Michael Hack
Admissions Manager



600 East Charleston Blvd.
Las Vegas, NV 89104-1563
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

www.nvbar.org

STATE BAR OF NEVADA

December 11, 2013

Supreme Court of Nevada
Attn: Tracie Lindeman
201 S. Carson St.
Carson City, NV 89701

RE: Arbitration Training Program

Dear Tracie Lindeman,

In accordance with Nevada Arbitration Rule 7, the following individuals have been appointed as arbitrators and required to complete the next available Arbitration Training Program.

Naomi Arin
Samuel Benham
Samuel Harding
John Samberg

According to the Continuing Legal Education Department, they did not complete the Arbitrator Training Program offered in November 2013. The individuals did not comply with the court's order to participate in the training and must be removed from the panel of arbitrators.

Sincerely,



Laura Meyers Gould
Admissions Director

cc: All listed arbitrators



600 East Charleston Blvd.
Las Vegas, NV 89104-1563
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toll free 800.254.2797
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SECOND JUDICIAL DISTRICT COURT
STATE OF NEVADA
WASHOE COUNTY

BRIDGET ROBB PECK
DISTRICT JUDGE
DEPARTMENT THIRTEEN
FAMILY DIVISION

PHYSICAL: ONE SOUTH SIERRA
MAILING: 75 COURT STREET
RENO, NEVADA 89501
(775) 325-6732
FAX: (775) 325-6736

November 19, 2013

John Samberg, Esq.
Wolf, Rifkin et al
5594-B Longley Lane
Reno, NV 89511

Re: Arbitrator Training Program

Dear Mr. Samberg:

Thank you for contacting this office regarding your inability to attend the mandatory Arbitrator Training Program being held this week. Please complete the next available arbitration training that the Nevada State Bar offers.

Thank you for your continuing participation in the Court Annexed Arbitration Program.

Yours truly,

A handwritten signature in black ink that reads "Bridget Robb Peck".

BRIDGET ROBB PECK
Arbitration Judge

Applying the Rules of Evidence: What Every Attorney Needs to Know

*Compliance and Effective Advocacy Through
Impeccable Knowledge of the Procedure*

**REGISTER
TODAY!**
800-930-6182 OR
www.nbi-sems.com

ONE-DAY SEMINAR

Reno, Nevada
November 21, 2013

FACULTY

Mark T. Liapis
John M. Samberg

CONTINUING EDUCATION

CLE - 6.0 (Incl. 1.0 ethics)
See inside for details!



YOUR SATISFACTION IS OUR GUARANTEE!

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SEMINAR OUTLINE

I. DETERMINING ADMISSIBILITY

9:00 - 10:00, John M. Samberg

- A. Determine Applicability of Rules:
State and Federal
- B. Is it Hearsay?
- C. Is it Relevant?
- D. Reasons to Exclude
 1. Exclusion on Grounds of Prejudice, Confusion, or Waste of Time
 2. Other Reasons Based on the Types of Evidence
 - a. Character Evidence or Evidence of Habit
 - b. On Subsequent Remedial Measures
 - c. Of Witness Credibility
- E. Is the Evidence Authentic?
- F. Is There a Proper Foundation?
- G. If Evidence is a Writing, a Recording or a Photograph, is the Best Evidence Rule Satisfied?
- H. Admissibility of Evidence of Subsequent Remedial Measures
- I. Stipulations
- J. Proper Way to Introduce Items Into Evidence

II. HEARSAY OBJECTIONS AND EXCEPTIONS

10:15 - 11:15, John M. Samberg

- A. Formal Exceptions to Hearsay
- B. FRE 801(d) Exceptions
- C. Anticipating and Minimizing Hearsay Objections
- D. Hearsay in the Direct Examination of Your Client:
How to Elicit What You Need Without Inviting Hearsay
- E. Hearsay Problems When Your Client, or Opposing Party, is Deceased
- F. Hearsay in Medical Records:
When it Comes in, When it Doesn't
- G. Recent Case Law

III. WITNESSES

11:15 - 12:15, Mark T. Liapis

- A. Qualification
- B. Opinions and Firsthand Knowledge
- C. Deposition/Examination Procedure
- D. Impeachment
 1. Prior Inconsistent Statements/Contradiction
 2. Bias
 3. Character-Related
 4. Other
- E. Dealing With Missing Witnesses, Evidence and Documents
- F. Disclosures to Opposing Counsel
- G. Complying With the Scheduling Order

IV. EXPERT REPORTS AND SCIENTIFIC EVIDENCE

1:15 - 2:15, Mark T. Liapis

- A. Assessing the Potential Weight of Scientific Evidence
- B. Qualifying Experts and Verifying Methodologies/Theories
- C. Admissibility of What You Give Your Expert
- D. The Logistics of Obtaining, Analyzing and Admitting Expert Opinion Reports
- E. Looking out for Red Flags and Errors

V. ETHICS

2:30 - 3:30, John M. Samberg

- A. Facilitating Efficiency, Reliability and Overall Fairness of the Adversary Process
- B. Complying With Time Constraints
- C. Asserting and Challenging Privileges Under Rule 502(d)
- D. Abusive Litigation Practices and Their Remedies
- E. Keeping the Client Informed
- F. What to do When Your Client is Dishonest

VI. AUTHENTICATION, EXHIBITS AND COURTROOM PRESENTATION

3:30 - 4:30, John M. Samberg

- A. Chain of Custody/Care and Handling/Spoilation
- B. Technical Methods of Preparing and Defending Motions in Limine
- C. Rules Regarding the Use of Demonstrative Exhibits
- D. Common Mistakes in Introducing Evidence and Testimony at Trial
- E. Presenting Deposition Records Without Boring Decision Makers to Tears
- F. Contemporaneous Objection Rule
- G. Curtailing Speaking Objections
- H. Bench (Sidebar) Conferences
- I. Instructing the Jury to Disregard Information When Objection is Sustained
- J. Practical Case Studies:
Best Ways of Getting Evidence Excluded and Admitted

*If needed, the above agenda may be changed to best accommodate all of our attendees.

SEMINAR OVER

Use Best Litigation Practices of Evidence Rules and Procedure

No case can be won on sheer brilliance alone. Are you making the best use of your experienced attorney faculty will share to traverse the obstacle course of qualifying it to the decision maker unscathed and in evidence with surgical precision - *en route*

BENEFITS OF ATTENDING

- Learn what you must and cannot do in court lest you ruin your case.
- Examine the differences between common law and controlling admissibility.
- Save time by maximizing your use of the rules.
- Learn to quickly spot the admissibility issues.
- Explore specific problems you may face and get solutions from experienced attorneys.
- Understand what information must be disclosed.
- Cover all your bases when qualifying your experts.
- Get reliable litigation tactics for support.
- Find out how recent court rulings are affecting your practice.

WHO SHOULD ATTEND

This **basic-to-intermediate level** seminar provides the theoretical and practical skills to make the best use of the rules.

CREDIT INFORMATION

The specific continuing education credit for this seminar is 6.0 hours. For detailed credit information, please contact your local NBI office.

CLE - 6.0 - This course has been approved for credit by the National Board of Legal Education, which includes 1.0 hour of credit. Alternative Format credit is available for those who attend via video.

Register Today!

800-930-6182

www.nbi-sems.com

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