



**Regional CLE Workshop:**

# 3rd Annual Western Regional CLE Program on Class Actions and Mass Torts

**Bar Association of San Francisco  
301 Battery Street  
San Francisco, CA  
May 27, 2016**

*Presented by the ABA Section of Litigation CADS Committee and The Bar Association of San Francisco*

*Co-Sponsored by : Insurance Coverage Litigation Committee, Mass Torts Litigation Committee, Securities Litigation Committee*

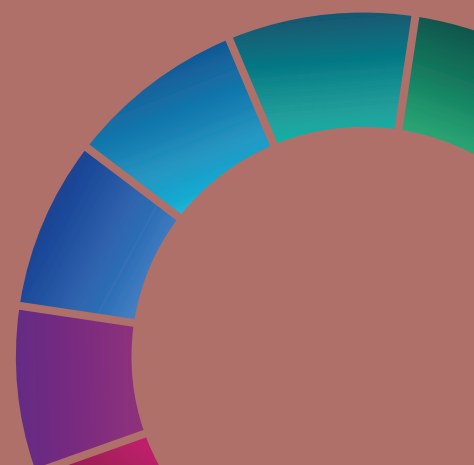


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**#LITClassActions**



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# Program Agenda

This half-day program will present four panels on hot topics in class action and mass tort litigation. The panelists include federal judges, plaintiffs’ and defense lawyers, academics, and experts. There will be a networking reception following the program.

11:30 am – 12:00 pm	<b>Check-in</b>
12:00 pm – 1:00 pm	<b>Lunch</b>
1:00 pm – 2:00 pm	<p><b>Refuse to Defend at Your Own Risk? An Insurer’s Refusal to Defend and Settlement in Class Actions; When is Settlement Collusive?</b></p> <p>This panel will discuss issues relating to insurance coverage over class action liability, settlements that assign insurance rights to a plaintiff class, and other related insurance coverage issues in class actions.</p> <p>Moderator: <b>Tonna Farrar</b>, Bonnett, Fairbourn, Friedman &amp; Balint, PC, Portland, OR  <b>Ashley Bruce Trehan</b>, Buchanan Ingersoll &amp; Rooney PC, Tampa, FL</p> <p>Panelists: <b>Bruce Friedman</b>, JAMS, Los Angeles, CA  <b>Andrew Miller</b>, Clyde &amp; Co., San Francisco, CA  <b>Max H. Stern</b>, Duane Morris LLP, San Francisco, CA  <b>Beth Terrell</b>, Terrell Marshall Law Group PLLC, Seattle, WA</p>
2:00 pm – 3:00 pm	<p><b>Class Action Settlements: Trends, Lessons Learned, and Creative New Approaches</b></p> <p>This panel will address the latest trends in class action settlements, including barriers to approval, recent case law, factors affecting settlement values, and creative new settlement approaches.</p> <p>Panelists: <b>Elizabeth Cabraser</b>, Lief Cabraser Heimann &amp; Bernstein, San Francisco, CA  <b>Ken Herzinger</b>, Orrick, San Francisco, CA  <b>Michael Klausner</b>, Stanford Law School, Palo Alto, CA  <b>Adoria Lim</b>, The Brattle Group, San Francisco, CA  <b>Torben Voetmann</b>, The Brattle Group, San Francisco, CA</p>

# Program Agenda

## **Takeaways on Forum Non Conveniens and Related Issues in Multi-District Litigation After Air France 447**

3:15 pm –4:15 pm

This panel will discuss the interesting substantive, procedural, and strategic considerations for airlines and other types of manufacturers seeking dismissal in forum non conveniens motions, and for passengers and other plaintiffs seeking to defeat FNC motions in multi-district litigation. Using examples from aviation-related MDLs, and specifically after the groundbreaking MDL involving Air France 447, the panel will discuss key aspects of establishing personal jurisdiction over foreign corporate defendants. The panel will discuss the complex issues associated with international treaties, choice-of-law, the meaning of an “unavailable forum” and challenging jurisdiction and venue considerations that arise when both U.S. and foreign individuals are involved.

