



Uniting Plaintiff, Defense, Insurance, and Corporate
Counsel to Advance the Civil Justice System



Tort Trial & Insurance Practice Section

American Bar Association

ANNUAL MEETING

August 7-11, 2008

Waldorf Astoria Hotel, New York, NY

UPDATED 6/19/08

THURSDAY, AUGUST 7, 2008

- | | |
|---------------------|--|
| 8:00 am - 10:00 am | Task Force on Revenue Enhancement Meeting <i>Park Avenue Suite South, 4th Floor</i> |
| 8:00 am - 10:00 am | Emerging Issues Committee Meeting <i>Louis XVI Room East, 4th Floor</i> |
| 8:00 am - 10:00 am | Task Force on Strategic Alliances Meeting <i>Louis XVI Room West, 4th Floor</i> |
| 8:00 am - 4:00 pm | TIPS Information and Ticket Sales <i>Park Avenue Suite Center, 4th Floor</i> |
| 10:00 am – 12:00 pm | West Sponsor Advertisement Meeting <i>Louis XVI Room Center, 4th Floor</i> |
| 11:00 am - 12:00 pm | History Committee Meeting <i>Cole Porter Suite, 4th Floor</i> |
| 11:00 am - 2:00 pm | Scope and Correlation Committee Meeting <i>Louis XVI Room East, 4th Floor</i> |
| 11:30 am - 12:00 pm | Administrative Committee Meeting <i>Park Avenue Suite South, 4th Floor</i> |
| 12:00 pm - 2:00 pm | ABA/TIPS Committee Meeting <i>Park Avenue Suite South, 4th Floor</i> |
| 12:30 pm - 5:00 pm | Section Council Meeting <i>Norse Suite, 18th Floor</i> |

2:00 pm – 3:30 pm

CLE Program

7 Habits of Highly Successful Women in the Insurance Industry

Success by women in the insurance field requires persistent adherence to seven habits calculated to ensure ongoing success in the industry. Three women attorneys share their experiences and habits that allowed them to succeed in the conservative world of insurance. These women represent three sectors of the legal community: corporate counsel/regulatory, private practice and corporate counsel/staff

THURSDAY, AUGUST 7, 2008

counsel. Increase your professional opportunities and raise the glass ceiling by learning from those who have achieved success within the insurance industry.

Moderator:

Sheila Durant, Housing Authority for Baltimore City, MD

Speakers:

Debra J. Hill, Swiss Re, Armonk, NY

Deborah W. Yue, Gallagher Sharp, Cleveland, OH

Arlene Zalayet, Liberty Mutual Group, Boston, MA

3:00 pm - 4:30 pm

Task Force on Plaintiff Involvement Meeting

Park Avenue Suite South, 4th Floor

4:30 pm - 5:30 pm

Task Force on Outreach to Young Lawyers Meeting

Louis XVI Room East, 4th Floor

9:30 pm - 10:30 pm

TIPS Section Hospitality

Suite of Peter Bennett

FRIDAY, AUGUST 8, 2008

7:00 am - 5:00 pm

TIPS Information and Ticket Sales

Park Avenue Suite Center, 4th Floor

7:30 am - 8:30 am

Admiralty & Maritime Law Committee Business Meeting

Louis XVI Room East, 4th Floor

8:00 am - 10:00 am

Law in Public Service Committee Meeting

Louis XVI Room West, 4th Floor

8:00 am – 10:30

Governmental Affairs Committee Meeting

8:00 am - 10:30 am

Spouse/Guest Breakfast at Saks

Saks, 611 5th Avenue

Please join me for a private Breakfast at the famous Saks Fifth Avenue! Breakfast in the lovely Café SFA on the 8th floor (that's the shoe floor, ladies!), plus an hour of private shopping with a 15% discount, before the store opens to the public!

8:00 am - 12:00 pm

Leadership Academy Program

Louis XVI Room Center, 4th Floor

8:30 am – 10:00 am

CLE Program

Waldorf~Astoria, Duke of Windsor, 4th Floor

The Terrorism Risk Insurance Act – TRIA's Nuts and Bolts and Lessons

TIPS Committee Main Sponsors:

Insurance Regulation, Task Force on Federal Involvement in Insurance Regulation Modernization, and Property Insurance Law

TIPS Committee Co-sponsors:

Excess, Surplus Lines and Reinsurance, Self-Insurers and Risk Managers, and Worker's Compensation and Employers' Liability Law

FRIDAY, AUGUST 8, 2008, CONT.

Program Chairs:

Lon A. Berk, Hunton & Williams LLP, McLean, VA
Tracey W. Laws, Washington, DC
Francine L. Semaya, Cozen O'Connor, New York, NY

Description:

The program will include an overview of the Terrorism Risk Insurance Act and the Act's impact on insurance and reinsurance, including the impact of the Act on first-party property and business interruption, and workers' compensation coverage. The speakers will discuss the Act's implications for cedents and reinsurers. In addition, they will discuss the economic consequences of the Act on the insurance, reinsurance and real estate markets; as well as lessons that can be discerned from the Act concerning federal regulation of insurance in general. The program will provide an overview of the Terrorism Risk Insurance Act, including an update on recent changes in light of the anticipated extension of the Act and how TRIA impacts a broad range of insurance lines.

Moderator:

Lon A. Berk, Hunton & Williams LLP, McLean, VA

Speakers:

Scott A. Sinder, Steptoe & Johnson, LLP

Tracey W. Laws, Reinsurance Association of America, Washington, DC
Anthony J. Macauley, Hanna, Brophy, MacLean, McAleer & Jensen LLP, Los Angeles, CA
Jeffrey Thomas, University of Missouri, Kansas City, MO
J. Stephen Zielezienski, American Insurance Association, Washington, DC

8:30 am – 10:00 am

CLE Program

New York Hilton, Gibson Suite, 2nd Floor

Mind Control: The Psychology of Settlement, How to Get What You Want

TIPS Committee Main Sponsor:

Business Litigation

TIPS Committee Co-sponsors:

Alternative Dispute Resolution, Appellate Advocacy, Automobile Law, Corporate Counsel, Employment Law and Litigation, Intellectual Property Law, Law Practice Management, Life Insurance Committee, Solo and Small Firm Practitioners, Staff Counsel, and Trial Techniques

Program Chairs:

Wyndall A. Ivey, Maynard Cooper & Gale PC, Birmingham, AL
Joel W. Mohrman, McGlinchey Stafford PLLC, Houston, TX

Description:

The program will look at the psychology of settlement from a variety of viewpoints, using a multidisciplinary approach. Specifically, the program will introduce attendees to principles of game theory, psychological aspects of settlement decision making, and practical application of these principles in mediation, negotiation and other settlement contexts. This program will seek to understand how to improve your settlement negotiations with outside-the-box thinking. This is not your usual win-win settlement program. This is a program that will provide unorthodox tools to give you the edge in your negotiations. The program will also contain an ethics component, including where to draw the line between puffing and misrepresentation.

