



## **16 June 2023 Agenda** *Online Event via Zoom*

**8:00 to 8:30 a.m. – Sign in**

**8:30 to 8:55 a.m. – Welcome message and administrative housekeeping**

Dr. Barb Fair, *Associate Professor and Extension Specialist at NCSU Cooperative Extension*  
Leslie Moorman, *Executive Director at North Carolina Urban Forest Council*

**8:55 to 9:00 a.m. – Introductory video for law suit avoidance presentation**

**9:00 to 9:30 a.m. – How to defend the guilty**

Mr. Mike Comer, *Super Lawyers and a Member of the National Trial Lawyers Top 100*

- Mike will draw from his expertise and experience as a defense lawyer to explain how you can stay on the right side of the law.

**9:30 to 9:35 a.m. – Introductory video for boundary trees & trespassing presentation**

**9:35 to 10:05 a.m. – Who owns this tree and what does that mean for the arborist?**

Mr. Joe Samnik, *Expert Tree Consultant and Forensic Arborist*

- Joe will discuss case law relevant to trespassing and boundary trees, focusing primarily on legal precedents set in North Carolina and adjoining states. Through his examples you will learn how to avoid property line problems and how to mitigate your mistake if you do cross the property line.

### **10:05 to 10:35 a.m. – Break out session**

Break out room 1 = Mr. Comer

Break out room 2 = Mr. Samnik

### **10:35 to 10:40 a.m. – Introductory video for hazardous tree management presentation**

### **10:40 to 11:10 a.m. – Duty of care and risk assessment**

Mr. Mark Duntemann, *Senior Consultant at Natural Path Forestry; ISA Board Certified Master Arborist and TRAQ Trainer*

- From the perspective of risk assessments, Mark will discuss the strategical way in which you should care for your clients' trees. Additionally, he will deconstruct some common legal situations so that you can fully appreciate the complexity of each tree care scenario.

### **11:10 to 11:15 a.m. – Introductory video for property rights presentation**

### **11:15 to 11:45 a.m. – Do good fences really make good neighbors?**

Mr. Joe Samnik, *Expert Tree Consultant and Forensic Arborist*

- Joe will discuss property rights in relation to easements, tree planting, and tree removal. He also will explain what the legal implications are if you trespass when conducting your tree care work. Lastly, Joe will help you understand (1) the meanings of tort claims and nuisance actions and (2) how both legal situations may affect you.

### **11:45 a.m. to 12:15 p.m. – Break out session**

Break out room 1 = Mr. Duntemann

Break out room 2 = Mr. Samnik

### **12:15 to 1:20 p.m. – Lunch**

- Stretch, relax and eat.
- Want to enjoy your lunch with other attendees? Join a breakout room!

### **1:20 to 1:25 p.m. – Welcome back and administrative housekeeping**

Barb Fair and Leslie Moorman

### **1:25 to 1:30 p.m. – Introductory video for liability presentation**

What makes you liable when a tree falls and inflicts property damage?

**1:30 to 2:30 p.m. – When are you liable for property damage?**

Mr. Mike Comer, *Super Lawyers and a Member of the National Trial Lawyers Top 100*

Mr. Joe Samnik, *Expert Tree Consultant and Forensic Arborist*

Mr. Mark Duntemann, *Senior Consultant at Natural Path Forestry; ISA Board Certified Master Arborist and TRAQ Trainer*

- All three legal presenters will discuss liability to help you better distinguish between “acts of God” and improper actions on your part. They also will discuss how you should conduct yourself during a deposition and a court trial, if you ever find yourself in such a situation.

**2:30 to 3:00 p.m. – Break out session**

Break out room 1 = Mr. Samnik

Break out room 2 = Mr. Duntemann

**3:00 to 3:15 p.m. – Closing remarks and final question/answer session**

Mr. Joe Samnik and Mr. Mark Duntemann

**3:15 to 3:45 p.m. – Issuance of certificate of attendance for CEU credit submission**

North Carolina Urban Forest Council staff will be on hand to address your CEU submission needs.