Moderator: **Ann C. Taylor**, Locke Lord LLP, Chicago, IL  
Panelists: **Thad Dameris**, Arnold & Porter, Houston, TX  
**Steve Koh**, Perkins Coie LLP, Seattle, WA  
**Steve Marks**, Podhurst Orseck, P.A., Miami, FL  
**Scott Brooksby**, Olson Brooksby, Portland, OR

## **No Big Law? No Problem? How Small Firm Plaintiff and Defense Lawyers are Managing Some of the Largest Class Action Litigation Matters**

4:15 pm – 5:15 pm

Conventional wisdom says that only large firms, both on the defense and plaintiffs’ side, are capable of handling high stakes class action litigation, but that is not always true. This panel will explore the ways in which smaller firms and boutiques are taking on some of the largest class action litigation matters around, and the practical and ethical challenges that they face.

Moderator: **Daniel Karon**, Karon LLC, Cleveland, OH  
Panelists: **Steven Gonzalez**, Lee, Tran, and Liang, Los Angeles, CA  
**Joel Neckers**, Wheeler Trigg, Denver, CO  
**Tina Wolfson**, Ahdoot & Wolfson, Los Angeles, CA

5:30 pm – 7:00 pm

## **Networking Reception**

# Chairs

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ABA Section of Litigation, CADS Committee

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# Organizers

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## PROGRAM ORGANIZERS

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# General Information

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## Registration:

To register online, please [click here](#)

or return the Registration Form on the following page with your payment (checks only) to:

American Bar Association  
Attn: Service Center – Meeting/Event Registrations Department  
321 N. Clark Street, Floor 16  
Chicago, IL 60654  
Secure Fax Number: 312-988-5850

Please register by May 13, 2016 to reserve your spot.

Requests for refunds must be made in writing and received no later than May 13, 2016, in the ABA Section of Litigation office. Please email your request to the Program Associate. There will be a \$10 administrative fee deducted from the refund. Cancellations received after May 13, 2016 will not be refunded; however, the Section will gladly accept substitutions for those unable to attend.

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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, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, 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 4 CLE credit hours in 60-minute states, and 4.8 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit [http://www.americanbar.org/cle/mandatory\\_cle.html](http://www.americanbar.org/cle/mandatory_cle.html) or contact Kristen McCann at [Kristen.Mccann@americanbar.org](mailto:Kristen.Mccann@americanbar.org) or (312) 988-5662.

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## Tuition Assistance:

A limited number of scholarships to defray registration fees may be available for government employees, public interest lawyers employed with nonprofits, academics, and law students, as well as unemployed attorneys. For more information, please contact: Kristen McCann at 312-988-5662.

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## Attendance List:

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# Registration

**3rd Annual Western Regional CLE Program  
on Class Actions and Mass Torts  
May 27, 2016  
San Francisco, CA**

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The information submitted on this registration form will be used only to create an attendance list for the **3rd Annual Western Regional CLE Program on Class Actions and Mass Torts** Regional CLE Workshop.

A limited amount of scholarships are available for this program. For more information, please contact: [Kristen McCann](#) at 312-988-5662.

## Registration Information

\$80.00 Section of Litigation members  
\$140.00 Non-Section members  
\$80.00 BASF Member

Checks for attendance and course materials should be made payable to the AMERICAN BAR ASSOCIATION (credit cards for online registration only).

- I will attend the meeting and my check for \$\_\_\_\_\_.00 is enclosed.
- I am unable to attend the meeting, but please send the course materials to the above address, at a cost of \$35.00, a check for which is enclosed.