Moderator:

Susan H. Farina, Proveris Scientific Corporation, Marlborough, MA

FRIDAY, AUGUST 8, 2008, CONT.

Speakers:

Philip K. Anthony, Ph.D., DecisionQuest, Los Angeles, CA
Michael K. Lewis, JAMS, Washington, DC
Edward C. Rosenthal, Ph.D., Temple University, Philadelphia, PA

9:30 am -12:00 pm

Ethics and Professionalism Committee Meeting
Park Avenue Suite South, 4th Floor

10:00 am - 12:00 pm

2007-2008 and 2008-2009 General Committee Boards Joint Meeting
Empire Room, Lobby Level

10:30 am -1:00 pm

**Task Force on Federal Involvement in Insurance Regulation
Modernization Meeting**
Cole Porter Suite, 4th Floor

12:00 pm – 1:00 pm

Top Practice Tips Program

Marriott Marquis Hotel, Sun Roof, 16th Floor

TIPS Committee Main Sponsor:

Law Practice Management Committee

TIPS Committee Co-sponsors:

ABA/TIPS, ADR Committee, Animal Law Committee, Business Litigation, Employment Law and Litigation, Self Insurers and Risk Managers Committee, Solo and Small Firm Committee

Program Chair:

Randi Brent Whitehead, Sarasota, FL

Description:

Top Practice tips from TIPS program will consist of sixty second tips on a variety of practice management topics especially management, marketing and financial issues, including practitioners presenting from plaintiff, defense and insurance company perspectives, in addition to including tips from a diverse panel as per ABA's Goal IX with a focus on essential and practical advice to young lawyers to assist in becoming more effective in their practices.

Introduction:

Peter Bennett, Bennett Law Firm, Portland, MA

Moderator:

Christine Davis, Howrey LLP, Washington, DC

Speakers:

Matt Schiff, Schiff & Hulbert, Chicago, IL
Jacquelyn Tessoroff, Tessoroff & Tessoroff, Columbus, NE
Susan H. Farina, Proveris Scientific Corporation, Marlborough, MA

12:30 pm – 2:00 pm

Leadership Academy Luncheon
*Saks Fifth Avenue, 611 5th Avenue
Café SFA balcony, 8th Floor*

1:00 pm -3:00 pm

Diversity in the Profession Committee Meeting
Conrad Suite, 4th Floor

1:00 pm -3:00 pm

Membership Committee Meeting
Cole Porter Suite, 4th Floor

FRIDAY, AUGUST 8, 2008, CONT.

2:00 pm – 3:30 pm

CLE Program

Workers' Compensation in the Post 9/11 and Natural Disaster Era

New York Hilton, Gibson Suite, 2nd Floor

TIPS Committee Main Sponsor:

Workers' Compensation and Employers' Liability Law

TIPS Committee Co-sponsors

Medicine and Law, Property Insurance Law, Task Force on Federal Involvement in Regulation
Modernization and Trial Techniques

Program Chair:

Judge Todd Seelig, PA Department of Labor & Industry, Philadelphia, PA

Description:

An expert panel will be assembled to discuss realities in workers' compensation in the age of terrorism and natural disasters. This program will be presented in two parts. In part one, Dr. David Prezant, Chief Medical Officer at the Office of Medical Affairs, for the Fire Department of the City of New York (FDNY) and the Senior Pulmonary Consultant for FDNY will discuss pulmonary disorders affecting fire fighters, police, volunteers, and other workers involved in post 9/11 cleanup and the rapid emergence of other exotic diseases caused and precipitated by exposure to sand, dust, & other silicates. Dr. Prezant responded on 9/11/01 to the World Trade Center and was present during its collapse and aftermath.

Since that day, he has initiated a multi-million dollar medical monitoring and treatment program for FDNY. Dr. Prezant has written extensively on pulmonary physiology, firefighter health and safety and since 9/11 on the health impact of World Trade Center collapse on NYC firefighters and EMS rescue workers.

In part two, Robert Briscoe, of Millman Inc., will lead a discussion from the actuarial cost perspective, of the effects 9/11 had on New York and national workers' compensation costs, range of cost impacts that could emerge from such incidents in the future, and the implications of the federal terrorism reinsurance law on the costs of possible future terrorism incidents.

Moderator:

Judge Todd B. Seelig, Pennsylvania Department Labor & Industry, Philadelphia, PA

Speakers:

Robert K Briscoe, Milliman Inc., East Stroudsburg, PA
David Prezant, MD, New York City Fire Department, Brooklyn, NY

2:00 pm – 3:30 pm

CLE Program

Annuity Suitability under the Microscope

New York Hilton, Madison Suite, 2nd Floor

TIPS Committee Main Sponsor:

Corporate Counsel

TIPS Committee Co-sponsors:

Employee Benefits, Employment Law and Litigation, Insurance Regulation, Life Insurance Law,
and Professionals', Officers' and Directors' Liability

Program Chairs:

Susan Jennings, Life Insurance Company of the SW, Dallas, TX

FRIDAY, AUGUST 8, 2008, CONT.

Description:

Insurers and plaintiffs' lawyers have been doing battle all across the country over whether variable annuities have been sold to persons, primarily elderly, for whom the annuity is not a prudent investment. Insurance regulators and attorneys general have also joined the fray bringing actions against annuity issuers for unsuitable sales practices. This program brings together representatives of annuity issuers, plaintiffs counsel, insurance regulators, and insurance agent counsel to discuss their perspectives on this timely and complex topic.

