

AMERICAN BAR ASSOCIATION  
TORT TRIAL & INSURANCE PRACTICE SECTION  
TOXIC TORTS AND ENVIRONMENTAL LAW COMMITTEE PRESENTS

# “SCIENCE AND THE LAW 2006: A DAY IN THE LIFE OF TOXIC TORTS AND ENVIRONMENTAL LAW”

15TH ANNUAL SPRING CLE MEETING

April 6-8, 2006

Arizona Biltmore Resort & Spa  
Phoenix, AZ

*Bringing Together  
Plaintiffs' Attorneys,  
Defense Attorneys,  
and Insurance and  
Corporate Counsel  
for the Exchange of  
Information and  
Ideas*



West, a Thomson Business, is the primary sponsor of  
the Tort Trial & Insurance Practice Section



# WELCOME BACK TO THE BILTMORE

After a Long Cold Winter, it does not get any better than springtime in the valley of the sun at the world class Biltmore Hotel. This, combined with a terrific CLE program and some outstanding social and networking opportunities with colleagues, makes for an incredible weekend.

Once again we are holding our spring meeting at the Biltmore during the same week as the Products, General Liability and Consumer Law Committee. Plan to arrive early as this collaboration allows us to offer a joint Welcome Reception cocktail party Thursday evening—generously sponsored by Committee members from nine leading law firms. Our CLE programs will be held on Friday and Saturday mornings so you will have plenty of time to enjoy sunny afternoons in the Arizona desert or at the Biltmore's world renowned spa. Our traditional golf tournament is a reprised favorite. Optional organized dinners each evening for meeting attendees will once again be offered and all are welcome and encouraged to attend! We hope that newcomers will choose to join us at dinner or the Committee business meeting on Saturday morning to learn more about Committee activities and opportunities to participate.

For more information on the Toxic Torts and Environmental Law Committee, visit our web site at [www.abanet.org/tips/toxic/home.html](http://www.abanet.org/tips/toxic/home.html). For more information on our chosen location visit [www.arizonabiltmore.com](http://www.arizonabiltmore.com). We look forward to seeing you at the Biltmore!

John C. McMeekin II, Esq., Committee Chair  
*Rawle & Henderson LLP*  
Philadelphia, PA

Richard L. Green, Esq., Program Chair  
*Stinson Morrison Hecker LLP*  
Kansas City, MO



# SPECIAL THANKS

## A Special Thanks to Our Sponsors For Their Generous Support

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# REGISTRATION FORM

## ABA Tort Trial & Insurance Practice Section (TIPS)

Science and the Law 2006: A Day in the Life of Toxic Torts and Environmental Law

15th Annual Spring CLE Meeting

April 6-8, 2006 • Arizona Biltmore Resort & Spa • Phoenix, AZ

Hotel Deadline: February 28, 2006 Registration Deadline: February 28, 2006

THIS FORM IS AVAILABLE ONLINE AT: [www.abanet.org/tips](http://www.abanet.org/tips)

1. REGISTRANT: (Please print or type one form per person; photocopy this form for additional registrants)

LAST NAME	FIRST NAME	MI
ABA MEMBER NO.		
NAME AS YOU WISH IT TO APPEAR ON YOUR BADGE		
FIRM/COMPANY		
WHAT STATE(S) ARE YOU LICENSED IN?		
ADDRESS		
CITY	STATE	ZIP
(AREA CODE) BUSINESS PHONE	FACSIMILE	
E-MAIL ADDRESS		
SPOUSE/GUEST (PRINT AS YOU WISH NAMES TO APPEAR ON BADGE)		

Are you attending your first TIPS TTEL Program?  Yes  No

I am a member of the ABA and wish to join the Tort Trial & Insurance Practice Section. I have enclosed a separate check for \$50 made payable to the American Bar Association.

### 2. REGISTRATION FEES:

	On or Before <u>2/28/06</u>	After <u>2/28/06</u>	QTY	TOTAL
Registration Fee per TIPS Member	\$525	\$550	___	___
General Attendee	\$575	\$600	___	___
Government Employee	\$450	\$475	___	___
Insurance Company Employee	\$400	\$425	___	___
Law Student	\$200	\$200	___	___
				<b>Subtotal</b> ___

If someone else from your firm or company is attending the Motor Vehicle Product Liability Litigation meeting you are each entitled to a \$100 discount off the registration fee (see details inside). In order to receive the discount, both registrations must be submitted at the same time and entered on the same day.

