

## COURSE PLANNER



### James L. Goldsmith, Esq.

CALDWELL & KEARNS, P.C., HARRISBURG

Mr. Goldsmith is an attorney engaged in the private practice of law in Harrisburg. He is a corporate member of the firm Caldwell & Kearns which serves as counsel to the Pennsylvania Association of REALTORS. In cooperation with the Pennsylvania Association of REALTORS, he has co-authored the

Pennsylvania Real Estate Reporter, which represents the first and only indexed compilation of Pennsylvania cases devoted to real estate and related issues. He taught Real Estate Transactions at the Widener University School of Law – Harrisburg Campus and is an instructor for the Graduate REALTORS Institute. Mr. Goldsmith and his law firm are also engaged by insurers to defend insured real estate practitioners and lawyers in lawsuits in which professional negligence is claimed. He has litigated numerous cases at trial and appellate levels of the state and federal court system.

## FACULTY

### Blair H. Granger, Esq.

THE GRANGER FIRM, PAOLI

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KELLY LAW, PITTSBURGH

### Frank Kosir, Jr., Esq.

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### William D. Longo, Esq.

MARGOLIS EDELSTEIN, PHILADELPHIA

### David J. Scaggs, Esq.

THE GRANGER FIRM, PAOLI

### Brett M. Woodburn, Esq.

CALDWELL & KEARNS, PC, HARRISBURG

### Kenneth J. Yarsky, II, Esq.

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why PBI?

### WE MAKE LEARNING PERSONAL.

PBI is listening to what you want from your CLE experience. Our staff and leadership are fully committed to the Bar, and to helping you reach your professional goals. Led by attorneys, educating attorneys — we take your success personally.

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HANDLING THE  
FAILURE TO  
DISCLOSE CASE

PITTSBURGH • TUE., FEB. 17, 2015 PHILADELPHIA • FRI., MAR. 20, 2015 MECHANICSBURG • WED., FEB. 25, 2015  
LIVE WEBCAST • WED., FEB. 25, 2015 SIMULCAST • WED., FEB. 25, 2015

**PBI50**

50 YEARS OF EXCELLENCE IN CLE

3 SUBSTANTIVE

# HANDLING THE FAILURE TO DISCLOSE CASE

FROM LEAKY ROOFS TO  
FLOODED BASEMENTS



Pittsburgh • Tue., Feb. 17, 2015

Philadelphia • Fri., Mar. 20, 2015

Mechanicsburg • Wed., Feb. 25, 2015

Live Webcast • Wed., Feb. 25, 2015

Simulcast • Wed., Feb. 25, 2015

Allentown	Mansfield	Plymouth Meeting	West Chester
Doylestown	Media	Selinsgrove	Wilkes-Barre
Greensburg	New Castle	State College	York
Lebanon	Norristown	Warren	

12:30 PM TO 3:45 PM; CHECK-IN AND LUNCH BEGIN AT 12:00 NOON

3  
CLE

This program has been approved by the Pennsylvania Continuing Legal Education Board for 3 hours of CLE credit in substantive law.

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## FIND OUT WHAT CAN BE DONE WHEN A DREAM HOUSE TURNS INTO A NIGHTMARE

The closing has gone like clockwork. Sellers have been paid, the real estate commissions have been distributed and buyers have happily moved into their new house. But soon after moving in, buyers discover substantial defects in their “dream house” which they claim were not disclosed prior to the closing. Their life savings have been poured into their new house which they now learn is in need of major repair. They seek your help. What can be done?

## WALK THROUGH A FAILURE TO DISCLOSE CASE

From the initial client meeting through the trial, this seminar will walk you through a failure to disclose case, covering many of the issues encountered as you make your way through trial. Using a case study approach and sample pleadings and documents, this basic level course will give you practical, “real world” guidance on how to handle these increasingly common cases.

## JUMP START YOUR NEXT (OR FIRST) CASE WITH A DRAFTING TIPS

Receive a course manual with useful sample pleadings. The book alone is a valuable resource!

## DISCOVER ANSWERS TO YOUR CLIENTS’ QUESTIONS

Do the standards of proof change depending on whether the concealment was active, negligent or innocent?

Exactly what does the Real Estate Sellers Disclosure Act require of sellers?

What is the impact of the Real Estate & Registration Act?

Under what circumstances are punitive damages and attorneys’ fees recoverable?

How do you prove professional negligence of realtors, home inspectors, appraisers?

What additional claims can you make in cases involving new construction?

*And more!*

## SCHEDULE

<b>12:30 – 12:45</b>	<b>Evaluating the “Failure to Disclose” Case</b>
<b>12:45 – 1:30</b>	<b>What Possible Causes of Action Exist</b>
<b>1:30 – 2:00</b>	<b>Who Is Liable, Statutes of Limitations, Burdens of Proof, and Unique Discovery Issues</b>
<b>2:00 – 2:15</b>	<i>Break</i>
<b>2:15 – 2:45</b>	<b>Available Defenses and the Joinder of Additional Defendants</b>
<b>2:45 – 3:00</b>	<b>Selecting and Using Experts</b>
<b>3:00 – 3:30</b>	<b>Remedies and Damages</b>
<b>3:30 – 3:45</b>	<b>Mediation as an Alternative to Litigation</b>

