Environmental, Mass Torts & Products Liability Litigation Committees' Joint CLE Seminar

Sheraton Steamboat Resort Steamboat Springs, CO

January 31– February 2, 2013





9 hours of MCLE credit, including 3 hours of ethics credit, have been requested in 60-minute states, and 10.8 hours of MCLE credit, including 3.4 hours of ethics credit, have been requested in 50-minute states.



2	Join Us				
Why You Should Attend	This is the first ABA Section of Litigation CLE of the year and it's on point to discuss new and emerging trends in 2013 and focus of the new political administration. With direct impact on three separate but related areas of law, it is essential for anyone practicing in environ- mental, mass tort or product liability to attend. This seminar brings together well-respected in-house counsel, government employees and political appointees, members of the judiciary, university profes- sors, experts, and both plaintiff and defense counsel from across the United States. Set at a beautiful Steamboat Springs ski resort, with time to enjoy outdoor activities, this CLE seminar is an entertaining and informative way to receive your CLE credit, including three hours of ethics, in a single weekend!				
What You Will Learn	With a focus on increasing regulations and expectations of the new administration, the panels aim to provide a broad overview of the year behind and ahead of us. Our panels will interactively engage you as you learn tips on mass tort, product liability, and environmental cases from start to finish. Learn how to better prepare experts, gain insight into in-house counsel quandaries, review signals that a settlement may implicate an ethical dilemma, get tips for reacting to counsel switching tactics mid-case, discuss impacts of increased regulation on litigation, stay abreast of sustainability in supply chain transparency regulations, consider global resolution issues, and how to ethically market in our digital age.				
Who Should Attend	 All attorneys who are in the areas of environmental, mass torts, and products liability litigation In-house counsel and litigators who are interested in discussing substantive and practical challenges in today's ever-changing world New or seasoned practitioners wanting an update from leading trial lawyers, experts, and members of our judiciary on litigation techniques, trial presentation, and the latest developments in the law Young lawyers wishing to become more actively involved in, and 				
	meet with attorneys in, the environmental, mass tort, or products liability practice, ABA committees, or legal community				

Schedule at a Glance

Thursday, January 31	4:00 pm - 6:00 pm		Registration
	5:00 pm — 6:00 pm		Environmental and Mass Torts Committee Meetings
	5:00 pm — 6:00 pm		Products Liability Leadership-Only Meeting
	6:00 pm — 7:30 pm		Welcome Reception
Friday, February 1	6:00 am — 12:00 pm		Registration
	6:30 am — 8:15 am		Breakfast
	7:00 am — 8:00 am	CLE	Ethics Session: Do You Have What It Takes to Win?: "Jeopardy!"– Style Ethics Review
	8:00 am — 8:15 am		Welcome / Program Kickoff
	8:15 am — 9:30 am	CLE	Plenary Session: The In-House Counsel Perspective on Increasing Regulations & Anticipated Changes in Political Enforcement 2013–2017
	9:30 am – 9:45 am		Coffee Break
	9:45 am — 11:00 am	CLE	Plenary Session: A Look Behind the Curtain: Anatomy of a Mass Tort
	11:00 am — 12:00 pm	CLE	Mass Torts Breakout: Warning: Mass Tort Settlement Ethics Ahead
	11:00 am — 12:00 pm	CLE	Products Liability Breakout: Products Liability Year in Review
	4:00 pm – 5:15 pm		Products Liability Subcommittee Meetings
	5:15 pm — 6:15 pm	CLE	Young Lawyers' Breakout: Ethics in Marketing 101 for Young Lawyers and the Young at Heart
	6:15 pm — 7:00 pm		Young Lawyers & In-House Counsel Reception
	7:00 pm - 10:00 pm		Dinner Event (Ticketed: \$100)
Saturday, February 2	7:00 am — 11:30 am		Registration
	7:15 am — 8:15 am		Breakfast
	7:45 am — 9:00 am	CLE	Plenary Session: Expert Insights Courtesy of Yours Truly, Your Experts
	9:00 am – 9:15 am		Coffee Break
	9:15 am — 10:30 am	CLE	Plenary Session: Is It Music to Your Ears?: Supply Chain Regulation and Litigation in the United States
	10:30 am — 11:30 am	CLE	Environmental Breakout: Developments in Environmental Law and What to Expect in the New Administration
	10:30 am — 11:30 am	CLE	Mass Torts Breakout: What to Consider When Your Docket Goes from Class Action to Mass Action

