

HB LITIGATION CONFERENCES PRESENTS
Benzene Litigation Conference

July 24, 2009 | Parc 55 Hotel, San Francisco

CONFERENCE CHAIRS:

Raphael Metzger, Esq., Metzger Law Group, Long Beach, CA

Edward Slaughter, Esq., Hawkins, Parnell & Thackston, LLP, Dallas



MEETING ROOM: CYRIL MAGNIN I

8:15 Registration and Continental Breakfast

8:45 The Next Generation: New Products and Looming Liability

- What is hydroquinone and why is it important?
- Cosmetics, film developer, and other products containing hydroquinone
- Why hydroquinone is banned in Europe but not domestically
- Other end-user consumer products that may pose risks to users
- Does benzene in the air we breathe cause leukemia in the general population?

Gregory Coolidge, Esq., Metzger Law Group, Long Beach, CA
Allen Lockerman, IV, Esq., Hawkins & Parnell, LLP, Atlanta
James Scadden, Esq., Gordon & Rees, LLP, San Francisco

9:45 Recent Update Session-Super-Sized: Breakdown on Four Major Case Areas

A detailed discussion on painter, petroleum, printer, mechanic, gasoline, and tire worker cases addressing:

- What cases are being filed and where
- Recent case law impacting the litigations
- New trial techniques and issues impacting these cases

Neil Bromberg, Esq., Hollingsworth LLP, Washington, D.C.
Keith Patton, Esq., Shrader & Associates, LLP, Houston
Thomas Schwartz, Esq., Holloran White & Schwartz LLP, St. Louis, MO

10:45 Morning Break

11:00 Working With the Jury: Strategy and Procedures

- Strategies for working with jury consultants
- Methods and models for presenting complicated evidence and when to use them
- How to demystify the science
- Tips and strategies for opening and closing statements

Edward Slaughter, Esq., Hawkins, Parnell & Thackston, LLP, Dallas

Herschel Hobson, Esq., Ph.D., Law Offices of Herschel L. Hobson, Beaumont, TX

12:00 Networking Luncheon

LOCATION: MARKET STREET

1:15 Causation Evidence and the Different Types of Diseases

- New studies regarding benzene and non-Hodgkin's lymphoma
- The relationship between benzene and multiple myeloma
- Manufacturing doubt: industry's suppression of studies showing a relationship between benzene and non-Hodgkin's lymphoma and multiple myeloma
- Satisfying *Daubert*, *Frye*, and other admissibility standards with the studies

Howard Sandler, M.D., President, Sandler Occupational Medicine Associates, Inc., Melville, NY

James Dahlgren, M.D., Envirototoxicology, Santa Monica, CA

2:15 How to Work with Your Jury and Select and Present Evidence

- Effective use of jury questionnaires and voir dire questions
- Developing an accurate jury profile
- A closer look at jury charges and their decision making
- Effective use of cause and peremptory challenges
- Creating optimal communication structure for the plaintiff and defense cases
- Use of mini openings

Richard Gabriel, President, Decision Analysis Inc., Los Angeles
Tammy Metzger, M.A., J.D., President, JuriSense, LLC, Seal Beach, CA

3:15 Afternoon Break

3:30 Mock Session: Preliminary Hearing of Expert Testimony at Trial

This mock session will address various issues, including but not limited to:

- Expert qualifications
- Types of data on which experts rely
- Expert data evaluation and conclusions
- *Daubert*, *Frye* and science

Hon. Ken Kawaichi (Ret.), JAMS, Walnut Creek, CA
James Riley, Jr., Esq., Coats Rose Yale Ryman Lee, Houston
Amanda Hawes, Esq., Alexander Hawes, LLP, San Jose, CA
David Galbraith, M.D., ChemRisk, San Francisco

4:30 Corporate and Insurance Perspectives: Minimizing the Financial Impact of Benzene Litigation

- Benzene-related insurance disputes continue to heat up: coverage disputes involving paint manufacturers & other recent developments
- Why insurance coverage is a critical corporate asset
- Settlement tactics and other pretrial efforts that minimize costs for the company client
- The interplay between insurance issues and defense strategy: the right to control, privilege issues, cooperation and "consent to settlement" questions
- Insurance company challenges to the reasonableness of defense costs
- Updates in the pollution exclusion arena: the recent *Furmanite* decision and its future projections
- Practical steps that benzene defendants can take now to secure coverage and to minimize tension between insurance and defense considerations

Moderator: Barry Buchman, Esq., Dickstein Shapiro LLP, Washington, D.C.

Bradley Carl, Esq., Vice President & Assistant General Counsel, Safety-Kleen Systems, Inc., Plano, TX

Laura Foggan, Esq., Wiley Rein LLP, Washington, D.C.

Frederick Ufkes, Esq., Hinshaw & Culbertson LLP, Los Angeles

5:45 Networking Reception

LOCATION: CYRIL MAGNIN FOYER