



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

Tort Trial & Insurance Practice Section

a section of the American Bar Association

Fall Leadership Meeting
October 27-30, 2005
The Westin St. Francis, San Francisco, CA
This agenda is tentative and subject to change.

Updated/10/12/05

WEDNESDAY, OCTOBER 26, 2005

2:00 PM - 5:00 PM **Section Council Meeting**

THURSDAY, OCTOBER 27, 2005

8:00 AM - 5:00 PM **Registration**

8:00 AM - 11:00 AM **Section Council Meeting**

8:00 AM – 11:00 AM **Scope and Correlation Committee Meeting**

9:00 AM – 11:00 PM **Public Relations Committee Meeting**

11:00 AM - 11:30 AM **Administrative Committee Meeting**

11:30 AM - 2:00 PM **Finance Committee Meeting**

1:00 PM - 2:00 PM **Emerging Issues Committee Meeting**

1:00 PM - 2:00 PM **Web Site Editorial Board Meeting**

Thursday, October 27, 2005

3:00 PM –5:00 PM

CLE Program

Jury Consultants/Mock Juries: How to Run a Focus Group from High Budget to Low Profile

Learn how to effectively use focus groups and jury consultants in trial preparation to gauge the reaction a jury will have to a given case and determine whether a shift in legal strategy is necessary prior to trial. Panelist Joel Selik will explore a comprehensive yet inexpensive approach to employing this tactic, while Howard Varinsky discusses effective methods for testing high profile and high stakes cases. Cynthia Cohen will delve into the psychological aspects of applying this legal tactic to the more typical cases. Attendees will receive the tools necessary to ascertain the need for, and effectiveness of, jury consultants and focus groups in virtually any size case and gain practical tips for bringing and defending law suits.

Moderator:

Janice P. Brown
Brown Law Group, San Diego, CA

Speakers:

Howard Varinsky
Varinsky & Associates, Emeryville, CA

Cynthia R. Cohen, Ph.D,
Verdict Success, Manhattan, CA

Joel Selik
Seliklaw, Encinitas, CA

5:00 PM – 6:30 PM

Committee for Diversity in the Profession Reception and Wine Tasting

Wine provided by Bruce Donsker of Signorello Vineyards

6:30 PM - 8:30 PM

Welcome Reception

Armani Café

Sponsored by the generous support of JAMS

Ticketed Event: \$40 per person

9:00 PM - 10:00 PM

TIPS Section Hospitality

Suite of Sandy McCandless

FRIDAY, OCTOBER 28, 2005

7:30 AM - 9:00 AM	Task Force on Plaintiffs' Involvement Committee Meeting
7:30 AM – 9:30 AM	Ethics and Professionalism Committee Meeting
7:30 AM - 9:30 AM	Membership Committee Meeting
8:00 AM - 9:30 AM	2005– 2006 Section Meeting Planning and Orientation Meeting
8:00 AM - 5:30 PM	TIPS Registration
8:30 AM – 9:30 AM	ABA/TIPS Committee Meeting
9:00 AM - 11:30 AM	Task Force on the Contingent Fee
9:00 AM - 12:00 PM	Task Force on Federal Involvement in Insurance Regulation Modernization
9:00 AM – 12:00 PM	The Brief Editorial Board Meeting
9:30 AM - 10:00 AM	Scholarship Fund Board Meeting
9:30 AM – 11:30 AM	2006-2007 Section Meetings Planning Meeting
9:30 AM – 11:30 AM	Program

How to Win at Mediation: Tips, Tools & Tricks of the Trade

Sponsored by Alternative Dispute Resolution Committee. Co-sponsored by Insurance Coverage Litigation Committee.

Trial is a once-a-year experience for many litigators and once-in-a-lifetime for some. But mediations take place nearly every month. Mediation advocacy requires skills different from those necessary to conduct depositions or trials, and litigators need to take those skills to the next level to keep clients satisfied. This program is an in-depth exploration of those skills, in a practical, hands-on, interactive format that will teach you how to put or keep more money in your client's pocket.

Topics include:

- Picking mediators: When talent is a plus, and when it isn't
- The many legitimate purposes of mediation. And a few that are not.
- Preparation: Managing client expectations, manipulating mediator expectations
- The effective Opening Session: How to impress the opposition without riling up your own client
- Using Caucus to reestablish lost client control: Strategic uses of honesty, time management and settlement authority

FRIDAY, OCTOBER 28, 2005, CONT

- When to caucus with other counsel and the mediator alone: The last refuge of desperation and sometimes even candor
- Closing the deal: Huffing, puffing, walking out and the fine art of the grumbling acceptance
- Documenting the deal: Malpractice avoidance essentials -- for mediators and litigators alike
- Follow-up: Where real mediators set themselves apart from wannabes