### 3. SOCIAL EVENT TICKETS

	Fee	QTY	TOTAL
4/6 Welcome Reception	Included	___	___
4/7 Golf (includes green fees, cart)	\$110	___	___
4/7 Desert Jeep Tour (non-refundable)	\$65	___	___
4/7 Hike Piestewa Peak	Free	___	___
4/7 Cocktail Reception	Included	___	___
4/7 Dinner at Biltmore	\$95	___	___
			<b>Subtotal</b> ___

### 4. MATERIALS

I will not be attending the meeting and wish to order program materials

2006 Toxic Torts Spring Meeting Materials (CD-ROM Only)	\$125	___	___
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I am attending the meeting and wish to order a printed copy of the 2006 Toxic Torts Spring Meeting Materials.

2006 Toxic Torts Spring Meeting Materials	\$35	___	___
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I have registered for the 2006 TTEL Meeting and also wish to order program materials for the 2006 Emerging Issues in Motor Vehicle Product Liability Litigation Meeting

TIPS Member	\$85	___	___
Non-TIPS Member	\$125	___	___
			<b>Subtotal</b> ___

### 5. TOTAL PAYMENT

TOTAL

(Add subtotals 2, 3 and/or 4)

### PAYMENT INFORMATION:

Check (made payable to the ABA)  American Express  MasterCard  Visa  
Credit Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_  
Signature \_\_\_\_\_

### THREE WAYS TO REGISTER

- ONLINE:** [www.abanet.org/tips](http://www.abanet.org/tips)
- MAIL:** 15th Annual Toxic Torts and Environmental Law Spring CLE Meeting  
American Bar Association  
Debra D. Dotson  
Tort Trial & Insurance Practice Section  
321 North Clark Street  
18th Floor  
Chicago, IL 60610
- FAX:** 312/988-5528

# PROGRAM AGENDA

## THURSDAY, APRIL 6, 2006

3:00 – 6:00 p.m.

### REGISTRATION

6:00 – 8:00 p.m.

### WELCOME RECEPTION

Joint reception with attendees of the 2006 TIPS Emerging Issues in Motor Vehicle Product Liability Litigation Conference

**Sponsored by:** **Ballard Spahr Andrews & Ingersoll, LLP**  
Philadelphia, PA

**Harris Beach PLLC**  
New York, NY

**Holland & Knight LLP**  
San Francisco, CA

**Holme Roberts & Owen LLP**  
Denver, CO

**Lowenstein Sandler PC**  
Roseland, NJ

**Rawle & Henderson LLP**  
Philadelphia, PA

**Reed Smith LLP**  
Newark, NJ/Los Angeles, CA

**Stinson Morrison Hecker LLP**  
Phoenix, AZ and Kansas City, MO

**Williams, Kastner & Gibbs PLLC**  
Seattle, WA

8:00 p.m.

### DINNER ON YOUR OWN

## FRIDAY, APRIL 7, 2006

7:00 a.m. – 12:30 p.m.

### REGISTRATION

7:30 – 8:30 a.m.

### CONTINENTAL BREAKFAST

**Sponsored by:** **Leggette, Brashears & Graham**  
Ramsey, NJ

8:00 – 8:05 a.m.

### WELCOME

John C. McMeekin II, Esq.  
Chair, Toxic Torts and Environmental Law Committee  
*Rawle & Henderson LLP*  
Philadelphia, PA

### OPENING REMARKS

Sandra R. McCandless  
TIPS Section Chair  
*Sonnenschein Nath & Rosenthal LLP*  
San Francisco, CA

## FRIDAY, APRIL 7, 2006 CONT.

8:05 – 9:15 a.m.

### BEWARE/DON'T WORRY ABOUT WHAT YOU BREATHE—THE LATEST IN SILICA AND MIXED DUST PNEUMOCONIOSIS, BENZENE

**Moderator:**

Stanley Goos, Esq.  
*Harris Beach PLLC*  
New York, NY

**Speakers:**

Dr. Howard Sandler  
*Sandler Occupational Medicine Associates, Inc.*  
Melville, NY

Dr. David Goldsmith  
*The George Washington University,  
School of Public Health and Health Services*  
Washington, D.C.

