



# Litigating Asbestos Cases in Today's Economic Environment

*Featuring Insights from the Bench: A Judicial Perspective*

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**December 1, 2011**

**New York, NY**

**The Helmsley Park Lane Hotel**

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## **CO-CHAIRS**

**Julie R. Evans, Esq.**

**Wilson Elser Moskowitz Edelman & Dicker LLP, New York, NY**

**Perry Weitz, Esq.**

**Weitz & Luxenberg P.C., New York, NY**



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# Event Agenda

**Thursday, December 1, 2011**

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**8:45 AM - Continental Breakfast and Registration**

**9:15 AM - Opening Remarks**

**Julie R. Evans, Esq.**, Wilson Elser Moskowitz Edelman & Dicker LLP, New York, NY

**Perry Weitz, Esq.**, Weitz & Luxenberg P.C., New York, NY

**9:30 AM – The Economics of Resolving Asbestos Cases in Today’s Climate**

- Wall Street to Main Street: is the economy having an impact on cases?
- How is the economy impacting settlements? Trials?
- Understanding the administrative costs to bring and defend cases by plaintiffs/defendants
- Pressures on plaintiffs and defendants to streamline costs
- Overview of the economic impact on the courts
- Litigate or settle – is it a legal or economic decision? Or both?

**Moderators:**

**Julie R. Evans, Esq.**, Wilson Elser Moskowitz Edelman & Dicker LLP, New York, NY

**Perry Weitz, Esq.**, Weitz & Luxenberg P.C., New York, NY

**Steven Hart, Esq.**, Segal McCambridge Singer & Mahoney, Ltd., Chicago, IL

**Hon. Sherry Klein Heitler**, New York State Supreme Court, New York, NY

**Richard Meadow, Esq.**, The Lanier Law Firm, New York, NY

**10:15 AM – Break**

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**10:30 AM – East Coast State of Mind: The NYCAL, Philadelphia, Delaware & Emerging Jurisdictions**

- Verdict updates on East Coast dockets
- What does today’s East Coast jury pool look like? How does it differ from other jurisdictions?
- Economic impact on verdicts & jury composition

**Moderators:**

**Julie R. Evans, Esq.**, Wilson Elser Moskowitz Edelman & Dicker LLP, New York, NY

**Charles Ferguson, Esq.**, Weitz & Luxenberg P.C., New York, NY

**M. Douglas Eisler, Esq.**, Wilson Elser Moskowitz Edelman & Dicker LLP, Philadelphia, PA  
**Robert Komitor, Esq.**, Levy Phillips & Konigsberg, LLP, New York, NY  
**Danny Kraft, Jr., Esq.**, Weitz & Luxenberg P.C., New York, NY  
**Ron Kurzman**, Magna Legal Services, New York, NY  
**Timothy McGowan, Esq.**, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Philadelphia, PA

## **11:15 AM – The Evolution of Asbestos Litigation – A Look Ahead to 2012**

- National update on new plaintiffs, new defendants, new dockets and new filing patterns
- Emerging trends in asbestos litigation – secondary exposure cases, bankruptcy trusts and other issues driving the litigation
- Bankruptcy trust discovery battle
- Past is prologue – what can be learned from the last 10 years of litigation?
- Future trends that will impact plaintiffs, defendants and insurers
- Are punitive damages appropriate in asbestos cases?

### **Moderators:**

**Julie R. Evans, Esq.**, Wilson Elser Moskowitz Edelman & Dicker LLP, New York, NY  
**Perry Weitz, Esq.**, Weitz & Luxenberg P.C., New York, NY

**Joseph Belluck, Esq.**, Belluck & Fox, L.L.P., New York, NY  
**Bradley Drew**, Managing Director, PACE Claims Services, Lawrenceville, NJ  
**Lisa Nathanson Busch, Esq.**, Weitz & Luxenberg P.C., New York, NY  
**Robert Malaby, Esq.**, Malaby & Bradley, LLC, New York, NY  
**Frank Ortiz, Esq.**, Weitz & Luxenberg P.C., New York, NY  
**Judith Yavitz, Esq.**, Darger Errante Yavitz & Blau LLP, New York, NY