Moderators & Speakers

Lynn Bergeson

Managing Director Bergeson & Campbell, P.C. Washington, DC

Steve Black

Counselor to the Secretary U.S. Department of the Interior Washington, DC and Former Legislative Counsel at Office of U.S. Senator Ken Salazar and Former Deputy Attorney General at Colorado Attorney General's Office

Stephanie Schrandt Boone

Senior Vice President *Swiss Re America Holding Corporation* San Francisco, CA

Ralph A. Campillo Partner Sedgwick LLP Los Angeles, CA

Scott Carr Senior Managing Director *ARPC* Washington, DC

Elinor Colbourn

Assistant Chief Environmental Crimes Section, ENRD Washington, DC

John Cruden

President The Environmental Law Institute Washington, DC and Former Deputy Assistant Attorney General of the U.S. Department of Justice Environment and Natural Resources Division

Lisa A. Decker

Senior Counsel *WPX Energy, Inc.* Denver, CO

Amy C. DeVan

Assistant Regulation Counsel Colorado Supreme Court, Office of Attorney Regulation Denver, CO

John A. Earnhardt

Shareholder *Maynard Cooper & Gale, P.C.* Birminghman, AL

Jerry F. English

Of Counsel Lindabury McCormick Estabrook & Cooper, P.C. Summit, NJ and Former Counsel to the New Jersey Governor and State Senate, Former Commissioner of the New Jersey Department of Environmental Protection and Former New Jersey State Senator

Paula Frederick General Counsel State Bar of Georgia

Atlanta, GA and Chair of ABA Standing Committee on Ethics and Professional Responsibility

Richard M. Gaal

Member *McDowell, Knight, Roedder, & Sledge, L.L.C.* Mobile, AL

Adrienne Gonzalez

Associate *Kaye Scholer* New York, NY

Maureen F. Gorsen

Partner Alston & Bird LLP Los Angeles, CA and Former Director of California Department of Toxic Substances Control and Former General Counsel of California EPA

David Grenardo

Assistant Professor *Ave Maria School of Law* Naples, FL Paul E. Hagen Principal *Beveridge & Diamond PC* Washington, DC

Holly A. Harris Senior Counsel *Chevron Products Company* San Ramon, CA

Michael C. Kavanaugh

Principal Geosyntec Consultants Oakland, CA

Tara Kelly Counsel, Litigation *BP* Houston, TX

Connie Matteo

Senior Corporate Counsel–Litigation *Pfizer Inc.* Madison, NJ

Pat McGrath

Managing Director *Navigant Consulting* Chicago, IL

Steve Morgan

Vice President and Assistant General Counsel *Waste Management* Houston, TX

Hon. Sandra Mazer Moss Judge Court of Common Pleas of Philadelphia County Philadelphia, PA

Kenneth Odza Corporate Counsel *Kellogg Company* Battle Creek, MI

Errol R. Patterson Of Counsel Steptoe & Johnson LLP Washington, DC

Rudy Perrino

Partner *Fulbright & Jaworski L.L.P.* Los Angeles, CA

Ricky A. Raven

Partner Thompson & Knight LLP Houston, TX and Appointee Member of State Commission on Judicial Conduct for the State of Texas

Ellen Relkin Of Counsel

Weitz & Luxenberg New York, NY

Paul D. Rheingold

Founder Rheingold, Valet, Rheingold, Shkolnik & McCartney LLP New York, NY

Lawrence Riff

Partner Steptoe & Johnson LLP Los Angeles, CA

Michael K. Rozen Partner *Feinberg Rozen LLP* New York, NY

David L. Schwan

Law Clerk to the Hon. Gray H. Miller *U.S. District Court for the Southern District of Texas* Houston, TX

