

NEW YORK AMERICAN INN OF COURT

SEPTEMBER 13, 2022

WINE AND THE LAW 2022:

WRITTEN MATERIAL

(via weblinks)

(Each website below is the website of a regulatory agency, standard-setting organization of the country of origin, or a commercial producers' association referencing a range of information included in the live presentation, as well as a great deal of information about the broader national wine topics. Where the host sites are not initially in English, the host entity's translated site has been linked.)

6:00 P.M.	INTRODUCTION : PROHIBITION, DIRECT SHIPPING, PROTECTIONISM ... AND "CHAMPAGNE"	Official texts (inao.gouv.fr)
6:15	SOUTH AFRICA: WINE AND A COMPLEX HISTORY	HOME (wosa.co.za)
6:30	GERMANY: WINE LAW TO THE MAX	New regulations in the German wine law (germanwines.de) Grape varieties (germanwines.de)
6:45	CORISCA: BIRTHPLACE OF A SHORT (-LIVED) AUTOCRAT	Home (inao.gouv.fr) France Is Changing Key Wine Regulations (forbes.com)

7:00	CHIANTI: KINGS, FASCISTS AND REPUBLICS	History of Chianti Classico - Chianti Classico CHIANTI CLASSICO DOCG REGULATIONS - Carus Vini
7:15	THE NEW YORK STATE OF WINE: HOME WINERIES, FARM WINERIES, AND LAWYERS IN THE EMPIRE STATE	New York Alcoholic Beverage Control Law Article 6 - Special Provisions Relating to Wine (public.law)
7:30 - END	GUIDED DISCUSSION AND CONCLUSIONS	<i>FINAL POWERPOINT AVAILABLE on REQUEST</i>

The American Wine Society's Wine Evaluation Form template is made publicly available for downloading on their website. A link and further information is available at: <https://americanwinesociety.org/>

The 2022 Wine & the Law Team:

TOM BROWN

Partner, Morea Schwartz Bradham Friedman & Brown LLP

Tom loves wine and collects Burgundy and Champagne. Lately, he has been enjoying exploring German wines, especially dry Rieslings unusual reds. Tom has over 25 years of complex commercial, financial, employment and trusts & estates litigation experience. He has handled a broad range of commercial, financial and employment cases, involving allegations of fraud, breach of fiduciary duty, breach of contract, breach of employment covenants, theft of trade secrets, discrimination and more. Tom has also represented executors, trustees and beneficiaries in numerous trust disputes and will contests.

Tom has successfully litigated multiple cases to verdict before juries, judges and arbitrators. He has also argued appeals in both state and federal courts. He has handled all aspects of pre-trial strategy and discovery, including taking depositions throughout the United States and abroad.

Tom regularly advises corporations and individuals on litigation and litigation avoidance strategy. He has also conducted a Foreign Corrupt Practices Act investigation in Central America and the United States.

Tom received his law degree from Cornell University (magna cum laude) in 1994, where he was an Editor of the law review and a member of the Order of the Coif. His favorite class while at Cornell was a wine tasting taught by the Hospitality School. He graduated from Colgate University (cum laude) in 1988 with a bachelor's degree in history. Tom has been named as a "New York Super Lawyer" every year since 2009 and has been recognized as an AV (Preeminent) peer rated attorney by Martindale-Hubbell.

CYRIL HERON is an Assistant District Attorney for New York County and a Member of the New York American Inn of Court.

Prior to joining DANY, Cyril was an Excelsior Fellow in the New York State Department of Financial Services' Consumer Protection and Financial Enforcement Division, where he facilitated the regulation and enforcement of federal and state banking, insurance, fair-lending, and other finance laws against entities licensed in New York.

Outside of work, Cyril publishes articles with a focus on Comparative Law and has contributed to the monthly publication LGBT Law Notes which documents LGBT and AIDS/HIV legal developments.

Cyril Heron graduated from Florida State University (B.A., B.S., '16) and Cornell Law School (J.D., LL.M ., '19).

