



Presented by the Food & Supplements Subcommittee and the Products Liability Committee of the Section of Litigation

ABA SECTION OF LITIGATION

Food & Supplements

FIFTH ANNUAL WORKSHOP

TUESDAY, JUNE 9, 2015

ConAgra Foods, Inc.
Building 11 Learning Center
11 ConAgra Drive
Omaha, NE 68102





► **FOOD & SUPPLEMENTS
SUBCOMMITTEE CHAIRS**

Sarah L. Brew

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Minneapolis, MN

Ken Odza

Corporate Counsel
Food Safety
Kellogg Company
Battle Creek, MI

► **PROGRAM CHAIRS**

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Vice President &
Chief Operations Counsel
ConAgra Foods, Inc.
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Partner
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Atlanta, GA

Angela T. Puentes-Leon

Shareholder
Carlton Fields Jordan Burt, LLP
Miami, FL

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FIFTH ANNUAL
ABA SECTION OF LITIGATION

Food & Supplements Workshop

ConAgra Foods, Inc., Omaha, NE • June 9, 2015

8:30 am–8:45 am

Welcome

8:45 am–10:15 am

Emphasis on Enforcement of FSMA

In May 2014, the FDA said that implementing its mandate under the Food Safety Modernization Act will require “a new approach and operational strategy” for its food safety program. This panel of FSMA experts will explore the FDA’s new strategies and their impact on business, as well as identify best practices and future trends related to FSMA compliance.

Moderators:

Sarah Roller – Kelley Drye & Warren LLP

Speakers:

Megan Garcia – ConAgra Foods, Inc.

Maile Hermida – Hogan Lovells US LLP

Cindy Kruger – PepsiCo, Inc.

Roberta Wagner – U.S. Food and Drug Administration (Center for Food Safety and Applied Nutrition)

10:15 am–11:30 am

A Year in Review for Food & Supplements

Food and supplement litigation, both civil and criminal, continues to generate headlines. This panel of experienced food counsel will update us on the most recent developments, trends and theories in consumer fraud class actions, food-borne illness litigation, and criminal prosecutions of industry executives related to food and supplement contamination.

Moderators:

Paul Benson – Michael Best & Friedrich LLP

Alyssa Rebensdorf – Faegre Baker Daniels LLP

Speakers:

Don Becker – YUM! Brands

Andy Benson – Professor, University of Nebraska

Peggy Bush – Southern Trial Counsel



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► **REGISTRATION**

Visit <http://shop.americanbar.org/ebus/ABAEventsCalendar/EventDetails.aspx?productId=189223756> to register online or return the registration form with your payment (checks only) to:

Keisha Billups
 American Bar Association
 321 N. Clark St.
 Chicago, IL 60654
keisha.billups@americanbar.org

11:30 am–12:45 pm

Lunch and Keynote Speaker

Dr. Christopher Braden

U.S. Centers for Disease Control and Prevention

12:45 pm–1:45 pm

Direct and Cross-Examination of Expert Witnesses in Food Cases

Expert witnesses play a central role in modern litigation, and food related cases are no exception. This panel will examine the best practices for both offensive and defensive use of experts, using three common types of experts to frame the discussion: the consumer survey expert, the damages expert, and the expert on food contamination.

Moderators:

Dan Gerber – Rumberger Kirk & Caldwell

Michelle Gillette – Mintz, Levin, Cohn, Ferris, Glovsky And Popeo PC

Speakers:

Sheila Boston – Kaye Scholer LLP

Forrest Hainline – Goodwin Procter LLP

Melanie McIntyre – ConAgra Foods, Inc.

Joseph Ortego – Nixon Peabody LLP

1:45 pm–2:30 pm

Latest Developments on GRAS

Generally Recognized as Safe (GRAS) ingredients continue to come under scrutiny by both regulators and NGOs. Learn the latest developments in this space, and implications for the food industry.

Moderators:

Claudia Lewis – Venable LLP

Speakers:

Ann Boeckman – Kraft Foods Group, Inc.

Shirley Boyd – Cargill, Incorporated

Greg Thompson – General Mills, Inc.