Deborah Shuff

Special Counsel Saul Ewing LLP Princeton, NJ

Rick Tinsworth

Principal Exponent, Inc. Washington, DC and Former Director of EPA Office of Pesticide Programs and Former Deputy Director of EPA Office of Toxic Substances

Christine E. Webber

Partner Cohen Milstein Sellers & Toll PLLC Washington, DC

Megan S. Wynne

Assistant General Counsel I-Flow, LLC, A Kimberly-Clark Health Care Company Lake Forest, CA

Thursday, January 31

4:00 pm – 6:00 pm	Registration	
5:00 pm – 6:00 pm	Environmental and Mass Torts Committee Meetings	
5:00 pm – 6:00 pm	Products Liability Leadership-Only Meeting	
6:00 pm – 7:30 pm	Welcome Reception	

Friday, February 1

6:00 am – 12:00 pm		Registration			
6:30 am – 8:15 am		Breakfast			
7:00 am – 8:00 am	CLE	Ethics Session – Do You Have What It Takes to Win?: "Jeopardy!"– Style Ethics Review Compete with/against colleagues in an interactive "Jeopardy!"– style game! Answers based on ethical issues in environmental, mass tort, and product liability cases, including: Rules 1.7, 1.8, 1.10—Conflicts of Interest; Rule 1.13—Client Organization; Rule 1.16—Terminat- ing Representation; Rules 3.3, 3.4, 3.5—Duties to Court, Opposing Party, Counsel; and Rule 8.4—Misconduct. Speaker: David Grenardo			
8:00 am – 8:15 am		Welcome / Program Kickoff			
8:15 am – 9:30 am	CLE	Plenary Session – The In-House Counsel Perspective on Increasing Regulations & Anticipated Changes in Political Enforcement 2013–2017Join our panel of in-house counsel reflecting on how the increase in regulatory compliance has influenced their legal work. They will offer perspectives from a variety of industries and comment on anticipated trends in the next four years based on the outcome of the 2012 presidential election.Moderator: Megan S. Wynne Speakers: Lisa A. Decker, Kenneth Odza, Steve Morgan			
9:30 am – 9:45 am		Coffee Break			
9:45 –11:00am	CLE	Plenary Session – A Look Behind the Curtain: Anatomy of a Mass Tort This dramatic presentation skillfully dissects all aspects of and latest trends surrounding mass tort litigation, from early indications of impending mass action to final global resolu- tion, including shareholder and attorney-general claims, prelitigation preparedness, manage- ment strategies, discovery and expert battles, mock trials and focus groups, bellwether trials, and potential repercussions. Moderator: Ralph A. Campillo Speakers: Holly A. Harris, Ellen Relkin, Lawrence Riff, Hon. Sandra Mazer Moss			
11:00 am – 12:00 pm	CLE	Mass Torts Breakout – Warning: Mass Tort Settlement Ethics Ahead From the novice green ski trails to the expert black diamond trails, this panel focuses on cases signaling you to ethical dangers in your mass tort settlements, including Model Rules 1.7 and 1.8(g), finance agreements, and agreements that do not include all named plaintiffs yet seek to bind all. Moderator: Rudy Perrino Speakers: Ricky A. Raven, Paul D. Rheingold, Michael K. Rozen			
11:00 am – 12:00 pm	CLE	Products Liability Breakout – Products Liability Year in Review Join us as we review developments in the case law, increasing regulation under the Con- sumer Product Safety Act and the Food Safety Modernization Act, and tort reform. We will also offer tips on what to watch for in 2013. Speakers: Richard M. Gaal, Adrienne Gonzalez, Connie Matteo			