**Pittsburgh • Tue., Feb. 17, 2015**  
PBI Professional Development Conf. Ctr., Heinz 57 Ctr., 339 Sixth Ave., 7th Fl.

**Philadelphia • Fri., Mar. 20, 2015**  
The CLE Conference Ctr., Wanamaker Building, 10th Fl., Ste. 1010

**Mechanicsburg • Wed., Feb. 25, 2015**  
PBI Conf. Ctr., 5080 Ritter Rd., Rossmoyne Exit, Rt. 15

**Simulcast • Wed., Feb. 25, 2015**

**Allentown**  
Bar Assn. of Lehigh Co.  
1114 Walnut St.

**Doylestown**  
Bucks Co. Bar Assn.  
135 E. State St.

**Greensburg**  
Westmoreland IU 7  
102 Equity Dr.

**Lebanon**  
Lebanon Co. Bar Assn.  
242 S. 8th St.

**Mansfield**  
Mansfield Univ. - Memorial Hall  
20 Straughn Dr.

**Media**  
Delaware Co. Bar Assn.  
335 W. Front St.

**New Castle**  
Penn State Coop. Ext.  
of Lawrence Co.  
Lawrence Co. Cthse.  
430 Court St., 3<sup>rd</sup> Fl.

**Norristown**  
Montgomery Bar Assn.  
100 W. Airy St.

**Plymouth Meeting**  
LaSalle Univ. Montgomery Co. Ctr.  
4000 Chemical Rd.

**Selinsgrove**  
Susquehanna Univ.  
514 University Ave.  
Degenstein Campus Ctr.

**State College**  
Days Inn - Penn State  
240 S. Pugh St., Madison Room

**Warren**  
Warren Library Assn.  
205 Market St.

**West Chester**  
Chester Co. Bar Assn.  
15 W. Gay St.

**Wilkes-Barre**  
Kings College  
Sheehy-Farmer Campus Ctr.  
Lane’s Ln.

**York**  
York Co. Bar Ctr.  
137 E. Market St.

### Registration Policy:

Please register early! Save \$25 on registrations received 3 or more business days before the course date. Pre-registered customers will receive priority on the distribution of course materials. Walk-in registrations will be accepted on a space-available basis, but please check [www.pbi.org](http://www.pbi.org) or call (800) 247-4724 to confirm space is available and the schedule has not changed.

### Cancellation Policy:

In order to receive a refund for cancellation (less a \$25 administrative fee), you must notify PBI by email, mail or FAX no later than 2 business days before the course date for the appropriate site. Otherwise, you will receive the course materials in full consideration of tuition paid.

### Registration Transfers:

Requests for transfers will be honored if they are received before the course date.

### Services for Persons with Disabilities:

If you require special arrangements, please contact Customer Service at (800) 932-4637 at least ten days before the course date.

### Speaker Substitutions:

PBI reserves the right to substitute speakers at all programs.

### PBI Scholarships:

PBI offers substantially reduced tuition for most PBI seminars to allow attorneys experiencing financial hardship to fulfill their mandatory education requirement. For details and an application, contact Scholarship Administrator at [scholarships@pbi.org](mailto:scholarships@pbi.org) or (800) 932-4637, ext. 2284 at least 30 days before the program. (Scholarships are not available for Online CLE.)

### Legal Services/

### Public Interest Lawyers:

PBI will provide a complete waiver of tuition fees for the first 12 hours of CLE taken to satisfy the Pennsylvania mandatory CLE requirement in any calendar year for all attorneys employed on a full-time basis by Pennsylvania civil or criminal Section 501(c)(3) legal services or public interest organizations. For additional courses (over and above the first 12 hours), eligible attorneys may enroll at 50 percent of the highest member fee. This waiver applies only to attorneys in Section 501(c)(3) organizations that provide legal services at no or de minimus fee to individual members of the public.

### Registration Confirmation:

To receive a confirmation, please be sure to include your email address on the registration form.

### Weather Related Cancellations:

Check [www.pbi.org](http://www.pbi.org) or call (800)-932-4637 ext. 2205.

## HANDLING THE FAILURE TO DISCLOSE CASE

8634  
clw/eb-12/5/2014

### DATES & LOCATIONS

- Pittsburgh • Tue., Feb. 17, 2015
- Philadelphia • Fri., Mar. 20, 2015
- Mechanicsburg • Wed., Feb. 25, 2015
- Simulcast • Wed., Feb. 25, 2015

Location: \_\_\_\_\_

### BOOK & AUDIO CD AVAILABLE

- Course Book 2014-8634 \$69 plus \$8.00 S&H & \$4.62 tax (\$81.62)
- Audio CD ACD-8634 \$39 plus \$8.00 S&H & \$2.82 tax (\$49.82)
- Audio CD & Book Set ACDS-8634 \$99 plus \$8.00 S&H & \$6.42 tax (\$113.42)

If you are ordering course materials separately, please allow two weeks after the first program for the shipment of books and 4 to 6 weeks for shipment of the CDs and book/CD sets.

### TUITION (INCLUDES COURSE BOOK)

EARLY*		STANDARD
<input type="checkbox"/> \$249	Members — Pa., or any co. bar assn.	<input type="checkbox"/> \$274
<input type="checkbox"/> \$229	Members admitted after 1/1/11	<input type="checkbox"/> \$254
<input type="checkbox"/> \$269	Nonmembers	<input type="checkbox"/> \$294
<input type="checkbox"/> \$99	Paralegals attending with an atty.	<input type="checkbox"/> \$124
<input type="checkbox"/> \$125	Judges and judicial law clerks	<input type="checkbox"/> \$150
<input type="checkbox"/> \$115	Judges and judicial law clerks admitted after 1/1/11	<input type="checkbox"/> \$140

\*Registrations received 3 or more business days before the presentation qualify for the Early Registration Discount.

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