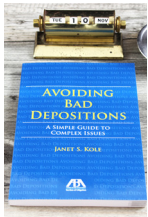
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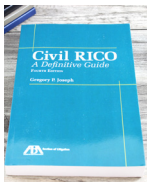
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## *Avoiding Bad Depositions: A Simple Guide to Complex Issues*

**By Janet S. Kole**

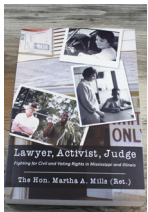
Avoid mistakes—and malpractice claims—when preparing for depositions by following the advice in this short guide. To help navigate the minefield of problems inherent in taking and defending depositions, topics covered include an explanation of a deposition and its purpose, how to defend and take depositions, and how to skillfully deal with difficult opponents, problem witnesses, and experts.



## *Civil RICO: A Definitive Guide, Fourth Edition*

**By Gregory P. Joseph**

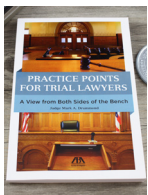
This updated edition provides a concise, yet thorough analysis of the major legal issues arising in civil actions litigated under the Racketeer Influenced and Corrupt Organizations Act (RICO). You will be guided through the complex statute and morass of related case law to help you quickly locate the issues pertinent to your case.



## *Lawyer, Activist, Judge: Fighting for Civil and Voting Rights in Mississippi and Illinois*

**By Martha A. Mills**

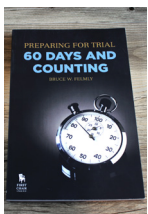
Lawyer, Activist, Judge: Fighting for Civil and Voting Rights in Mississippi and Illinois is an inside look at one woman's struggle for civil and voting rights in Mississippi and Illinois in the 1960s and 1970s. In this engaging description of a life spent breaking down barriers, Martha Mills describes living and working in an ardent segregationist culture fraught with danger, and filled with both heroes and villains.



## *Practice Points for Trial Lawyers: A View from Both Sides of the Bench*

**By Mark Allen Drummond**

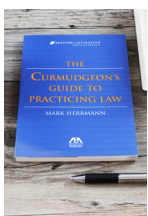
Designed for aspiring and active trial lawyers, this collection of short works offers Judge Drummond's perspective and practice points on trial preparation, jury selection, trial presentation, witness examination, and professionalism, as well as the shared wisdom of leading trial lawyers across the country.



## *Preparing for Trial: 60 Days and Counting*

**By Bruce W. Felmly**

In these days of the "vanishing trial," when there are fewer opportunities to learn from the masters, this book is an invaluable guide for trial lawyers needing to focus, prioritize, and prepare for that morning when they alone will say, "Ready, Your Honor." Preparing for Trial demonstrates how to systematize your approach to the final weeks before trial to assure there are no loose ends in your case, and to limit the stress of a very demanding time.



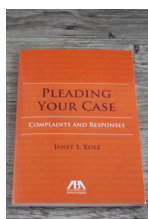
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Find out what drives law partners crazy, what will impress them, and the ten mistakes you should avoid. Concise, humorous and full of valuable (but curmudgeonly) insight, this is a must-read for every lawyer and law student.

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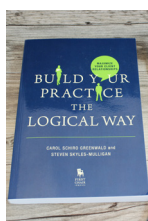
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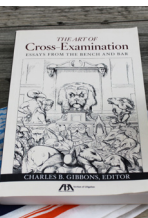
Consistent, strategic, and sustainable firm growth depends on strong client relationships rooted in practices that are designed to meet the needs and expectations of clients. The authors identify strategies designed to retain your clients and help you grow your business.



### *Parallel Proceedings*

**By Miriam Weismann**

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### *The Art of Cross-Examination: Essays from the Bench and Bar*

**By Charles B. Gibbons, Editor**

Decades of articles on cross-examination from Litigation magazine comprise this group of essays, which collectively cover all aspects of the art. Read together, these pieces resemble vigorous conversation on the art of cross-examination amongst skilled advocates, judges, and law professors, sometimes agreeing and occasionally disagreeing and contradicting each other, giving the reader a well-rounded understanding of the subject.