Steve Toeniskoetter – Hormel Foods Corporation

2:30 pm–2:45 pm

Break



PROGRAM AGENDA

FIFTH ANNUAL WORKSHOP

► REGISTRATION/ CANCELLATION

Requests for refunds must be made in writing and received no later than Tuesday, June 3, 2015 in the ABA Section of Litigation office.

Please email your request to **Keisha Billups** at keisha.billups@americanbar.org.

There will be a \$10 administrative fee deducted from the refund.

Cancellations received after June 3, 2015 will not be refunded; however, the Section will gladly accept substitutions for those unable to attend.

► MCLE CREDIT

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 6 CLE credit hours in 60-minute states, and 7.2 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY.

For more information about CLE accreditation in your state, visit http://www.americanbar.org/cle/mandatory_cle.html or contact **Keisha Billups** at keisha.billups@americanbar.org.

2:45 pm–4:00 pm

Genetically Modified Organisms

Perhaps no food-related issue has received as much attention as ingredients or products derived from genetically engineered sources, or so-called “Genetically Modified Organisms” (GMOs). This panel will bring us up to speed on all of the legislative, labeling and litigation issues surrounding GMOs that will impact virtually any company that sells food.

Moderators:

Nowell Berreth – Alston & Bird LLP

Jim Neale – McGuireWoods LLP

Speakers:

Tracey Beck – ConAgra Foods, Inc.

Cate McGinn – PepsiCo, Inc.

Joe Miller – Rose Acre Farms Inc.

Karin Moore – Grocery Manufacturers Association

4:00 pm–5:00 pm

The Ethics of Internal Investigations, Domestic and Abroad

In today’s global environment, internal investigations often span several countries. This panel will provide insight into the ethical and other challenges that international internal investigations pose for both in-house and outside counsel, and equip you to identify and minimize the professional risks of dealing with ever-changing regulatory environments around the world.

Moderators:

Marissel Descalzo – Carlton Fields Jordan Burt, LLP

David Mallen - Loeb & Loeb LLP

Speakers:

Jason Crow – Holland & Hart LLP

Jenny Deitloff – ConAgra Foods, Inc.

Ben Hulse – Blackwell Burke P.A.

Livia Kiser – Sidley Austin LLP

John O’Brien – Lewis Brisbois Bisgaard & Smith LLP

5:00 pm–6:30 pm

Reception



REGISTRATION FORM FIFTH ANNUAL WORKSHOP

► HOTELS

Courtyard Marriott

(BLOCK OF ROOMS FOR ABA
CONFERENCE HELD UNTIL MAY 4, 2015)

101 South 10th Street
Omaha, NE 68102
PH: 402.346.2200

<http://www.marriott.com/hotels/fact-sheet/travel/omacy-courtyard-omaha-downtown-old-market-area>

Embassy Suites

555 South 10th Street
Omaha, NE 68102
PH: 402.346.9000

<http://embassysuites3.hilton.com/en/hotels/nebraska/embassy-suites-omaha-downtown-old-market-OMADTES/index.html>

Hyatt Place Omaha

540 S. 12th Street
Omaha, NE 68102
PH: 402.513.5500

<http://omahadowntownoldmarket.place.hyatt.com/en/hotel/home.html>

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\$175 Section of Litigation Members / \$235 Non-Section members

Registration fees include course materials, continental breakfast, lunch, afternoon snack and cocktail reception following the meeting.

Visit <http://shop.americanbar.org/ebus/ABAEventsCalendar/EventDetails.aspx?productId=189223756> to register online.

To register by mail, return the registration form with your payment (checks only) to **Keisha Billups**, American Bar Association, 321 N. Clark, Chicago, IL 60654. Providing your email address allows you to receive promotions and communication from the Section of Litigation and other ABA entities.

SCHOLARSHIPS

A limited number of scholarships are available for this program. For more information, please contact: **Keisha Billups** at Keisha.Billups@americanbar.org.

TAX DEDUCTION FOR EDUCATIONAL PURPOSES

In the United States, an income tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills. This excludes registration, travel, meals and lodging (see Tres. Reg. 1.162.5) (*Coughlin vs. Commissioners*, 203 F.2d 307).

DRESS

Business casual dress is encouraged for all participants.

REGISTRATION CANCELLATION

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