Moderator:

Michael J. Rothman, Winthrop & Weinstein, PA, Minneapolis, MN

Speakers:

Brett Barrett, Nevada Division of Insurance, Carson City, NV

Judy L. Burnthorn, Deutsch, Kerrigan & Stiles LLP, New Orleans, LA

John J. Stoia, Lerach, Coughlin, Stoia, Geller, Rudman and Robbins LLP, San Diego, CA

2:00 pm -5:00 pm

Financial Committee Meeting

Louis XVI Room Center, 4th Floor

2:00 pm - 5:00 pm

Task Force on Outreach to State and Local Bars Meeting

Louis XVI Room East, 4th Floor

2:00 pm – 5:00 pm

CLE Program

New York Hilton,

Ordering Liberty in an International Economy

TIPS Committee Main Sponsors:

Admiralty and Maritime Law, Intellectual Property Law, International Law, and Media, Privacy and Defamation Law

TIPS Committee Co-sponsor:

Business Litigation

Sections, Divisions, Forums, Special Standing Committees and Commissions Co-sponsor:

International Litigation Committee of the Section of International Law

Program Chairs:

David Furlow, Thompson & Knight LLP, Houston, TX

James J.S. Holmes, Sedgwick Detert Moran & Arnold LLP, Los Angeles, CA

Jessica L. McClellan, U.S. Attorney's Office, Southern District of Georgia, Savannah, GA

Michaela E. Noble, Lemle & Kelleher, New Orleans, LA

Shirley Spira, Bivona & Cohen PC, New York, NY

John F. Stephens, Sedgwick Detert Moran & Arnold LLP, Los Angeles, CA

Nathaly J. Vermette, Vermette Law, Montréal, Québec, Canada

Description:

Where once international commerce could only move as fast as a ship could cross the oceans, now commerce moves at the speed of light and with the ease of the push of a button. However, the laws have not always kept up with the speed in which business is transacted, leaving companies at risk when communications are blocked by foreign policies and when attempts to enforce intellectual property rights are frustrated by the inaction of foreign governments.

This ever-expanding world economy allows not only the exchange of money, but also the exchange of ideas - ideas which go beyond pure commerce and which include those regarding human rights and individual freedoms. Commerce cannot truly flow freely between nations when nations censor and **FRIDAY, AUGUST 8, 2008, CONT.**

oppress their citizens. As nations become more prosperous, their citizens' demands for individual liberties increase.

Hear an international panel of Justices and experts in the field discuss how to protect international electronic communications, the means available for enforcement of intellectual property rights in foreign nations and the developing world, and how the international economy affects transnational liberties. In addition, they will discuss how the insurance market has evolved to provide protection to companies in this increasingly dynamic global market.

Moderators:

David Furlow, Thompson & Knight LLP, Houston, TX
Nathaly J. Vermette, Vermette Law, Montréal, Québec, Canada

Speakers:

The Honorable Mr. Justice Ian Binnie, Supreme Court Of Canada, Ottawa, Ontario, Canada
John Brosnan, Financial Services Group – Professional Risk Solutions, A Division of Aon Risk Services, Inc. of Illinois, Chicago, IL
The Honorable Mr. Justice R. Nugent, Supreme Court of Appeal, Republic of South Africa, Union of South Africa
Thomas John Schoenbaum, International Christian University, Tokyo and George Washington University Law School, Washington, DC

2:00 pm – 5:00 pm

CLE Program

New York Hilton, Clinton Suite, 2nd Floor

e-Discovery from the War Room!

TIPS Committee Main Sponsor:

Law and Technology

TIPS Committee Co-sponsors:

Business Litigation, Corporate Counsel, Employment Law and Litigation, Government Law, Health and Disability Insurance Law, Intellectual Property Law, Life Insurance Law, and Solo and Small Firm Practitioners

Sections, Divisions, Forums, Special Standing Committees and Commissions Co-sponsors:

Antitrust, Law Practice Management, Judicial Division, and Young Lawyers Division

Program Chair:

Peter F. Burns, Peter F. Burns, Cooley Godward Kronish LLP, Pato Alto, CA

Program Description:

No more theoretical discussions of the so-called New Rules - We promise! This is Reality. This is War. We need to know how to fight in the trenches. We will teach you exactly what to do when faced with a new case, investigation, or subpoena, taking you through a step-by-step process to identify, collect, process, sort, review, and produce relevant electronic data.

We will focus on how to do it "the right way," at each and every stage, so that you and your client can avoid sanctions, jail time (yes, jail time), or other unpleasant ramifications. We will expound on a field-tested battle plan for dealing with the onslaught of e-discovery requests that are now common in virtually every litigation, arbitration, or governmental inquiry. From preservation and collection, to review and production, this program explains from a practical perspective what every attorney must know to meet

their discovery obligations, prevent spoliation of evidence, and avoid the risk of sanctions. Subtopics will include such mysteries as forensic imaging of hard drives, the electronic chain of custody, software review tools, data filtering, and the dangerous path of de-duplication.

FRIDAY, AUGUST 8, 2008, CONT.

We will also address the understandable difficulties this process places on all who are subject to it and the strain it puts on client-attorney relationships. Materials will include checklists and templates for preserving and collecting relevant electronic information from your own client, and getting the electronic information you need from opposing parties. Panelists will include: a magistrate judge experienced in resolving e-discovery disputes; in-house counsel, counsel representing plaintiff and defense perspectives; and a forensic expert.

Moderator:

Todd W. Miller, Holland & Hart, Greenwood Village, CO

Speakers:

Hon. James C. Francis (Magistrate), United States Magistrate Judge, United States District Court for the Southern District of New York, New York, NY

Yvonne M. Flaherty, (Plaintiffs' Perspective), Lockridge Grindal Nauen PLLP, Minneapolis, MN

John W. Simek - EnCE, CNE, MCSE, MCP+I (Forensic Expert), Vice-President, Sensei Enterprises, Inc. Computer Forensics / Legal IT, Fairfax, VA

Jonathan Swartz (Defense Perspective), Thelen Reid Brown Raysman & Steiner LLP, San Francisco, CA

3:00 pm – 4:00 pm

Law and Technology Committee Business Meeting
Conrad Suite, 4th Floor

3:00 pm - 5:00 pm

Task Force on Corporate Governance Institute Meeting
Park Avenue Suite South, 4th Floor

4:00 pm - 5:00 pm

**New TIPS Members and First Time Attendees
Welcome Reception (*by invitation only*)**
Duke of Windsor, 4th Floor

5:00 pm -5:45 pm

Pursuit of Justice Award Reception
Empire Room, Lobby Level

6:00 pm

Board busses to Ellis Island

7:00 pm -10:00 pm

Generation to Generation-Ellis Island Welcome Reception/Dinner
Ellis Island Immigration Museum
Buses will depart at 6:00pm from the Waldorf~Astoria Hotel to the Ellis Island Ferry (we will take a short Ferry ride to the Museum)
Ticketed Event: Ticketed Event: \$200.00 – After 7/8/08 \$235.00
Children Ages 6 - 16 - \$50.00 - Children 5 years and under - Complimentary

SATURDAY, AUGUST 9, 2008

7:00 am - 8:30 am

TIPS Hospitality Center
Park Avenue Suite Center, 4th Floor

7:00 am - 5:00 pm

TIPS Information and Ticket Sales

7:30 am -8:30 am

Animal Law Committee Business Meeting

Louis XVI Room West, 4th Floor

7:30 am - 8:30 am

Government Law Committee Business Meeting
Maxwell Suite, 18th Floor

SATURDAY, AUGUST 9, CONT.