Before her retirement from work-for-pay, **DEBORAH KAYE** managed a team of attorneys handling the legal issues for 5 companies and divisions and many cranky client employees of a global Fortune 500 financial institution, notably involving international securities and banking regulations. Most laws were a tiresome 1500 pages when she escaped.

She covered too many aspects of legal compliance, structured bespoke off-the-wall products, negotiated multi-billion dollar agreements with young hedge fund testosterone crazed men, and attempted to oversee the infrastructure of broker-dealers, clearing firms, global collateral offerings, global mutual funds, hedge funds, derivatives, and international capital markets when clients didn't complain too much. She loved the challenge.

Ms. Kaye slept too little and drank too little as well.

In her non spare time, also created and structured the company's first Global Pro Bono Legal effort, winning multiple awards for having expanded the enterprise to 16 countries and 11 cities in under two years. She got too much public notice for this effort as she was supposed to create and hide. Ms. Kaye thought this was typical.

One award was delivered by Supreme Court Justice Ruth Bader Ginsberg and mentioned in the Wall Street Journal (the first ever 50 state survey of same sex marriage in the late 2000's; it was conceived and finished in 2.5 months). It assisted over a million people. Ms. Kaye drank at the award occasion but doesn't remember what.

She became infamous for attempting to obtain the support of men for women in the law, creating several committees in Famous Women's groups (the New York State Bar Association and the Financial Women' Association), where sports and alcohol were mixed, sometimes more alcohol than sports, with CLE credits to boot. Ms. Kaye focused on Scotch, and alliterative titles. Again, getting noticed as a woman in the press wasn't apparently a good career move. Another fun challenge!

Post retirement, Ms. Kaye has focused on fighting criminals and killers, notably Putin, by being (i) the Secretary of the Joint Task Force of the Ukrainian Bar Association and the New York State Bar Association International Section, and (ii) a member of the Federal Bureau of Investigation's Citizens Academy Alumni Association. (Drinking Alcohol and using deadly weapons are generally considered unlawful. So, please listen to the presentation!)



DANA HC LEE, CSW, FWS

Although I do not work in the wine industry (in fact, I am the chief legal officer at Albert Einstein College of Medicine in New York), I have been an avid wine enthusiast since 2005, when I began taking wine appreciation classes taught by Ned Towle, the founder and Director of the Westchester Wine School. In June 2008, I became a Certified Specialist of Wine from the Society of Wine Educators. In October 2015, I became a French Wine Scholar with the Highest Honor from the Wine Scholar Guild (formerly the French Wine Society). In addition, I have been a member of the Westchester NY Chapter of the American Wine Society since 2006, and served as the Chapter Chair for two years in 2012 and 2013. And beginning in 2014, I have been a wine judge at the annual wine competition at the Hudson Valley Food and Wine Festival in Rhinebeck, New York. Though law is my primary occupation, I devote much of my free time to wine education and appreciation through wine classes and wine trips led by Masters of Wine.

PAUL J. MAHONEY

By quirks of geography, Paul arrived in the Hudson Valley in the mid-1970s shortly after some of the state's earliest "modern" small vineyards were established and was given the opportunity to pick grapes at below-minimum wage in his teenage years, which opportunity left him approximately 10 cents per diem spending money at Williams College, entirely ruling out wine, and making for extremely questionable alternative beverage selections. Choices he made at that time confined Paul to an institution for three years atop a cliff at the southern end of the Finger Lakes Region. On his leave-days, he was able to explore the rapidly-expanding wine region, for no pay whatsoever. (That institution was Cornell Law School.)