Timothy F. Thompson, Esq.  
*Simmons Cooper LLC*  
East Alton, IL

Nachman Brautbar, M.D.  
Los Angeles, CA

9:15 – 10:15 a.m.

### MEDICAL CAUSATION: WHAT IS YOUR RISK OF BEING TRAMPLED BY A FOUR-LEGGED ALIEN?

**Moderator:**

Matthew J. Lepore, Esq.  
*Holme Roberts & Owen LLP*  
Denver, CO

**Speakers:**

Bruce R. Parker, Esq.  
*Venable LLP*  
Baltimore, MD

N. Christine Halmes, PhD.  
*TERRA, Inc.*  
Denver, CO

10:15 – 10:30 a.m.

### MORNING REFRESHMENTS

**Sponsored by:**

**Marsh (USA) Inc.**  
Philadelphia, PA

10:30 – 11:30 a.m.

### DAUBERT GATEKEEPING IN GROUNDWATER CONTAMINATION AND CHEMICAL EXPOSURE CASES—PERSPECTIVES FROM THE JUDGES

**Moderator:**

Kathleen Strickland, Esq.  
*Holland & Knight LLP*  
San Francisco, CA

**Speakers:**

Hon. Steven D. Sheldon  
*Superior Court of Arizona, Maricopa County*  
Phoenix, AZ

Hon. Xavier Rodriguez  
*United States District Court, Western District of Texas*  
San Antonio, TX

Hon. Janis Graham Jack  
*United States District Court, Southern District of Texas*  
Corpus Christi, TX

11:30 a.m. – 12:15 p.m.

### SETTLEMENT STRATEGIES FOR BIG-TIME LITIGATION—WHEN TO HOLD 'EM AND WHEN TO FOLD 'EM

**Moderator:**

Barry J. Thompson, Esq.  
*Reed Smith LLP*  
Los Angeles, CA

**Speakers:**

Raphael Metzger, Esq.  
*Metzger Law Group*  
Long Beach, CA

Hon. George P. Schiavelli  
*United States District Court, Central District of California*  
Los Angeles, CA

Ellen K. Reisman, Esq.  
*Arnold & Porter*  
Los Angeles, CA

## FRIDAY, APRIL 7, 2006 CONT.

1:00 – 6:00 p.m.

### **GOLF (Ticketed Event)**

Lookout Mountain Golf Course, Tapatio Cliffs

**Coordinators:** Christopher S. Marks, Esq.  
*Williams, Kastner & Gibbs PLLC*  
Seattle, WA  
Brendan K. Collins, Esq.  
*Ballard Spahr Andrews & Ingersoll, LLP*  
Philadelphia, PA

1:00 – 5:00 p.m.

### **SONORAN DESERT JEEP TOUR (Ticketed Event)**

1:00 – 5:00 p.m.

### **HIKE PIESTEWA PEAK (Followed by a swim) (free)**

**Coordinator:** Richard L. Green, Esq.  
Program Chair  
*Stinson Morrison Hecker LLP*  
Kansas City, MO

7:00 – 8:00 p.m.

### **COCKTAIL RECEPTION – All Attendees Welcome**

**Sponsored by:** **Sandler Occupational Medicine Associates, Inc.**  
Melville, NY  
**TRC Companies, Inc.**  
Millburn, NJ

8:00 – 10:00 p.m.

### **DINNER – The Biltmore Resort (Ticketed Event)**

## SATURDAY, APRIL 8, 2006

7:00 a.m. – 12:30 p.m.

### **REGISTRATION**

7:30 – 8:30 a.m.

### **CONTINENTAL BREAKFAST**

**Sponsored by:** **Exponent, Inc.**  
Seattle, WA

7:30 – 8:00 a.m.

### **TOXIC TORTS & ENVIRONMENTAL LAW COMMITTEE BUSINESS/VICE CHAIR MEETING – All are welcome to attend**

8:00 – 9:00 a.m.

### **THE SUDDEN TOXIC TORT DISASTER—A SURVIVAL KIT**

**Moderator:** Brendan K. Collins, Esq.  
*Ballard Spahr Andrews & Ingersoll LLP*  
Philadelphia, PA

**Speakers:** David L. Smiga, Esq.  
*United States Steel Corporation*  
Pittsburgh, PA

Russ Nassof  
*TRC Environomics*  
Phoenix, AZ

Michael Dore, Esq.  
*Lowenstein Sandler PC*  
Roseland, NJ

Howard Lalli  
*Edelman*  
Atlanta, GA

Beth M. Kramer, Esq.  
*Crowell & Moring LLP*  
Washington, D.C.