7:30 am - 8:30 am

Intellectual Property Law Committee Business Meeting
Promenade B, Promenade Level

7:30 am - 8:30 am

Employment Law & Litigation Committee Business Meeting
Cole Porter Suite, 4th Floor

7:30 am - 8:30 am

Law Practice Management Committee Business Meeting
Library, 18th Floor

7:30 am - 8:30 am

Automobile Law Committee Business Meeting
Promenade A, Promenade Level

7:30 am - 8:30 am

Corporate Counsel Committee Business Meeting
Beekman Suite, 18th Floor

7:30 am - 8:30 am

**Self-Insurers and Risk Managers Committee
Business Meeting**
Lexington Suite, 18th Floor

7:30 am - 8:30 am

Trial Techniques Committee Business Meeting
Louis XVI Room Center, 4th Floor

7:30 am - 8:30 am

Title Insurance Litigation Committee Business Meeting
New Amsterdam Suite, 14th Floor

7:30 am - 8:30 am

Health and Disability Insurance Law Committee Business Meeting
Sutton Suite, 18th Floor

7:30 am - 8:30 am

**Excess, Surplus Lines and Reinsurance Committee
Business Meeting**
Morgan Suite, 18th Floor

7:30 am - 8:30 am

Toxic Torts & Environmental Law Committee Business Meeting
Carnegie Suite, 18th Floor

7:30 am - 8:30 am

Insurance Regulation Committee Business Meeting
Park Avenue Suite South, 4th Floor

8:00 am - 10:00 am

Task Force on Outreach to Law Students Meeting
Duke of Windsor, 4th Floor

8:30 am – 10:00 am

CLE Program

New York Hilton, Madison Suite, 2nd Floor

Billing Guidelines and Auditors - Are They Ethical? Are They Legal?

TIPS Committee Main Sponsor:

Insurance Coverage Litigation

TIPS Committee Co-sponsor:

Products, General Liability and Consumer Law

Program Chair:

Marc Mayerson, Springs & Hollingsworth, Washington, DC
Craig Stewart, Edwards Angell, Palmer & Dodge, Boston, MA

Description:

Most insurance companies seek to control the amount of defense costs incurred by counsel in defending lawsuits against their insured's. Some insurers impose limitations on defense costs directly in their

SATURDAY, AUGUST 9, CONT.

insurance policies; others impose limitations through the application of billing guidelines or ad hoc bill reviews, which may or may not have been agreed to by defense counsel at the time she or he was retained. Some insurers regularly employ outside auditors to review bills, and many insurers require outside defense counsel to agree to audits of their bills as a condition of their being retained.

On the one hand, there is no question that insurers have legitimate interests in controlling costs and in responding to well-documented instances of abuse by lawyers or policyholders who believe they are entitled to undertake any defense effort no matter how expensive, even if a dispassionate, economic or businesslike calculus would mandate or strongly suggest taking a more modest course. On the other hand, there is a growing concern that cost control measures, including billing guidelines and legal audits, may unreasonably limit the claims expense benefits payable under insurance policies, may interfere with the attorney-client relationship with the insured by reducing the quality of representation defense counsel is willing to provide for the reimbursement offered (possibly to the point of professional malpractice), and may run the risk of waiving attorney-client and work product privileges as a consequence of outside legal audits.

Most bar associations have issued ethics opinions which prohibit insurers from interfering with the independent professional judgment of defense counsel, and there is little or no disagreement by insurers that they do not want to assume respondent superior liability for the conduct of appointed defense counsel. Nevertheless, the conduct by some claims handlers of refusing to authorize payment for certain tasks, arbitrarily paying for only a portion of the work performed, or requiring retained counsel to engage in time-consuming review and appeal processes either before or after performing necessary work, as a practical matter substitutes the insurer's judgment for that of the insured's attorney as to how best to defend the case.

This program and panel discussion is intended to explore the legal and ethical ramifications of billing guidelines and other cost control devices and will seek to offer recommendations on how insurers can best manage and reduce the cost of litigation while at the same time preserving the ability of counsel to provide a complete and effective defense for their insured's. The questions and issues that will be debated surrounding this controversial topic, of interest to insurers, policyholders, defense lawyers, and coverage counsel, include the following:

- Do insured's have the right to know about the restrictions placed on their defense?
- Is there an obligation by insurers to reveal these restrictions during the policy sale process?
- Do insured's have the right to know about the use of outside auditors and the implications associated with their use?
- Do outside counsel have the right to be free of any cost restrictions on how they defend a case? Numbers of depositions? Witness interviews? Legal research memoranda? Experts? Internal office "strategy" conferences?
- Do current "billing guidelines" strike the right balance between reasonable cost management and independent professional judgment on how best to defend a case?
- Do current billing guidelines violate state insurance regulations? State statutes governing the practice of law and attorney conduct? Criminal statutes such as RICO?
- Is there a risk that the tension between "Sky's the limit defense costs," and "Insurers' placing their own interests over their insured's" may result in "Spitzer" type investigations, regulatory reform, or class action lawsuits?

Moderator:

Marc Mayerson, Spriggs & Hollingsworth, Washington DC

Speakers:

Bruce A. Campbell, Campbell & Chadwick PC, Dallas, TX

John Fried, Fried & Epstein LLP, New York, NY

SATURDAY, AUGUST 9, CONT.