## **12:00 PM- Networking Lunch**

## **1:00 PM – Medicare Update**

### Mandatory Insurer Reporting Rules

- MMSEA Data Exchange Uniformity
- Exposure Screening

### Tort Recovery Satisfaction Rules

- Resolution Paths (Malignancy / Non-Malignancy)
- Multiple Defendants – impact on Medicare resolution
- Incorporating Release Language
- Medicare Set Asides (MSAs)
- New Developments

**Sandra S. Calmes, Counsel**, Complex and Emerging Risks Claims Department, Liberty Mutual Insurance Company, Boston, MA

**Jason Wolf**, President, Garretson Resolution Group, Charlotte, NC

## **1:45 PM- Managing Your Portfolio: Perspectives on Resolving Asbestos Cases from In-House Counsel & Insurers**

**Moderators: W.G. Watkins, Jr., Esq.**, Forman Perry Watkins Krutz & Tardy, LLP, Jackson, MS  
**Perry Weitz, Esq.**, Weitz & Luxenberg P.C., New York, NY

**Daniel Myer**, Principal, Verus Claims Services, Hopewell, NJ

**Michael Rooney**, President, MFR Claims Processing Inc., Newtown, PA

**Frederick Schaefer**, Associate Vice President, Nationwide Indemnity, Wausau, WI

**Christopher Signorello**, Assistant General Counsel- Litigation, Henkel of America, Inc., Rocky Hill, CT

**Michelle Stegmann**, Assistant Vice President, Resolute, Inc., Chicago, IL

## **2:45 PM- Break**

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## **3:00 PM- U.S. Navy and Equipment Cases – What is the Current State of the Law?**

- Equipment Manufacturer Liability: Update on latest decisions and oral arguments in O’Neil case before California Supreme Court
- How does the MDL 875 impact filing, prosecution and defense positions?
- Is federal removal still an option?
- Plaintiff and defense perspectives on the preferable venue for naval and equipment cases
- Strategies employed-plaintiff and defense

**Jerome Block, Esq.**, Levy Phillips & Konigsberg, LLP, New York, NY

**Erik DiMarco, Esq.**, Wilson Elser Moskowitz Edelman & Dicker LLP, New York, NY

**Alani Golanski, Esq.**, Weitz & Luxenberg P.C., New York, NY

**Nicholas Vari, Esq.**, K&L Gates LLP, Pittsburgh, PA

**Dennis Vega, Esq.**, Sedgwick LLP, Newark, NJ

## **4:00 PM- Insights from the Bench: A Judicial Perspective**

**Moderators: Julie R. Evans, Esq.**, Wilson Elser Moskowitz Edelman & Dicker LLP, New York, NY  
**Perry Weitz, Esq.**, Weitz & Luxenberg P.C., New York, NY

**Hon. Peggy L. Ableman**, Superior Court of Delaware, Wilmington, DE

**Hon. Paul G. Feinman**, Supreme Court, Civil Branch, New York County, New York

**Hon. Marcy S. Friedman**, Supreme Court, Civil Branch, New York County, New York

**Hon. Judith J. Gische**, Supreme Court, Civil Term, New York County, New York

**Hon. Sherry Klein Heitler**, New York State Supreme Court, New York, NY

**Hon. Joan Madden**, Supreme Court, Civil Branch, New York County, New York

**Hon. Sandra Mazer Moss**, Coordinating Judge Complex Litigation Center, Philadelphia, PA

**Hon. Martin Shulman**, Supreme Court Appellate Term, First Department, New York

## **5:15 PM- Adjourn & Cocktail Reception**

*Reception Sponsored by: Weitz & Luxenberg P.C. and  
Wilson Elser Moskowitz Edelman & Dicker LLP*

# Register for the Event

## Litigating Asbestos Cases in Today's Economic Environment

December 1, 2011

The Helmsley Park Lane Hotel, New York, NY

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December 1, 2011, New York, NY

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