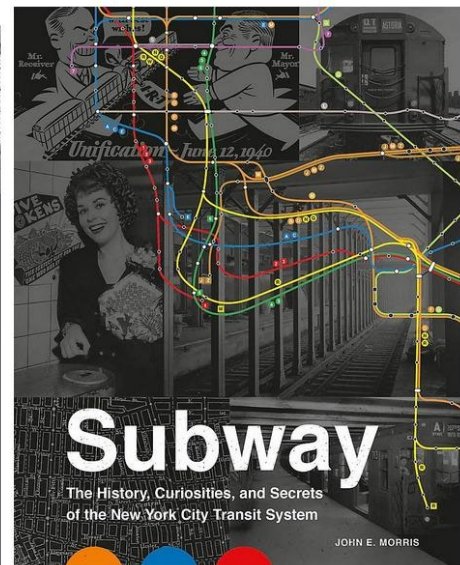
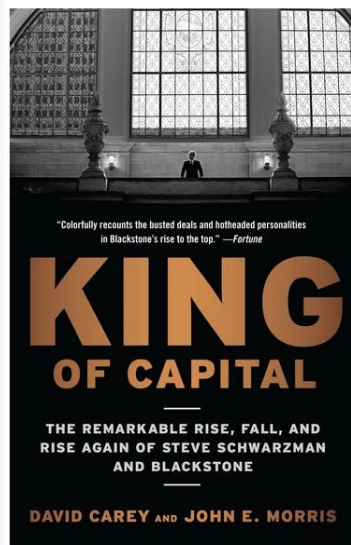
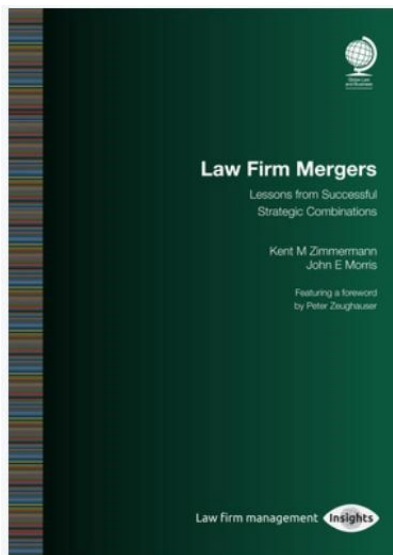
Upon release, Paul travelled to New York City, where a large law firm left him little time to explore wine, despite his best efforts. (Another similarly-formerly-confined person shared his interests, and they married at a winery in the Hudson Valley a few years later. She's probably at tonight's presentation, unless she forgot.)

Subsequently, Paul has worked in government, co-chaired our 2010 Wine and the Law presentation, and met the fine people kind enough to join our team this evening.

Paul has been a member of the New York American Inn of Court since inception.

JOHN E. MORRIS was a litigator in a large firm in San Francisco and in the San Francisco City Attorney's office before turning to a career in journalism, covering law, business and finance. Along the way, he has pursued a love of wine, including many trips through the wine regions of California, France, Italy, Germany and Spain. He is the president of the New York City chapter of the American Wine Society.

After stints as editor and editor at large at *The American Lawyer* magazine (including writing about food and wine), he was an editor at *The Deal*, Dow Jones and Bloomberg. He is the author of *Subway: The Curiosities, Secrets, and Unofficial History of the New York City Transit System* (2020), an illustrated history of the subway, and co-author of two other books: *Law Firm Mergers: Lessons from Successful Strategic Combinations* (2021) and *King of Capital: The Remarkable Rise, Fall, and Rise Again of Steve Schwarzman and Blackstone* (2010), a history of Blackstone Group and the private equity industry. He is a graduate of Harvard Law School and the University of California, at Berkeley. He is currently employed as an editor at a large global law firm.





KENT, BEATTY & GORDON, LLP

Eleven Times Square New York, NY 10036

ALEX PARADISO

Partner

Alex is a general commercial lawyer with over a decade of experience representing clients in commercial litigation, business divorces, employment, professional liability, real estate and transactional matters. He has served as lead counsel in a number of complex and high profile matters, and he successfully resolved claims on behalf of clients ranging from individuals, non-profit entities, and small businesses to multinational corporations. Alex has also served as outside general counsel to a wide variety of businesses and has helped guide them through critical phases of their lifecycle from formation to dissolution.

In addition to his general commercial practice, Alex has particular expertise in legal malpractice and other professional liability matters and has both defended and prosecuted dozens of such claims.

Alex has been recognized as a "Rising Star" in the area of business litigation by *Super Lawyers Magazine* every year since 2018.