Program Chairs and Moderators

Jeff Kichaven,
President, Southern California Mediation Association
Los Angeles, CA

Bruce Edwards
JAMS, San Francisco, CA

Speakers:

Ian Ballon,
Manatt, Phelps & Phillips LLP, Palo Alto, CA

S. Fey Epling
Drinker Biddle & Reath LLP, San Francisco, CA

Joan Mei Haratani
Shook, Hardy & Bacon, San Francisco, CA

Brian S. Kabateck
Kabateck Brown Kellner LLP, Los Angeles, CA

Patrick M. Kelly
Wilson, Elser, Eldelman, Moskowitz & Dicker, Los Angeles, CA

Alison Hightower
Nossaman, Guthner, Knox & Elliott LLP, San Francisco, CA

John Mahony,
Chubb Group of Insurance Companies, San Francisco, CA

9:30 AM – 11:30 AM

CLE Program

The Act of Communication Part I: Trial Skills

This seminar will be conducted by trained professional actors who are experienced in teaching lawyers how to tell stories effectively. Learn how to find the stories within each case – the overall theme, the story of each witness, and the story of your talent.

FRIDAY, OCTOBER 28, 2005, CONT.

Program Chair and Moderator

Charles V. Berwanger
Gordon & Rees LLP, San Diego, CA

Speakers:

Alan Blumenfeld
ACT of Communication, Culver City, CA

Katherine James
ACT of Communication, Culver City, CA

11:30 AM – 1:30 PM

Corporate Counsel Luncheon For All Attendees

Presented by the TIPS Corporate Counsel Committee and the ABA Forum on the Entertainment and Sports Industries

Featuring guest speaker:

Ed Goines, Vice President Business Affairs and General Counsel of the San Francisco 49ers.

Sponsored by the generous support of Navigant Consulting

Ticketed event: Included in CLE passport

Lunch only: \$50 per person

1:15 PM

Golf - Shotgun Start

Prisidio Golf Course

Walking through the Prisidio Golf Course is a walk through San Francisco history. For more than a century, the three-lined track, only minutes from the Golden Gate Bridge, was used only by the military and a small private club, whose stately clubhouse still provides the backdrop for the ninth green. Golf has been scheduled to give you and opportunity to attend the Corporate Counsel lunch for all attendees

Ticketed Event: \$170 per person

(Lunch Not Included)

1:00 AM – 2:30 AM

Task Force on Insurance Industry Investigation

1:30 PM – 3:30 PM

Sponsor Expo/Internet Cafe

1:30 PM – 3:30 PM

Task Force on Corporate Governance Institute Meeting

1:30 PM – 3:30 PM

Technology Committee Meeting

1:30 PM – 3:30 PM

Task Force on Outreach to State and Local Bars Meeting

1:30 PM – 3:30 PM

Long Range Planning Committee Meeting

1:30 PM – 4:30 PM

Tort Trial & Insurance Law Journal Editorial Board Meeting

1:30 PM - 3:30 PM

Diversity in the Profession Committee Meeting

1:30 PM – 3:30 PM

Task Force on Strategic Alliances Meeting

FRIDAY, OCTOBER 28, 2005, CONT.

- 1:30 PM – 3:30 PM **Governmental Affairs Committee Meeting**
- 2:00 PM - 3:00 PM **Staff Counsel Committee Meeting**
- 3:30 PM – 5:30 PM **CLE Program**
The Act of Communication Part II: Witness Preparation
Program Chair and Moderator
Charles V. Berwanger
Gordon & Rees LLP, San Diego, CA
- Speakers:**
Alan Blumenfeld
ACT of Communication, Culver City, CA
- Katherine James
ACT of Communication, Culver City, CA
- 5:30 PM – 7:00 PM **Task Force on Plaintiff’s Involvement**
Mary Alexander of Mary Alexander & Associates, P.C. will receive the ABA Tort Trial & Insurance Practice Section’s Pursuit of Justice Award.
- Evening **Dinner on your own**
- 9:30 PM – 12:00 AM **TIPS Sponsor Appreciation Night**
Bring your dancing shoes!
Danilo and His Salsa/Latin Jazz Quintet will bring you the best mix of music from the Caribbean and Latin America.