Carol Mihalik, Indiana Department of Insurance, Indianapolis, IN

Sonia Valdes, Assistant Vice President, Chubb and Son, Warren, NJ

8:30 am – 10:00 am

CLE Program

New York Hilton, Clinton Suite, 2nd Floor

Mourning the Death of the Billable Hour: Successfully Transitioning to Alternative Billing Methods

TIPS Committee Main Sponsor:

Law Practice Management

TIPS Committee Co-sponsor:

Solo and Small Firm Practitioners

Program Chairs:

Mitch Orpett, Tribler Orpett & Meyer PC, Chicago, IL

Randi Brent Whitehead, Sarasota, FL

Description:

A panel discussion regarding how law firms have successfully transitioned to billing methods other than hourly, and a general overview of these alternative methods. The panel will include five diverse speakers, including those with plaintiff, defense and insurance perspectives, along with diversity as per ABA Goal IX. The program will emphasize two law firms and a corporation that are successfully utilizing billing methods other than the "traditional" hourly method to both increase revenue and quality of life for the lawyers at these firms. The program will focus not just on the theoretical debate surrounding the topic, including the law student perspective, but more specifically on how the transition to other billing models has been successful.

Moderators:

Daniel F Polsenberg, Lewis and Roca LLP, Las Vegas, NV

Randi Brent Whitehead, Sarasota, FL

Speakers:

Chester Paul Beach Jr, United Technologies Corporation, Hartford, CT

Terry C. Bruner, Dallas, TX

Anthony J. Colleluori, The Law Offices of Anthony J. Colleluori & Associates PLLC, Woodbury, NY

Diane C. Petillo, The Law Offices of Anthony J. Colleluori & Associates PLLC, Woodbury, NY

Jay Shepherd, Shepherd Law Group PC, Boston, MA

8:30 am – 11:00 am Publications Editorial Board Meeting

8:30 am – 11:00 am **Public Relations Committee Meeting**
Park Avenue Suite South, 4th Floor

8:30 am - 11:30 am **Section Council Meeting**
Norse Suite, 18th Floor

9:00 am -10:00 am **Spouse/Guest Hospitality**
Suite of Peter Bennett

9:00 am - 12:00 pm **TortSource Editorial Board Meeting**

Morgan Suite, 18th Floor

9:00 am -12:00 pm

Task Force on Disaster Insurance Coverage Meeting
Louis XVI Room West, 4th Floor

SATURDAY, AUGUST 9, CONT.

9:00 am – 1:00 pm

Leadership Academy Meeting and Caucus

10:00 am - 11:00 am

Law Student Board Meeting
Louis XVI Room Center, 4th Floor

11:00 am - 12:00 pm

Scholarship Fund Board Meeting
Lexington Suite, 18th Floor

12:00 pm - 3:00 pm

CLE Board Meeting
Louis XVI Room East, 4th Floor

1:00 pm - 4:00 pm

The Brief Editorial Board Meeting
Maxwell Suite, 18th Floor

2:00 pm – 3:30 pm

CLE Program

New York Hilton, Gibson Suite, 2nd Floor

The Wage-Hour Litigation Wars: Successful Strategies for Plaintiff and Defense Counsel in Litigating Wage-Hour Claims and Class Actions

TIPS Main Sponsor:

Employment Law and Litigation

TIPS Committee Co-sponsors:

Corporate Counsel and Employee Benefits

Sections, Divisions, Forums, Special Standing Committees and Commissions Co-sponsor:

Business Law, Health Law, Labor and Employment Law, Real Property, Trust and Estate Law and Taxation

Program Chairs:

Tony Cabassa, Tompson, Sizemore & Gonzalez, Tampa, FL

Marlene K. Heyser, Workplace Law Strategies, Santa Ana, CA

Susan J. Jennings, Life Insurance Company of the SW, Dallas, TX

Jonathan G. Rose, Katten Muchin Roseman LLP, Washington, DC

Description:

The floodgates of wage-hour claims and class actions continue to overflow with multi-million dollar lawsuits. In 2007 Wal-Mart agreed to pay \$33,000,000 to settle an overtime case with 87,000 Wal-Mart employees. Wal-Mart and other large and small employers have been sued for unpaid overtime claims in numerous states actions, as well as under the Fair Labor Standards Act. The FLSA requires that non-exempt employees be paid overtime for hours after 40, be paid for all time worked and imposes not only back pay but penalties for a willful violation. Many of the cases involve alleged misclassification of employees as exempt managers, thus denying them overtime pay.

Class actions claiming that the Plaintiff represents a “class” of employees substantially increase the employer liability. Employees who are misclassified or wrongfully denied overtime pay are losing significant amounts of money on an ongoing basis.

These class and representation action cases are not limited to large employers or managers claiming misclassification. Many medium and small firms and employees earning little more than minimum wage are parties in this wage-hour litigation. Meal and rest period claims and other benefit issues further

complicate these claims in many cases. In today's competitive business employers are seeking to minimize costs, with labor costs being a major factor. Plaintiff and defense counsel who once handled only the occasional wage-hour claim are now faced with a growing number of these claims and class actions as part of their practice.

SATURDAY, AUGUST 9, CONT.

The plaintiff and defense counsel in this workshop will discuss strategies to successfully litigate and resolve both individual claims and class actions.

Moderator:

Luis A. "Tony" Cabassa, Thompson Sizemore & Gonzalez, Tampa, FL

Speakers:

Sylvia Garcia, Garcia and Birge, Escondido, CA

Lloyd Loomis, Lewis Brisbos Bisguard & Smith, New York, NY

Adam Klein, Outten & Golden, Los Angeles, CA

2:00 pm – 4:00 pm

Task Force on Leadership – Diversity Initiative Meeting
New Amsterdam Suite, 18th Suite

2:00 pm – 5:00 pm

Tort Trial & Insurance Law Journal Editorial Board Meeting
Morgan Suite, 18th Floor

2:00 pm – 5:00 pm

CLE Program

New York Hilton, Clinton Suite, 2nd Floor

The Bridge Fell in 13 Seconds: Liability and Insurance Issues Associated with our Aging Infrastructure and Government Responses

TIPS Committee Main Sponsors:

Government Law and Professionals', Officers' & Directors' Liability

TIPS Committee Co-sponsors:

Corporate Counsel, Excess, Surplus Lines and Reinsurance, Fidelity & Surety Law, Insurance Coverage Litigation, Property Insurance Law, and the Task Force on Disaster Insurance Coverage

Sections, Divisions, Forums, Special Standing Committees and Commissions Co-sponsor:

Government and Public Sector Lawyers Division and the Forum on Construction Law

Program Chair:

Juanita Luis, UnitedHealth Group, Minnetonka, MN

Description:

What do you do when the unthinkable happens in your town: a bridge falls, sewers collapse, the levees break, a building falls down? The statistics about our aging infrastructure which needs repair are staggering! This program will explore liability issues, insurance coverage, and government responses. Hear from two panels of experts with first-hand experience.