Some of Alex's representative litigation matters while at KBG include:



T: 212-421-4300 | F: 212-421-4303

✉ *Email* (<mailto:atp@kbg-law.com>)

EDUCATION

- › Representing the sellers in the then-largest residential property transaction in the United States in a breach of contract action against The Corcoran Group relating to brokerage commissions purportedly due in connection with the sale. The clients won summary judgment after more than five years of litigation.
- › Representing a Czech businessman in a federal civil RICO action seeking more than \$1 billion in damages in connection with an alleged conspiracy to secretly acquire a controlling share of a major luxembourg-based commercial real estate development company. The client won pre-answer dismissal in the SDNY.
- › Representing a Michelin-starred chef in litigation against his former partners in a restaurant venture. The client won a key summary judgment motion resulting in a favorable settlement.
- › Representing a manufacturer of beauty products in litigation related to a dispute over a licensing and celebrity endorsement deal with a global superstar.
- › Representing personal injury attorneys in connection with a high profile law firm dissolution and related litigation.
- › Representing a leading surgical group in connection with a AAA arbitration related to a partnership dispute with their former partners.

Alex was an associate at a major global law firm before transitioning to boutique practice. He received his law degree, *magna cum laude*, from Syracuse University College of Law. While in law school, Alex served as Executive Editor of the *Syracuse Law Review* and was elected to the Order of the Coif upon graduation. He also spent one year serving as a law clerk extern to the Hon. Frederick J. Scullin, Jr. of the U.S. District Court,

› J.D., *magna cum laude*, Syracuse University College of Law, 2010

› B.A. in History and Political Science, University of Rhode Island, 2007

ADMISSIONS

› New York (2011)

Northern District of New York, and the Hon. Marian W. Payson of the U.S. District Court, Western District of New York. He is admitted to the New York Bar and the United States District Court for the Southern, Eastern, and Northern Districts of New York.

Alex lives in Brooklyn Heights with his wife and two sons.

AV® PREEMINENT™ IS A CERTIFICATION MARK OF REED ELSEVIER PROPERTIES INC., USED IN ACCORDANCE WITH THE MARTINDALE-HUBBELL CERTIFICATION PROCEDURES, STANDARDS AND POLICIES. LOVE LETTERS © BRUCE HELANDER (A CLIENT OF THE FIRM) AND THE PARKER GROUP.

© 2022 [Kent, Beatty & Gordon, LLP \(/\)](#). All Rights Reserved. [Sitemap \(/sitemap/\)](#) | [Disclaimer \(/disclaimer/\)](#) | [Law Firm Essentials \(https://www.lawfirmessentials.com\)](#) by [PaperStreet Web Design \(https://www.paperstreet.com\)](#).

MICHAEL D. PATRICK [link to my LinkedIn page:](#)

Michael has practiced law for 43 years, with the last 40 involving immigration. He was a senior partner in the New York office of Fragomen Worldwide for 26 years until his retirement in 2016 (1990-2016), a founding partner of Campbell, Patrick & Chin (1986-1990), and before that a Special Assistant U.S. Attorney, SDNY, and Chief of the Immigration Unit under then-U.S. Attorney Rudolph W. Giuliani (1981-1986). Michael began his legal career as an Assistant Corporation Counsel for the NYC Law Department, and as a member of its Special Trials Unit, Torts Division (1978-1981). Michael served as NYC Chapter Chair of the American Immigration Lawyers Association (1990-1991), Co-Chair of the Immigration Section of the Federal Bar Association (1992-1993), and as a founding member of Chief Circuit Judge Robert Katzmann's Immigration Representation Study Group (2008-present). Michael graduated from Syracuse University (BA, cum laude, 1975) and Hofstra (JD, 1978), and has been listed in Best Lawyers, Super Lawyers, and Who's Who in Corporate Immigration for multiple years. He has been a member of the American Inn of Court, NY Chapter, since 2012.

JAY SAFER, ESQ.

JAY SAFER is a litigation and dispute resolution group partner with the New York City law firm Wollmuth Maher & Deutsch LLP.

He is an Attorney, Arbitrator, Consultant, and Educator.