Friday, February 1

4:00 pm – 5:15 pm	Products Liability Subcommittee Meetings			
5:15 pm – 6:15 pm	 CLE Young Lawyers' Breakout – Ethics in Marketing 101 for Young Lawyers and the Young at Heart Effective and ethical marketing can be challenging in the digital age. This distinguished panel of attorneys will discuss best practices for the use of social media sites in marketing efforts, mindful of the ethical issues implicated by Rules 7.1, 7.2, and 7.3 of the ABA Model Rules of Professional Conduct. Moderator: David L. Schwan Speakers: Amy C. DeVan, Paula Frederick, Tara Kelly 			
6:15 pm – 7:00 pm	Young Lawyers & In-House Counsel Reception			
7:00 pm – 10:00 pm	Dinner Event (Ticketed: \$100)			

Saturday, February 2

7:00 am – 11:30 am		Registration
7:15 am – 8:15 am		Breakfast
7:45 am – 9:00 am	CLE	Plenary Session – Expert Insights Courtesy of Yours Truly, Your Experts Usually it's a panel of attorneys opining on expert development. Now hear it from the other side as the experts themselves speak frankly on best methods for preparing different disci- plines to testify, utilizing experts in a consulting capacity, complying with federal rules, and managing costs and emerging technologies. Moderator: Deborah Shuff Speakers: Scott Carr, Michael Kavanaugh, Patrick McGrath, Rick Tinsworth
9:00 am – 9:15 am		Coffee Break
9:15 am – 10:30 am	CLE	Plenary Session – Is It Music to Your Ears?: Supply Chain Regulation and Litigation in the United States The 2011 federal raid of Gibson Guitar and recent initiatives in California have intensified the focus on regulation of every company's supply chain. This distinguished panel will discuss recent and anticipated developments in supply chain regulation, enforcement, and litigation from the perspective of government and private practice. Moderator: John Cruden Speakers: Elinor Colbourn, Maureen E. Gorsen, Paul E. Hagen
10:30 am – 11:30 am	CLE	Environmental Breakout – Developments in Environmental Law and What to Expect in the New Administration This last year brought a full, interesting, and impactful environmental docket and an election year. Come listen to high-ranking government officials and well-respected environmental attorneys expound on the events of 2012, including Sackett, PPL Montana, and beyond. Speakers: Lynn Bergeson, Steve Black, Jerry F. English
10:30 am – 11:30 am	CLE	Mass Torts Breakout – What to Consider When Your Docket Goes from Class Action to Mass Action You are mid-case and you or opposing counsel decide to switch tactics. This panel considers issues such as decertifications and refiling en mass, insurance implications, risks inherent in arguing against class certification, and the threat or likelihood of your company being targeted for mass litigation. Moderator: Errol R. Patterson Speakers: Stephanie Schrandt Boone. John A. Earnhardt. Christine E. Webber

General Information



The Sheraton Steamboat Resort 2200 Village Inn Court, Steamboat Springs, CO 80477	 The registration fee allows registrants to attend all CLE programs. In addition, the fee includes program materials, continental breakfasts, and admission to the Thursday evening Welcome Reception. The deadline for advance registration is Tuesday, January 15, 2013. After this date, registration will take place onsite. We encourage you to take advantage of online registration. Visit us online at www.ambar.org/jointcle. A printable registration form is available online. All attendees must be registered for this seminar to participate. 			
Registration Desk Hours	The registration desk will be located in the Conference Center during the following hours:			
	Thursday, January 31, 2012 Friday, February 1, 2013 Saturday, February 2, 2013	4:00 pm – 6:00 pm 6:00 am – 12:00 pm 7:00 am – 11:30 am		
Cancellation Policy To receive a full refund for your registration fee and/or social events request must be received on or before Tuesday, January 22, 2013. C may be sent via email to Katie Jacobson at katie.jacobson@america fax (312) 988-6234. There will be an administrative fee of \$50 deduc refund. No refunds will be provided for cancellations after Tuesday, 2013; however, substitute registrants are welcome. Registrants who within the allotted time period and who do not attend the seminar v copy of the program course materials after seminar completion. The the right to cancel any programs and assumes no responsibility for p expenses. Befund requests will be processed 30 days after the meet				