The liability and insurance panel includes an engineer graphically portraying the state of our infrastructure, inspections, and what can cause structures to fail; an attorney discussing who might be liable for such failures; a forensic accountant cataloging the types of losses which may occur and various theories for calculating losses; and concluded by an attorney discussing what insurance coverages may be available. The government response panel includes a former FEMA executive explaining how FEMA gets involved and the hierarchy and role of agencies in governmental response to disasters; the Civil Chief from the U.S. Attorney's Office in MN discussing securing, protecting, and granting access to disaster areas; counsel to Port Authorities advising ways to keep politics from preventing infrastructure repair and crisis management when there is a disaster (including his experience with the World Trade

Center terrorism); and a U.S. Senator describing infrastructure activity in Congress. Please join us for a reception afterwards to continue the discussion.

Blame It on the Bossa Nova: What Can Happen and Who Pays – First Panel

SATURDAY, AUGUST 9, CONT.

Moderator:

Broderick W. Harrell, Carlock, Copeland, Semler & Stair LLP, Atlanta, GA

Speakers:

Kent Stair, Carlock, Copeland, Semler & Stair LLP, Atlanta, GA

Patrick O'Connor, Faegre & Benson, Minneapolis, MN

Mark Moore, Principal, Wiss Janney Elstner Associates, Inc., Duluth, GA

Shannon Rusnak, Partner, Matson, Driscoll & Damico LLP, Houston, TX

Government Response – Second Panel

Moderator:

Juanita B. Luis, UnitedHealth Group, Minnetonka, MN

Speakers:

Gregory Brooker, Civil Chief, U.S. Attorney's Office, Minneapolis, MN

Daniel A. Craig, Akerman Senterfitt, Washington, DC

Senator Amy Klobuchar (invited), Washington, DC

Mark Merrit, Witt and Associates, Atlanta, GA

Hugh H. Welsh, NY & NJ Port Authority, Cranford, NJ

2:00 pm – 5:00 pm

CLE Program

New York Hilton, Madison Suite, 2nd Floor

Building a Better ADR Clause: An Inter-Disciplinary Approach

TIPS Committee Main Sponsor:

Excess, Surplus Lines & Reinsurance

TIPS Committee Co-sponsors:

Admiralty and Maritime Law, Alternative Dispute Resolution, and Corporate Counsel

Program Chairs:

Deborah Giss Stalker, Global Reinsurance, ACE INA, Philadelphia, PA

Larry P. Schiffer, Dewey & LeBoeuf LLP, New York, NY

Description:

By taking a holistic approach to arbitration and ADR, consumers and practitioners of arbitration and ADR services will learn from each other's experiences across industry and dispute resolution boundaries that often stifle arbitration and ADR innovation. The program consists of three panels that take us from the anatomy of an arbitration clause in insurance and reinsurance contracts, to innovations in ADR developed by other industries like financial services and the maritime industries, and finally to a discussion of ethical issues surrounding arbitration.

Anatomy of an Arbitration Clause

This panel addresses the basic elements of an ADR clause, and identifies the various traps and soft spots that exist in the boilerplate language developed decades ago and still in use today. Potential traps to be discussed include: (1) unintended outcomes from the application of state, federal, and international laws and conventions governing arbitration; (2) the influence of choice-of-law provisions and arbitration rules, on the arbitration proceeding; (3) consolidation of disputes; (4) the use of generic rules and procedures not tailored to the business or dispute; (5) vague criteria and timeframes in arbitration clauses for arbitrator and umpire selection; (6) the potential for confidentiality and access to record issues may

hasten resort to arbitration; (7) the purpose of the “honorable engagement” clause; and (8) the ability of parties to modify the standard for reviewing arbitration awards.

ADR Innovations that Work: Lessons Learned from Other Industries
SATURDAY, AUGUST 9, CONT.

The second panel is composed of practitioners from different disciplines within the financial services, insurance, reinsurance and maritime industries that will offer and discuss their thoughts regarding recent ADR clause innovations that they have used or observed in their respective industries. The Panel will focus on a variety of topics, including escalating ADR provisions, methods for avoiding arbitration inertia and stalemate and preserving the efficiencies of arbitration, and building and strengthening neutrality into the ADR process.

Ensuring and Enforcing Ethics in Arbitration

This panel will focus on arbitrator ethics and will qualify for MCLE ethics credit. Topics for discussion include **standards and expectations for** arbitrator disclosures, the implications of multiple appointments **and** ex parte communications **on impartiality**, and the effect of arbitrator advocacy on panel neutrality.

Panel 1 - Moderator:

Larry P. Schiffer, Dewey & LeBoeuf LLP, New York, NY

Speakers:

Linda M. Lasley, Lewis Brisbois Bisgaard & Smith LLP, Los Angeles, CA

Myra Lobel, Guy Carpenter & Company LLC, New York, NY

Claudio A. Ronzitti, Jr., ACE Tempest Re USA LLC, Stamford, CT

Richard C. Mason, Cozen O'Connor, Philadelphia, PA

Panel 2 - Moderator:

F. Peter Phillips, Formerly, CPR: The International Institute for Conflict Prevention and Resolution, New York, NY

Speakers:

Linda Martin Barber, Navigant Consulting, Inc., Lawrenceville, NJ

John P. Bevilacqua, Merrill Lynch, New York, NY

Deborah Masucci, American International Group, New York, NY

Klaus Mordhorst, Society of Maritime Arbitrators, Inc., Leffler Chartering Inc., Kinnelon, NJ

Panel 3 - Moderator

Stephen W. Schwab, DLA Piper, Chicago, IL

Speakers:

Hon. William G. Bassler (Ret), JAMS, New York, NY

Bina T. Dagar, ARIAS U.S. Certified Arbitrator, Ameya Consulting, LLC, Livingston, NJ

Professor William W. Park, Boston University Law School, Boston, MA

Stephen W. Schwab, DLA Piper, Chicago, IL

2:30 pm - 4:00 pm

Long Range Planning Committee Meeting

Conrad Suite, 4th Floor

3:30 pm – 5:00 pm

Technology Committee Meeting

Duke of Windsor, 4th Floor

4:00 pm - 5:00 pm

National Trial Academy Meeting

Maxwell Suite, 18th Floor

4:30 pm -5:30 pm

Animal Law Committee Awards Reception

Beekman Suite, 18th Floor

This event is sponsored for TIPS by the generous support of the American Society for the Prevention of Cruelty to Animals (ASPCA).

SATURDAY, AUGUST 9, CONT.