Jay has extensive experience as a litigator, single and panel arbitrator, and representing clients. He has managed and handled complex U.S. and International litigation, arbitration, and mediation on a wide range of disputes, cases, and consultation including: complex commercial and business matters, court hearings on jurisdiction and compelling and opposing arbitration, application of the New York Convention and Federal Arbitration Act to enforce and confirm international arbitration awards, enforcement of U.S. arbitration awards, enforcement of foreign judgments, contract claims and breach of contract, mergers and acquisitions, sale and purchase claims, supplier purchaser disputes, franchise disagreements, antitrust, securities, broker dealer relationships, corporate investigations, forgery, fraud, RICO, qui tam, FCPA, labor and employment including termination, banking and financial transactions, lender and borrower defaults and liability, corporate governance, technology, privacy, insurance, construction, real estate, media, defamation, product liability, health care, professional malpractice, ethics, telecommunications, energy, environment, breach of fiduciary duty, partnership, shareholders, entertainment, privacy, trade secrets litigation and protection, trusts and estates, corporate governance, constitutional and regulatory issues, and class actions.

As an arbitrator, he has served on numerous arbitrations as a single arbitrator and on tribunals including as Chair of tribunals. He is on the Roster of Neutrals for the AAA and ICDR.

He has represented United States and foreign clients in litigation and arbitration in the U.S. and abroad, including a foreign government and involving application of U.S. and foreign law.

He is also a Lecturer at Law and Adjunct Professor at Columbia University Law School and Fordham Law School teaching American Litigation Practice and Management of Litigation for the International

Lawyer, including arbitration and mediation to foreign lawyers seeking their LLM.

He has many years of speaking engagements on many subjects related to litigation, arbitration, and mediation. He has presented programs with judges, arbitrators, and attorneys on international and U.S. litigation, arbitration, ADR and trial and evidentiary issues at worldwide conferences, webinars, and court and bar association programs. He has taught international arbitration to CIArb Fellow applicants. He has authored and contributed to articles and publications on litigation and arbitration.

Contact information:

Jay G. Safer
Wollmuth Maher & Deutsch LLP
500 Fifth Avenue
New York, New York 10110

Tel: 212-332-5560 (work direct), 914-714-0445 (cell)

Email: JSafer@wmd-law.com

APPEARANCE

- 3 - Excellent - Brilliant with outstanding characteristic color.
- 2 - Good - Clear with characteristic color.
- 1 - Poor - Slight haze and/or slight off color.
- 0 - Objectible - Cloudy and/or off color.

AROMA AND BOUQUET

- 6 - Extraordinary - Unmistakable characteristic aroma of grape-variety or wine-type. Outstanding and complex bouquet. Exceptional balance of aroma and bouquet.
- 5 - Excellent - Characteristic aroma. Complex bouquet. Well balanced.
- 4 - Good - Characteristic aroma. Distinguishable bouquet.
- 3 - Acceptable - Slight aroma and bouquet. Pleasant.
- 2 - Deficient - No perceptible aroma or bouquet or with slight off odors.
- 1 - Poor - Off odors.
- 0 - Objectible - Objectible or offensive odors.

TASTE AND TEXTURE

- 6 - Extraordinary - Unmistakable characteristic flavor of grape-variety or wine-type. Extraordinary balance. Smooth, full-bodied and overwhelming.
- 5 - Excellent - All of the above but a little less. Excellent but not overwhelming.
- 4 - Good - Characteristic grape-variety or wine-type flavor. Good balance. Smooth. May have minor imperfections.
- 3 - Acceptable - Undistinguished wine but pleasant. May have minor off flavors. May be slightly out of balance, and/or somewhat thin or rough.
- 2 - Deficient - Undistinguished wine with more pronounced faults than above.
- 1 - Poor - Disagreeable flavors, poorly balanced, and/or unpleasant texture.
- 0 - Objectible - Objectible or offensive flavors and/or texture.

AFTERTASTE

- 3 - Excellent - Lingering outstanding aftertaste.
- 2 - Good - Pleasant aftertaste.
- 1 - Poor - Little or no distinguishable aftertaste.
- 0 - Objectible - Unpleasant aftertaste.