9:00 – 10:00 a.m.

### **POTPOURRI OF ETHICS ISSUES FOR THE TOXIC TORT AND ENVIRONMENTAL LAW ATTORNEY**

**Moderator:** Jennifer Kilpatrick, Esq.  
*Deutsch, Kerrigan & Stiles, LLP*  
New Orleans, LA

**Speakers:** Barry Alberts, Esq.  
*Schiff Hardin LLP*  
Chicago, IL

**SATURDAY, APRIL 8, 2006 CONT.**

Ray Ferrara  
*TRC Companies, Inc.*  
Millburn, NJ  
Tristan L. Duncan, Esq.  
*Stinson Morrison Hecker LLP*  
Kansas City, MO

10:00 – 10:30 a.m.

**MORNING BREAK**

**Sponsored by:** **Environ International Corp.**  
Princeton, NJ  
**Navigant Consulting, Inc.**  
Chicago, IL

10:30 – 11:30 a.m.

**AVOIDING ENVIRONMENTAL LIABILITY IN PROPERTY TRANSACTIONS—OR MAKING OTHERS PAY ( “ALL APPROPRIATE INQUIRY”, CERCLA CONTRIBUTION AFTER AVIALL )**

**Moderator:** Todd M. Hooker, Esq.  
*Lowenstein Sandler PC*  
Roseland, NJ

**Speakers:** Steve Gold, Esq.  
*U.S. Department of Justice*  
Washington, D.C.

Lewis B. Jones, Esq.  
*King & Spalding*  
Atlanta, GA

Frank Getchell  
*Leggette, Brashears & Graham*  
Ramsey, NJ

James Vetter  
*Marsh USA Inc.*  
Philadelphia, PA

11:30 a.m. – 12:30 p.m.

**HOT TOPICS: ENVIRONMENTAL FORENSICS FOR CHLORINATED SOLVENTS; VAPOR INTRUSION; MEDICAL MONITORING AND ASBESTOS LITIGATION UPDATE; AND HOW TO DEVELOP EXPERTS FOR NEW EXPOSURES**

**Moderator:** Christopher S. Marks, Esq.  
*Williams, Kastner & Gibbs PLLC*  
Seattle, WA

**Speakers:** Brian L. Murphy, PhD  
Principal Scientist  
*Exponent, Inc.*  
Sarasota, FL

William Stone  
*Environ International Corp.*  
Princeton, NJ

George Talarico, Esq.  
*Thacher Proffitt & Wood LLP*  
Summit, NJ

Robert E. Glenn  
Consulting Scientist with *Crowell & Moring*  
Washington, D.C.

12:30 p.m.

**CLOSING REMARKS**

John C. McMeekin II, Esq.  
Chair, Toxic Torts & Environmental Law Committee  
*Rawle & Henderson, LLP*  
Philadelphia, PA

James A. Kosch, Esq.  
Chair-Elect, Toxic Torts & Environmental Law Committee  
*Reed Smith LLP*  
Newark, NJ

# GENERAL INFORMATION

**HOTEL DEADLINE: FEBRUARY 28, 2006    REGISTRATION DEADLINE: FEBRUARY 28, 2006**

## ADVANCE REGISTRATION

Visit the TIPS 15th Annual Spring CLE Meeting entitled "Science and the Law 2006: A Day in the Life of Toxic Torts and Environmental Law" website to register at [www.abanet.org/tips](http://www.abanet.org/tips) or complete the registration form included in this brochure.

The registration fee includes admission to the program, course materials in CD-ROM format, continental breakfast, breaks, and welcome reception. You may also purchase a printed copy of these materials for an additional fee of \$35.00. Both formats will be distributed on-site. If you wish to have your name appear on the pre-registration list distributed at the program, ALL registration forms must be received no later than the registration deadline of **February 28, 2006**. Registration reservations will be confirmed in writing within 10 business days.

## ON-SITE REGISTRATION

On-site registrations will be accepted if space is available. Call Debra Dotson at 312/988-5597 or email [debradotson@staff.abanet.org](mailto:debradotson@staff.abanet.org), 72 hours prior to the program to confirm that space is available. On-site registrants must pay the program fee by credit card or check made payable to the American Bar Association. A \$25 fee will be charged to individuals registering on-site.