5:00 pm – 6:00 pm

Liability & Insurance Issues Associated with our Aging Infrastructure Reception

New York Hilton Hotel, Mercury Rotunda, 3rd Floor

This event is sponsored by Long & Levit, LLP, Professionals; Officers' & Directors' Liability, Government Law Committee and Co-sponsored by Fidelity and Surety Law Committee.

6:00 pm – 9:30 pm

Leadership Academy Commencement Dinner

The University Club

*One West 54th Street, New York, NY
Rooms 3 & 4 - 9th Floor*

7:00 pm - 10:00 pm

ABA President's Reception

10:00 pm - 12:00 am

TIPS Section Hospitality

Louis XVI Room Center, 4th Floor

It's going to be a PARTY!!

Bring you dancing shoes and your karaoke voices!

SUNDAY, AUGUST 10, 2008

7:00 am - 8:30 am

TIPS Hospitality Center

Park Avenue Suite Center, 4th Floor

7:00 am – 3:00 pm

TIPS Information and Ticket Sales

Park Avenue Suite Center, 4th Floor

7:30 am - 8:30 am

Employee Benefits Committee Business Meeting

Carnegie Suite, 18th Floor

7:30 am - 8:30 am

Life Insurance Law Committee Business Meeting

Lexington Suite, 18th Floor

7:30 am - 8:30 am

Medicine and Law Committee Business Meeting

Sutton Suite, 18th Floor

7:30 am - 8:30 am

Products, General Liability and Consumer Law Committee Business Meeting

Louis XVI Room West, 4th Floor

7:30 am - 8:30 am

Solo and Small Firm Practitioners Committee Business Meeting

Promenade A, Promenade Level

7:30 am - 8:30 am

Property Insurance Law Committee Business Meeting

Duke of Windsor, 4th Floor

7:30 am - 8:30 am

Alternative Dispute Resolution Committee Business Meeting

Library, 18th Floor

7:30 am - 8:30 am **Business Litigation Committee Business Meeting**
Morgan Suite, 18th Floor

7:30 am - 8:30 am **International Committee Business Meeting**
New Amsterdam Suite, 18th Floor

SUNDAY, AUGUST 10, 2008, CONT.

7:30 am - 8:30 am **Workers' Compensation and Employers' Liability Law Committee Business Meeting**
Louis XVI Room Center, 4th Floor

7:30 am - 8:30 am **Staff Counsel Committee Business Meeting**
Park Avenue Suite South, 4th Floor

7:30 am - 8:30 am **Professionals', Officers' and Directors' Liability Law Committee Business Meeting**
Norse Suite, 18th Floor

7:30 am - 8:30 am **Insurance Coverage Litigation Committee Business Meeting**
Gramercy Suite, 18th Floor

8:00 am -10:00 am **Website Editorial Board Meeting**
Beekman Suite, 18th Floor

8:00 am -10:00 am **2008-2009 Section Meetings and Orientation Training Planning Meeting**
Cole Porter Suite, 4th Floor

8:30 am – 10:00 am

CLE Program

New York Hilton, Gibson Suite, 2nd Floor

Claim Trends After the Subprime Meltdown

TIPS Committee Main Sponsor:

Title Insurance Litigation

TIPS Committee Co-sponsor:

Business Litigation

Sections, Divisions, Forums, Special Standing Committees and Commissions Co-sponsor:

Litigation Section

Program Chair:

Jerel J. Hill, Law Office of Jerel J. Hill, Houston, TX

Description:

As foreclosure activity increases, so do title policy claims. This program will examine the type of claims that are occurring now and compare them with experiences during the economic downturn of the 1980s. Claim trends on a region by region basis will also be reviewed. The speakers represent the perspective of the underwriter counsel (Mr. Killea of New York, NY), litigation counsel (Mr. Cohen of Miami, FL), and a well-known regulatory consultant (Dr. Lipshutz of Waban, MA). Dr. Lipshutz will also discuss the likely short term effect of the trends on title insurers' solvency and future premium rates.

Ms. Stephens will present the annual case review of all reported cases on title insurers and title and escrow agents. The outline is usually about thirty pages. In sum, the program will present the latest statistical data and practical experience of the many facets of the mortgage meltdown and its impact on the title industry. It will be a unique opportunity to survey this vital data in a compact program.

Moderator/Speaker:

Jerel J. Hill, Law Office of Jerel Hill, Houston, TX

Speakers:

Robert Cohen, Cohen & Fox, P.A., Miami, FL
John L. Killea, Stewart Title Insurance Company, New York, NY
Dr. Nelson Lipshutz, Regulatory Research Corporation, Waban, MA
Jennifer Pugh Stephens, Stites & Harbison, PLLC, Louisville, KY

SUNDAY, AUGUST 10, 2008, cont.

8:30 am – 10:00 am

CLE Program

New York Hilton, Clinton Suite, 2nd Floor

Public Nuisance Litigation - The State's New Regulator**TIPS Committee Main Sponsor:**

Toxic Torts and Environmental Law

TIPS Committee Co-Sponsor:

Admiralty and Maritime Law

Program Chair:

Kevin L. Colbert, Gardere Wynne Sewell LLP, Houston, TX

Description:

From cigarettes, to lead paint, to handguns, to subprime mortgages, public nuisance is becoming a chief legal theory for municipalities and states to combat perceived societal ills. Over the past several decades, difficulties in proving product liability claims against individual manufacturers caused a turn to alternative theories of liability. One of those alternative theories, the tort of public nuisance, has become the foundation for many lawsuits by state and local governments against entire industries for the harms their products allegedly caused. The governmental entities in these suits seek reimbursement of the costs they claim were or will be incurred as a result of both legal and illegal uses of a product, such as the costs of police, medical and emergency services associated with the criminal use of handguns and costs of smoking cessation programs and anti-smoking media campaigns associated with cigarettes. Product manufacturers have faced these types of suits for years; now the mortgage and investment banking industry is being taken to task by cities, such as Cleveland, OH, for enabling the subprime lending and foreclosure crisis.

The implications of public nuisance litigation could be profound and far ranging. If successful, the application of public nuisance theory could make all entities absolute insurers of their products, be they physical products or "paper" products. Only time will tell if this centuries old legal theory will become the newest tool used to hold companies responsible for their actions. An eminent panel will discuss the history and current state of public nuisance litigation as it affects many industries.

