

**CONFERENCE CHAIRS:**

Bethann Schaffzin, Esq, Shein Law Center, Ltd., Philadelphia

Colin Kelly, Esq., Alston & Bird LLP, Atlanta

Wednesday, February 24, 2010

<p>9:00 Continental Breakfast and Morning Registration</p> <p>9:30 <b>Emerging Trends in Asbestos Litigation: Secondary Exposure, Premises Liability, Friction Cases &amp; Other New Areas Of Asbestos Litigation</b></p> <ul style="list-style-type: none"> <li>• How to bring or defend a take-home exposure case or low dose exposure case</li> <li>• Premises liability-a look at recent cases, including Nelson and how these suits differ from a traditional asbestos case</li> <li>• Friction and brake-lining cases             <ul style="list-style-type: none"> <li>- Analysis of Simonetta, Braaten, Taylor, O'Neil and Merrill</li> <li>- Replacement components</li> <li>- Is a design defect claim still viable?</li> <li>- Non-Navy equipment cases</li> </ul> </li> <li>• What new types of plaintiffs are filing suits, who are the new defendants in asbestos litigation and what are theories of liability?</li> </ul> <p>Scott Frost, Esq., Waters &amp; Kraus, Dallas Jonathan Ruckdeschel, Esq., The Ruckdeschel Law Firm, LLC, Ellicott City, MD Timothy McGowan, Esq., Kelley Jasons McGowan Spinelli &amp; Hanna, LLP, Philadelphia Amee Mikacich, Esq., Filice Brown Eassa &amp; McLeod LLP, Oakland, CA</p> <p>10:30 <b>Expert Admissibility and Preparing an Expert for Trial</b></p> <ul style="list-style-type: none"> <li>• The standards of Daubert and Kelly/Frye             <ul style="list-style-type: none"> <li>- Where they are used</li> <li>- What kind of experts are applied to these standards</li> <li>- Things to consider on direct and for cross examination</li> </ul> </li> <li>• Preparing for expert admissibility hearings-the documents you'll need</li> <li>• Working with expert witnesses-researching experts, maintaining communication and record updates</li> <li>• Pretrial procedures             <ul style="list-style-type: none"> <li>- Conducting client interviews</li> <li>- Reviewing and analyzing medical records-what to look for</li> <li>- Depositions-what you need to find out and who you need to depose</li> <li>- Understanding Damages</li> </ul> </li> </ul> <p>Ross Stomel, Esq., Shrader &amp; Associates, Houston F. Ford Loker, Jr., Esq., Miles &amp; Stockbridge, P.C., Baltimore</p> <p>11:30 Morning Break</p> <p>11:45 <b>Depositions and End of Life Preparedness Counseling</b></p> <ul style="list-style-type: none"> <li>• How do you know when a deposition needs to be fast-tracked?</li> <li>• Executing a dying deposition-procedural matters</li> <li>• Preparing for a dying deposition-can you prepare?             <ul style="list-style-type: none"> <li>- The technical and logistical considerations</li> <li>- Emotional concerns</li> </ul> </li> <li>• Dealing with dying witnesses-compassionately and respectfully-things both sides should consider</li> </ul> <p>Rebecca Shull Vinocur, Esq., Lipman Law Firm, Coral Gables, FL Tracey McDevitt Hagan, Esq., Reilly, Janiczek &amp; McDevitt, P.C., Philadelphia</p> <p>12:30 Networking Luncheon</p> <p>1:30 <b>Dynamic Trial &amp; Settlement Techniques In Asbestos Litigation</b></p> <ul style="list-style-type: none"> <li>• The Art of Negotiation: creating leverage in settlement talks and avoiding trial</li> <li>• Successful opening statements at trial and the impact on the jury's verdict</li> <li>• Techniques for identifying the right jurors in creating "your" jury – questions to ask during selection process to elicit the information you need</li> <li>• Knowing evidentiary requirements – what is currently being allowed in the courtroom?</li> <li>• Influencing the jury – strategies to win them over</li> <li>• Expert testimony – when and when not to use it</li> <li>• Technology in the courtroom – best practices for influencing a jury</li> <li>• The closing: how to effectively wrap-up your case</li> </ul> <p>Rick Nemeroff, Esq., DeLuca &amp; Nemeroff, LLP, Dallas Frank Pond, Esq., Pond North LLP, Los Angeles</p>	<p>2:30 <b>Asbestos Medicine: Medical Knowledge You Need To Know in the Courtroom</b></p> <ul style="list-style-type: none"> <li>• Comparison of the mineralogical features of chrysotile and amphiboles</li> <li>• Anatomy of the lung</li> <li>• How fibers enter the lung and are cleared from the lung</li> <li>• Pathology of asbestos-related diseases</li> <li>• Mesothelioma - causes, including asbestos and alternative causes</li> <li>• Differentiation of mesotheliomas from other tumors involving the pleura</li> <li>• Chrysotile update</li> <li>• Mesothelioma diagnosis rates</li> <li>• New drugs and studies – is a cure on the horizon?</li> </ul> <p>Arthur Frank, MD, PhD, Professor, Chair Department of Environmental &amp; Occupational Health, Drexel University School of Public Health, Philadelphia Stanley Geyer, M.D., Pathologist, Geyer Pathology Services LLC, Pittsburgh</p> <p>3:30 Afternoon Break</p> <p>3:45 <b>The Rockin Rules of Court-The Sweet Sound of Ethical Lawyering</b></p> <ul style="list-style-type: none"> <li>• The Jagger Discovery Doctrine and Model Rule 3.4</li> <li>• Henley's Imperative of Advocatorial Candor and Model Rule 3.3</li> <li>• The Temptations' Advisory Against Unnecessary Recusals and Model Rule 1.16</li> <li>• Carpenter's Rule on Post-Defeat Behavior and Model Rule 3.5</li> <li>• Dire Straits' Imperative of Case Economy and Model Rule 3.2 and 1.3</li> <li>• Fuller Four's Warning Against Overly Inventive Pleadings and Model Rule 3.1</li> <li>• Hall &amp; Oates's Ruling on Excessive Attorney's Fees and Model Rule 1.5</li> <li>• Bachman Turner Overdrive's Grievance Avoidance Technique and Model Rule 1.4</li> </ul> <p>Hon. Mark Davidson, 11th Civil District Court-Texas MDL Judge, Houston</p> <p>4:45 <b>Perspectives from the Bench</b></p> <ul style="list-style-type: none"> <li>• Efficient use of court resources</li> <li>• Improving motion practice and ways to streamline discovery</li> <li>• Mistakes to avoid and tips to practice by</li> </ul> <p>Moderator: Benjamin Shein, Esq., Shein Law Center, Ltd., Philadelphia Hon. Sandra Mazer Moss, Philadelphia Court of Common Pleas, Philadelphia Hon. Mark Davidson, 11th Civil District Court-Texas MDL Judge, Houston Hon. Ann G. McCormick, Superior Court of New Jersey</p> <p>5:45 Networking Reception</p>
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