## CANCELLATION POLICY

No registration fee refunds will be granted for cancellations received after **February 28, 2006**. In order to receive a refund (less a \$100 administrative fee), the ABA must receive written cancellation by **February 28, 2006**. Registrants who are unable to attend may send a substitute or will receive course materials in lieu of a refund.

## HOTEL INFORMATION

For Reservations call 602/955-6600

A limited number of rooms have been blocked for program registrants of the ABA Toxic Torts and Environmental Law Committee Spring Meeting at the Arizona Biltmore Resort & Spa, 24 Street and Missouri, Phoenix, AZ 85016 for a hotel room rate of \$289 single/double plus 12.07% tax, identify yourself as attending the American Bar Association Toxic Torts and Environmental Law meeting when making reservations. For reservations, please call the hotel directly at 602/955-6600. The room block will be held until exhausted or until Tuesday, February 28, 2006 at 5:00 p.m. (CST). After the meeting specified hotel deadline, reservations will be confirmed based on availability. Hotel check-in is 4:00 p.m. and checkout is 12:00 p.m. (noon). All reservations must be guaranteed by credit card or deposit check. Individuals with guaranteed reservations must cancel their reservations seven (7) days prior to the scheduled day of arrival to avoid a two-night cancellation charge.

## AIRLINE INFORMATION

You are encouraged to make your airline reservations on the ABA Online Travel site where you automatically receive ABA airfare discounts from a variety of carriers and can view and purchase other low fare options including web fares. To access ABA Online Travel, go to [www.abanet.org](http://www.abanet.org) and click on the link at the bottom of the ABA Calendar box. The 24/7 toll-free number for Travelocity Business is 1-866-321-8403.

ABA Discounted Meeting Airfares are available through your travel agent or directly from the airline. Following is the ABA discount code for American Airlines under which your reservations need to be purchased in order to receive either the ABA percentage discount or zone fare.

American Airlines    ABA Code: 18395    800.433.1790  
*(US domestic and Canada)*

## CLE INFORMATION

Accreditation will be requested for this program from every state with mandatory continuing legal education (MCLE) requirements for its lawyers. Please be aware that each state has its own rules and regulations, including its definition of "CLE". Check with your state agency for confirmation of this program's approval. Attorneys seeking to obtain MCLE credit in Pennsylvania are required to pay state accreditation fees directly to that state. Certificates of attendance will be available at the conclusion of the program. In order to receive CLE credit, all attorneys will be required to sign in on the sign in sheets and obtain a Uniform Certificate of Attendance. Registration fees must be paid in full before registrants can receive credit. You may contact Debra D. Dotson at 312/988-5597 two weeks prior to the conference for confirmation of the number of CLE credit hours requested by the ABA or credits approved by any particular state.

## MEMBERSHIP INFORMATION

For more information about membership in the ABA or the Tort Trial & Insurance Practice Section (TIPS), please visit us online at [www.abanet.org/tips/memberapp.html](http://www.abanet.org/tips/memberapp.html) or call 1-800-285-2221. Membership in TIPS includes three industry-leading periodicals, discounts of up to 20% on many TIPS CLE programs, and other career and practice-enhancing benefits. Join TIPS today!

## PERSONS WITH DISABILITIES

Services for persons with disabilities are available. If special arrangements are required for an individual to attend this program, please notify the ABA promptly at 312/988-5597. Reasonable advance notice is requested.

## GET CONNECTED WITH TIPS!

Information on this and other TIPS CLE programs is available online at [www.abanet.org/tips](http://www.abanet.org/tips). Visit us and get connected!

## SCHOLARSHIPS AVAILABLE!

ATTENTION TIPS MEMBERS: Scholarships are available for all Section activities, courtesy of the TIPS Scholarship Fund. The Fund, established with the International Risk Management Institute ("IRMI") and supported by subscriptions to the IRMI CGL reporter, is intended to increase membership involvement in TIPS' activities among minorities, solo and small firm practitioners, government attorneys, women, and young lawyers by providing financial support to those who would otherwise be unable to participate. To request an application or receive additional information, visit [www.abanet.org/tips/scholarship.html](http://www.abanet.org/tips/scholarship.html) or contact Linda Wiley at 312-988-5673.

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Pursuing Justice

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