General Information

Hotel Information	has been reserved at the discount rooms; identification is required a ervations at the discounted rates	heraton Steamboat Resort. A block of rooms ted rate of \$279 plus 11% tax for single/double t the time of check-in. The deadline for room res- is Wednesday, January 2, 2013. For reservations, 627-7042 or visit our seminar page, www.ambar ervations.				
		it/cancellation policy requires full payment 14 the deposit will become non-refundable. Stan- r to arrival.				
Airline Information	negotiated airfare discounts. ABA the best airfare at the time of you	s an online travel site where you can obtain ABA A Orbitz for Business enables you to purchase Ir reservation by providing you with the ability to In virtually every airline servicing the destination.				
	Reservations with ABA Orbitz for www.americanbar.org/travel or b	Business can be can be accessed at y calling (877) 222-4185.				
	ABA Airline Discount Codes: American Airlines 800-433-1790 A Discount NOT available online.	ABA Discount Code: A7112TT				
	United Airlines 800-521-4041 AB/ Discount available at www.united					
		Virgin America Airlines ABA Discount Code: VXABA Discount available at www.virginamerica.com.				
Airport Information	arrangements: Hayden Yampa Valley Airport (Travel Distance: Approximately 25 Eagle County Airport (EGE) Travel Distance: Approximately 90 Denver International Airport (I	Hayden Yampa Valley Airport (HDN) Travel Distance: Approximately 25 miles (36 minutes)				
		from the following eight major airports on Ameri- United Airlines with convenient connections from orldwide.				
	Atlanta (ATL) Chicago (ORD) Dallas/Ft. Worth (DFW) Denver (DEN)	Houston (IAH) Los Angeles (LAX) Minneapolis (MSP) Newark (EWR)				
Ground Transporation	GO Alpine offers discounted airpo Regional/Hayden Airport and Den	ort shuttle service to and from the Yampa Valley iver International Airport.				
		alpine.com, click on Make a Reservation, enter the bottom of the screen, then click GO.				
	Or call GO Alpine at (800) 343-743 order to receive the discounted ra	33 and refer to the "ABA Joint CLE Seminar" in ite.				

General Information

Ground Transportation	Discounted Rates for Hayden Ya	ampa Valley Airport:				
	Adult Senior Age 65+ Child Ages 6–12	Round Trip \$47.50 \$35.64 \$23.75	One Way \$30.40 \$22.80 \$15.20			
Car Rental	Rental cars can be arranged directly with Avis, Budget, and Hertz. Dealers are located at the airport in Hayden. The ABA Member Advantage program offers discounts exclusively for ABA members; take advantage of free upgrades to Hertz Gold Plus Rewards™ status as well as discounts on car rentals. Hertz allows ABA members to upgrade to Hertz Gold Plus Rewards™ status at no charge — a \$60 value. Visit www.americanbar.org/advantage and click on Hertz to enroll. Reservations can be made by calling Hertz directly at (800) 654-2240. Be sure to inform the rental agent that you are a member of the ABA and provide them with the PC# 144771 and the ABA's CPD# 13000.					
MCLE Credit	ABA programs ordinarily receive CLE credit in AK, AL, AR, AZ, CA, CO, DE, FL, GA, GU, H IA, ID, IL, IN, KS, KY, LA, ME, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, RI, SC, TN, TX, UT, VT, VA, VI, WA, WI, WV, and WY. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qual for 9.0 CLE credit hours (including 3.0 ethics hours) in 60-minute-hour states, and 10.8 credit hours (including 3.4 ethics hours) in 50-minute-hour states. This transitional program is approved for both newly admitted and experienced attorneys in NY. For mor information about CLE accreditation in your state, visit www.ambar.org/jointcle or conta Katie Jacobson at katie.jacobson@americanbar.org or (312) 988-6245.					
Program Course Materials	Conference materials will be disseminated via email to all registrants prior to the conference. Please be sure you have an email address on file with the ABA or one is indicated on your registration form.					
	You may bring a laptop, iPad, or tablet to view the materials onsite, as complimen- tary Wi-Fi access will be available.					
Tuition AssistanceA limited number of scholarships to defray registration fees may be for government employees, public interest lawyers employed with n academics and law students, as well as unemployed attorneys. To a letter outlining the basis for your fee waiver request to: katie.jacobson@americanbar.org. All requests must be received by Tuesday, January 15, 2013.			with nonprofits, ys. To apply, send a			
Services For Persons With Disabilities	If special arrangements are required, please contact Katie Jacobson at (312) 98 6245 or katie.jacobson@americanbar.org. Reasonable advance notice is require					
Activities	The Sheraton Steamboat Resort is the only ski-in/ski-out resort with one of the largest ski areas in North America. Steamboat skiers will delight in their world famous "champagne powder," known as Ski Town USA.					
	Steamboat offers an abundance of winter activities and services to create a unique experience for everyone, such as skiing, snowboarding, dog sledding, and snowmobiling. For more activities and to sign up visit www.ambar.org/jointcle.					

