



# **National Complex Litigation Conference: A Symposium on Current & Emerging Issues**

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**Tuesday, June 18, 2013**

**Chicago, IL**

**Omni Chicago Hotel**

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## **CO-CHAIRS**

**Christopher A. Seeger, Esq.**  
**Seeger Weiss LLP**  
**New York, NY**

**Kaspar J. Stoffelmayr, Esq.**  
**Vice President and Associate General Counsel**  
**Bayer Corporation**  
**Pittsburgh, PA**



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# Event Agenda *National Complex Litigation Conference*

**Tuesday, June 18, 2013**

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**8:00 AM – Registration**

**8:30 AM – Welcome & Opening Remarks**

**Christopher A. Seeger, Esq.**, Seeger Weiss LLP, New York, NY

**Kaspar J. Stoffelmayr**, Vice President and Associate General Counsel, Bayer Corporation, Pittsburgh, PA

**8:45 AM – National Update on the Current Status of Class Actions**

- Overview of pending pharmaceutical, mass tort and other class action proceedings
- Impact of precedent-setting rulings – U.S. Supreme Court and other decisions
- Issues with class certification
- What will be the next potential high-stakes area of litigation?
- Tools to be prepared to bring and defend new areas of law

**Elizabeth J. Cabraser, Esq.**, Lief Cabraser Heimann & Bernstein, LLP, San Francisco, CA (invited)

**Carolyn Frantz, Esq.**, Bartlit Beck Herman Palenchar & Scott LLP, Denver, CO

**Eugene A. Schoon, Esq.**, Sidley Austin LLP, Chicago, IL

**9:45 AM- A New Age of Discovery? An Examination of the Proposed Amendments to the Federal Rules of Civil Procedure**

- Understanding the proposed amendments to Rule 26(b)(1) and Rule 37(e)
- Non-privileged information
- Potential impact of new rules on complex litigation
- Upcoming process, standing committee and public comment

**Alexander R. Dahl, Esq.**, Brownstein Hyatt Farber Schreck, LLP, Washington, DC

**Frederick S. Longer, Esq.**, Levin, Fishbein, Sedran & Berman, Philadelphia, PA

**10:30 AM – Break**

**10:45 AM – Using Non-Standard Experts in Complex Cases**

- Using experts on, e.g., business ethics, medical ethics, corporate intent or state of mind, history, whether conduct violated a regulatory scheme, whether agencies or others would have acted differently with different information, etc.
- Lead Paint Cases- using historians as experts

**Eric Anielakm Esq.**, Shook, Hardy & Bacon L.L.P., Kansas City, MO  
**Jennifer G. Levy, Esq.**, Kirkland & Ellis LLP, Washington, D.C.

## **11:15 AM – The Intersection of Science and the Law: Life in the Post-Daubert World**

- The impact of the Daubert trilogy of cases on state and federal courts
- Current evidentiary standards for scientific experts
- National update on recent Daubert challenges and defenses
- The use of scientific evidence and testimony in complex cases
- Best practices to rebut expert testimony
- Using non-standard experts in complex cases

**John K. Sherk, Esq.**, Shook, Hardy & Bacon, LLP., Kansas City, MO  
**Libretta Stennes, Esq.**, Steptoe & Johnson, LLP., Washington DC  
**Bernard Taylor, Sr, Esq.**, Alston & Bird LLP, Atlanta, GA

## **12:15 PM – Lunch**

## **1:15 PM – The Art of Negotiation: Effective Mass Tort Resolution Strategies**

- Strategies for negotiating mass resolutions
  - Who do you negotiate with?
- Strategies for settlement structures to accomplish mass peace
- Trio of Epidemiologists

**Moderator: Christopher A. Seeger, Esq.**, Seeger Weiss LLP, New York, NY

**Adam L. Hoefflich, Esq.**, Bartlit Beck Herman Palenchar & Scott LLP, Chicago, IL  
**Donald C. Le Gower, Esq.**, Dechert LLP, Philadelphia, PA  
**Arnold Levin, Esq.**, Levin, Fishbein, Sedran & Berman, Philadelphia, PA  
**Douglas R. Marvin, Esq.**, Williams & Connolly LLP, Washington, DC  
**Perry Weitz, Esq.**, Weitz & Luxenberg P.C., New York, NY

## **2:30 PM – E-Discovery Programs**

- The issue of costs involved in e-discovery and emerging trends that have developed to reduce these costs
- The role of cooperation and proportionality to address discovery disputes
- Court sponsored pilot programs started in response to the problems in e-discovery.
- New strategies that have developed to cut costs associated with privilege review
- Predictive Coding

**David R. Buchanan, Esq.**, Seeger Weiss LLP, New York, NY  
**Hon. Nan R. Nolan (Ret.)**, JAMS Chicago Resolution Center, Chicago, IL  
**Tracey Vinson**, Senior Counsel, Director of E-discovery, Bayer Corporation, Pittsburgh, PA

*Additional Speakers to be Added*

### **3:00 PM – Break**

### **3:15 PM – Multi-District Litigation: Coordinating Complex Litigation between State and Federal Courts**

- Does an MDL make sense and, if so, where should it be?

**Arnold Levin, Esq.**, Levin, Fishbein, Sedran & Berman, Philadelphia, PA

**Troy Rafferty Esq.**, Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A., Pensacola, FL (invite)

**Christopher A. Seeger, Esq.**, Seeger Weiss LLP, New York, NY

### **4:00 PM – In-House Perspective on Complex Litigation Claims**

**Moderator: Silvio J. DeCarli**, Associate General Counsel & Chief Litigation Counsel, E.I. du Pont de Nemours & Company, Wilmington, DE

**Cynthia P. Abbott**, Senior Litigation Counsel, Motorola Mobility, Libertyville, IL

**L. Michelle Gessner**, Vice President, Division General Counsel- Employment & Litigation, Darden, Inc., Orlando, FL

**Michael L. Martinez**, Senior Vice President and Associate General Counsel- Dispute Resolution, Marriott International, Inc.

**Dennis P. Lynch**, Vice President and Chief Litigation Counsel, Law Department, Tyco International, Princeton, NJ

### **5:15 PM – 6:15 PM – Networking Cocktail Reception**

*Speakers & Agenda are subject to change.\**



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June 18, 2013

Omni Chicago Hotel, Chicago, IL

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**Room Block:** Call the Omni Hotel Reservations department at 1-800-THE-OMNI (1-800-843-6664) and reference Perrin Conferences. The room rate is \$295 for a Deluxe Suite (single and double).

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