



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

THE CONTRACTUAL LIABILITY ACT AND FALSE CLAIMS ACT

March 28, 2013

10:00 a.m. to 12:00 p.m.

Richard J. Hughes Justice Complex

6th Floor Point Meeting Area-Attorney General's Library

25 Market Street

Trenton, New Jersey

Program Summary

This presentation will cover the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1, et seq., which sets strict requirements and limitations for the assertion of contractual claims against the State and most (but not all) of its departments, agencies and authorities. The program will also address issues bearing upon the State's assertion of affirmative contractual damage claims against private parties. Additionally, the program will cover the New Jersey False Claims Act, N.J.S.A. 2A:32C:-1, et seq., which authorizes private plaintiffs to assert claims in the name of the State against private vendors to recover damages for false or fraudulent contractual claims, and which provides that such private plaintiffs may share in any costs or damages recovered on account of such false or fraudulent claims.

Who Should Attend?

While this program is intended for those attorneys who deal with contracts between private vendors, contractors and professionals and the State of New Jersey, others may find the issues discussed of interest.

Who Is the Faculty?

DAG Christopher A. Edwards is a deputy attorney general in the New Jersey Attorney General's office. Prior to joining the Division, Chris was a litigation associate in Choate, Hall & Stewart's litigation department, where he represented banks, insurance companies, corporations, investment firms and individuals in criminal and civil matters in federal and state courts throughout the U.S. In 2008, Chris was voted a Massachusetts Rising Star Super Lawyer, an honor reserved for the top 2.5% of all lawyers under 40. Chris has also served as a special assistant district attorney in Suffolk County, Massachusetts, where he was responsible for prosecuting violent and non-violent crimes. Chris began his career at Brown Rudnick Freed &

Gesmer's in Boston, where he was a member of the firm's tobacco litigation group which was dedicated to assisting the Massachusetts Attorney General in the Commonwealth's suit against the tobacco industry. Chris obtained his BA, *summa cum laude*, from Pace University, and currently serves on the Pace Board. Chris obtained his juris doctorate from Harvard Law School.

DAG Philip J. Espinosa is a 1988 graduate of Rutgers University (Camden) School of Law, where he served as a staff member and as the managing editor of the Rutgers Law Journal. DAG Espinosa then served as an Appellate Division law clerk for the Honorable Michael Patrick King, P.J.A.D. Following his clerkship, DAG Espinosa served in private practice handling primarily professional negligence defense cases, and then, as an in-house counsel for State Farm Insurance Co. DAG Espinosa joined the Division of Law in 2000 and, in 2008, was promoted to serve as an assistant chief in the Transportation, Construction and Condemnation Section. From September 2011 to August 2012, DAG Espinosa served as the Acting Director of Law for the New Jersey Turnpike Authority. DAG Espinosa serves as the Attorney General's designee on the Supreme Court Civil Practice Committee. He also coordinates the Division of Law's intern program for the Trenton and Voorhees offices.

DAG Wayne Martorelli first joined the Division of Law in 1983, representing various State agencies in construction procurement and litigation matters. He left the Division in 1986 for private practice, where for 14 years he represented project owners, contractors and sureties in construction-related matters in both the public and private sectors. Returning to the Division in 2000, DAG Martorelli now represents and advises a broad range of State agencies, primarily in the sphere of construction law and litigation.

CLE Credit

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 2.0 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 2.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 substantive credits (\$3.00 mandatory registration fee required).

How Do I Register?

State Employees

Most State employees are able to register for this course by going to <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> and creating an AGAI Course Registration account. To do so, your computer **must** be attached to the government's Garden State Network. Upon opening the AGAI Course Registration System home page, you will see the Create Account link in the Login Box. Click on it and create your account, which will include you selecting a user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

Non-State Employees or State Employees not Connected to the Garden State Network

If you are not a State employee, or are otherwise unable to access the AGAI Course Registration System through the Garden State Network, kindly email the Advocacy Institute at: AdvocacyInstitute@lps.state.nj.us for an authorization code to allow you access to the AGAI Course Registration System through the My New Jersey portal. **Setting up your account through the portal is a two-step process, the details of which are set forth in the next two paragraphs.**

Once you receive the portal authorization code you will be prompted to go to the My New Jersey portal at <http://www.state.nj.us/> and create a portal account. This is Step 1 of the process, which you need only do once.

Upon setting up your portal account, you need to set up your AGAI Course Registration System account. This is Step 2. To do so, log on to the My New Jersey Portal <http://www.state.nj.us/>. Upon opening the AGAI Course Registration System home page, you will see the Create Account link in the Login Box. Click on it and create your account, which will include you selecting a new user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.