OVERALL IMPRESSION

TOTAL SCORES

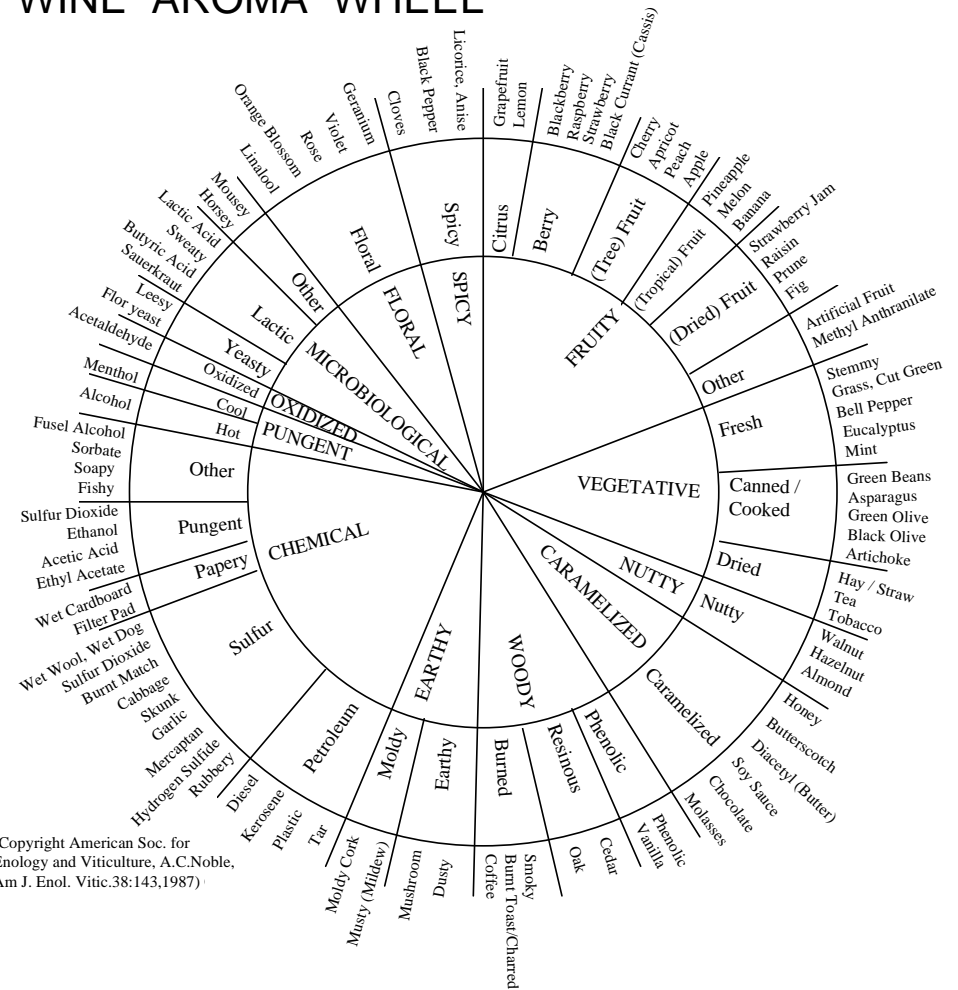
2 - Excellent	18 - 20	Extraordinary
1 - Good	15 - 17	Excellent
0 - Poor	12 - 14	Good
	9 - 11	Commercially Acceptable
	6 - 8	Deficient
	0 - 5	Poor and Objectible

The **American Wine Society** is a national non-profit consumer organization which is dedicated to educating its members about wine appreciation, wine making and wine evaluation. The society is an independent organization with no commercial affiliation.

AWS has over 120 chapters throughout the United States. Membership is open to any adult interested in wine - amateur, enthusiast or professional.

For further information contact: **AMERICAN WINE SOCIETY**
 P. O. Box 279
 Englewood, OH 45322
 888-AWS-9070
www.americanwinesociety.org

WINE AROMA WHEEL



(Copyright American Soc. for Enology and Viticulture, A.C.Noble, Am J. Enol. Vitic.38:143,1987)