Thank You

The ABA Environmental, Mass Torts, and Products Liability Litigation Committees would like to thank the following sponsors for their generous support of this 2013 CLE Seminar:

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Thank You to Our Seminar and Committee Co-Chairs

Thank you to our planning committee members for their hard work in coordinating the panelists, programs, and materials. Their efforts and outstanding ABA Section of Litigation staff support, along with the panelists' participation, made this CLE Seminar possible.

Seminar Co-Chairs Catherine Riegle Finley and Eric Andreas

Co-Chairs, Environmental Litigation Committee James Ray and Meaghan Boyd

Co-Chairs, Mass Tort Litigation Committee Deborah Elsasser, Eric Hudson, and Beatrice O'Donnell

Co-Chairs, Products Liability Committee Richard Gaal, Lori B. Leskin, and Lara White

Registration Form

4 Easy Ways to Register Registration Deadline: Tuesday, January 15, 2013	Visit: www.ambar.org/jointcleMail: Complete and mail this form and mail to ABAFax: (312) 988-6234Litigation, Katie Jacobson, 321 North Clark St, ChicagCall: (800) 285-2221			
Information				
	First/Last Name (as it should appea	badge)	ABA I.D. #	(The eight-digit code is above your name on the mailing label.)
	Affiliation			
	Email (providing your email address allo	ws you to receive promotions and	communications from the ABA a	nd its entities)
	Mailing Address	Apt/ Suite		
	City	State	Zip	
	Phone	Fax		
	Accompanying Spouse/Guest			
	Special Dietary Needs			

Registration Fee						Before 1/15/13		After 1/15/13
Registration will not be		Section of Litigation Member			0	\$495	0	\$545
processed until		ABA Member			0	\$575	0	\$625
payment is received.		Government, Academic, Public Ser	rvice*		0	\$295	0	\$345
		Young Lawyer*			0	\$295	0	\$345
		age 35 or younger or in practice le	ess than s	ō years				
		Non-ABA Member			0	\$700	0	\$750
		Law Student			0	\$25	0	\$50
		I am an ABA member and would li Section for \$60 and pay the Sectio			0	\$555	0	\$605
		*These rates are only for Section m	embers v	who fall into the	se catego	ories.		
Ticketed Events			Qty.	\$/Person	Tota	ls		
		Jan 31: Welcome Reception						
		Feb 1: Young Lawyer & In-House Counsel Reception						
		Feb 2: Dinner Event		\$100/Adult \$55/Child				
Method of	0	Enclosed is a check # (Pavab	le to the	e American Bar	Associa	tion)		
Payment	0	Charge credit card O VISA		O MC			С) AMEX
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Joint CLE Seminar Products Liability Litigation Committees' Environmental, Mass Torts &

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