Moderator:

Kevin L. Colbert, Gardere Wynne Sewell LLP, Houston, TX

Speakers:

The Honorable Bonnie Campbell (former Iowa Attorney General), Des Moines, IA
Joshua Cohen, Cohen Rosenthal & Kramer LLP, Cleveland, OH
Richard Faulk, Gardere Wynne Sewell LLP, Houston, TX
Professor Donald Gifford, University of Maryland, MD

8:30 am – 10:00 am

CLE Program

New York Hilton, Madison Suite, 2nd Floor

The Art of Impeachment from a Trial Master**TIPS Committee Main Sponsor:**

Trial Techniques Committee

TIPS Committee Co-sponsors:

Animal Law, Commercial Transportation Litigation, Solo and Small Firm Practitioners, Staff Counsel, Workers' Compensation and Employers' Liability Law

Program Chair:

Marlo Orlin Leach, Powell Goldstein LLP, Atlanta, GA

SUNDAY, AUGUST 10, 2008, cont.

Description:

Terence F. MacCarthy is known for effective and innovative witness impeachment. He has been the Executive Director of the Federal Defender's Office in Chicago for 40 years and has lectured across the country teaching attorneys how to impeach witnesses in a civil or criminal case. He has been described as "the first and best federal public defender in the nation" by Judge William J. Bauer of the U.S. Court of Appeals. This is an opportunity to learn tips, secrets, and helpful hints from a trial master on how to quickly, simply and effectively impeach the toughest of witnesses-even those who believe they cannot be impeached.

Moderator:

John P. Buckley, Ungaretti & Harris, LLP, Chicago, IL

Speaker:

Terence F. MacCarthy, United States District Court for the Northern District of Illinois, Chicago, IL

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|---------------------------|--|
| 9:00 am -10:00 am | Fidelity & Surety Law Committee Business Meeting <i>Duke of Windsor, 4th Floor</i> |
| 2:00 pm -3:00 pm | Commercial Transportation Litigation Committee Business Meeting <i>Louis XVI Room Center, 4th Floor</i> |
| 2:30 pm – 4:30 pm | 2009 Annual Meeting Brainstorming Session Part Two <i>Louis XVI Room West, 4th Floor</i> |
| 6:00 pm – 6:30 pm | Council Class Picture <i>Empire Room, Lobby Level</i> |
| 7:00 pm - 10:00 pm | TIPS 75th Anniversary Celebration Dinner <i>Delegates Dining Room, United Nations Building</i> <i>This event is sponsored for TIPS by the generous support of Matson, Driscoll & Damico.</i> Buses will depart from the Waldorf~Astoria Hotel at 6:15pm Ticketed Event: Ticketed Event: \$175.00 – After 7/8/08 \$200.00 Children Ages 6 - 16 - \$50.00 - Children 5 years and under - Complimentary |
| 10:30 pm - 12:00 Midnight | TIPS Section Hospitality <i>Suite of Peter Bennett</i> |

MONDAY, AUGUST 11, 2008

| | |
|--------------------|--|
| 8:00 am - 8:30 am | Section Business Meeting <i>Duke of Windsor, 4th Floor</i> |
| 8:30 am - 10:00 am | 2008-2009 Leadership Breakfast <i>Grand Ballroom, 3rd Floor</i> For the new regime, 2008-2009 Council, Committee Chairs and Chair-Elects, Task Force Chairs, Coordinators, and Spouse/Guest please sign-up for tickets so we know you're coming. |

10:00 am - 11:00 am

**Mandatory Orientation: 2008- 2009 General
Committee Chairs and Chairs-Elect**
Grand Ballroom, 3rd Floor

MONDAY, AUGUST 11, 2008

10:00 am - 12:00 pm

2008-2009 Section Council Meeting
Conrad Suite, 4th Floor

11:00 am -12:00 pm

2008-2009 General Committee Board Meeting
East Foyer, 3rd Floor

Co-Sponsored Programs

Friday, August 8, 2008

8:30 am - 10:00 am

How Judges Think

Sheraton Hotel

Capitalizing on Jerome Groopman's best-seller, "How Doctors Think" (which analyzes rational – and irrational – factors influencing physicians' diagnoses), this inter-disciplinary panel will explore the impact on *judicial* decision making of a wide range of cognitive phenomena, which may taint even the (seemingly) most rigorous legal analysis. The "take-away"? Although judges may aspire to "the rule of law," logical fallacies and biases may result, in effect, in "the rule of man."

Sponsored by the National Conference of Federal Trial Judges (NCFTJ) and co-sponsored by the Section of Litigation and Tort Trial & Insurance Practice.

Friday, August 8, 2008

What the Presidential Candidates Should be Saying about Judicial Selection

Marriott Hotel

This program will feature New York Times Senior Correspondent Linda Greenhouse as moderator for a panel discussion about the criteria that Presidents should use to select federal judges. Confirmed panelists include Dean Erwin Chemerinsky and Dean Kenneth Starr. The program is designed to appeal to a wide audience of lawyers and judges, and is certain to raise thought-provoking issues close in time to the 2008 Presidential election.

Sponsored by the Judicial Division and co-sponsored by the Tort Trial & Insurance Practice Section.

Saturday, August 9, 2008

2:00 pm - 3:30 pm

When In Rome. . .?": Cross-Cultural Issues In The Courts

Hilton Hotel

What does "the rule of law" mean in today's multi-cultural society?

In a growing number of cases in state and federal courts all across the country, immigrants are pleading "the cultural defense," invoking the customs and traditions of their homelands to explain their actions.

Even when it is not raised per se, culture plays a role in many cases, both civil and criminal.

In this engaging and highly-interactive presentation, audience members will use hand-held technology to "vote" on the outcome of vignettes drawn from fascinating and controversial real-life cases "ripped from the headlines" and presented by an inter-disciplinary panel of some of the nation's leading cross-cultural experts.

Does the adage that "all men are presumed to know the law" apply to recent immigrants? Should immigrants be held to the same standards as everyone else, on the theory of "When in Rome . . . ?"

You be the judge!

Sponsored by the Section of International Law and co-sponsored by the Section of Litigation, National Conference of Federal Trial Judges, and Tort Trial & Insurance Practice Section

Speakers:

Professor Alison Dundes Renteln (Professor of Political Science and Anthropology, University of Southern California; Lawyer and Author, "The Cultural Defense")

Rene L. Valladares (Chief of the Trial & Appellate Division, Office of the Federal Public Defender, Las Vegas; Editor and Contributor, "Cultural Issues In Criminal Defense")

Mark J. Mills, J.D., M.D. (Nationally-renowned forensic psychiatrist, Washington, DC)