Saturday, October 29, 2005

- 6:00 AM – 7:00 AM **Fun Run/Walk**
Ticketed Event: \$25 per person
- 7:30 AM – 8:30 AM **Trial Techniques Business Meeting** (per Alice Hector)
(Meeting not funded)
- 7:45 AM – 9:00 AM **Hawaii Annual Meeting CLE Program Planning Meeting**
- 8:00 AM – 9:00 AM **Law In Public Service Committee Meeting**
- 8:00 AM - 9:00 AM **History Committee Meeting**
- 8:00 AM – 9:00 AM **Business Litigation Committee Meeting**
(Meeting not funded)
- 8:00 AM – 9:30 AM **Task Force on Outreach to Law Students Meeting**
- 8:00 AM - 4:00 PM **TIPS Registration**

Saturday, October 29, 2005 (continued)

8:30 AM – 9:00 AM

CLE Continental Breakfast

9:00 AM – 11:00 AM

CLE Program

How to Win at Mediation: Tips, Tools & Tricks of the Trade

Program Chairs and Moderators

Jeff Kichaven

President, Southern California Mediation Association

Los Angeles, CA

Bruce Edwards,

JAMS, San Francisco, CA

Speakers:

Sharon J. Arkin

President, Consumer Attorneys of California, Robinson Calcagnie & Robinson, Newport Beach, CA

Ian Ballon

Manatt, Phelps & Phillips LLP, Palo Alto, CA

S. Fey Epling

Drinker Biddle & Reath LLP, San Francisco, CA

Joan Mei Haratani

Harden & Lewis, Shook, Hardy & Bacon, San Francisco, CA

Lester Jones

Williams, Yasinski & Jones LLP, Los Angeles, CA

Brian S. Kabateck

Kabateck Brown Kellner LLP, Los Angeles, CA

Patrick Kelly

Wilson, Elser, Eldelman, Moskowitz & Dicker

Los Angeles, CA

Mary St. John

Blue Shield of California, San Francisco, CA

9:00 AM – 12:00 PM

CLE Program

Beyond PowerPoint: Effective Use of Demonstrative Evidence from Big Budget to Shoestring Budget

Sponsored by Trial Techniques Committee. Co-sponsored by Civil Procedure and Evidence Committee.

Learn what works, what doesn't work, and what budget is needed to make an effective presentation.

Saturday, October 29, 2005 (continued)

Our expert panel will show you how the rules of evidence apply to the use of graphics in the courtroom. Gain valuable tips for persuading a jury or trier of fact while working on a shoestring budget. They will teach you to hone your message and filter out what is distracting. How do you put on an organized and convincing case? How do you develop themes that allow a jury to understand complex issues? Learn the answers to these questions and more from our panel of judges, lawyers, graphics and technology consultants.

Program Chair:

Laura Farber
Laura Viviana Farber Hahn & Hahn LLP
Pasadena, CA

Moderator:

Alice G. Hector
Akerman Senterfitt, Miami, FL

Speakers:

Alexander L. Brainerd
Heller Ehrman White & McAuliffe LLP, San Francisco, CA

Judge James Ware
U.S. District Court of Northern California
San Jose, CA

Ted Brooks
Founder and CEO, Litigation-Tech, San Francisco, CA

Marie S. Weiner
San Mateo County Superior Court

G. Christopher Ritter
The Focal Point LLC, Oakland, CA

Pamela Price
Price & Associates, Oakland, CA

9:00 AM – 11:00 AM

TortSource Editorial Board Meeting

9:00 AM– 12:00 PM

Task Force on Asbestos Meeting

9:30 AM - 11:00 AM

Task Force on Outreach to Young Lawyers Meeting

Saturday, October 29, 2005 (continued)

10:00 AM – 12:00 PM

CLE Program

Ethical considerations for Insurance Lawyers -Ethics Vignettes

Utilizing an interactive and entertaining format illustrating hypothetical scenarios, this program focuses on the unique ethical issues confronted by lawyers.. Topics examined include: scope of representation, attorney-client privilege issues, duty to disclose lawyer misconduct and communication with represented persons. TIPS has teamed up with the California State Bar and other Bar groups to enrich your experience of this program. The ABA has requested 2.0 ethics credit hours for this program

Program Chair, Moderator and Speaker:

Darcee S. Siegel, Office of the City Attorney, North Miami Beach, FL

Speakers:

Marvin L. Karp

Ulmer & Berne LLP, Cleveland, OH

Pam Phillips

Rogers, Joseph, O'Donnell & Phillips, San Francisco, CA

Danny Eaton

Seltzer Caplan et al, San Diego, CA

Mark Tuft

Cooper, White & Cooper, San Francisco, CA

Richard Zitrin

Adjunct Professor of Law, University of San Francisco
San Francisco, CA

Maureen Weston

Associate Professor, Pepperdine University School of Law, Malibu, CA

11:00 AM –1:00 PM

CLE Board Meeting

12:00 PM to 1:00 PM

Committee Chair and Chair-Elect Mixer with Pizza

1:00 PM to 3:00 PM

Committee Fair

1:00 PM - 2:00 PM

National Trial Academy Meeting

1:00 PM – 3:00 PM

Task Force on Revenue Enhancement Meeting

3:00 PM – 4:00 PM

Law Student Meeting

3:00 PM – 4:00PM

Chairs-Elect Sessions:

1. Planning & Budgeting

2. Developing your vice-chairs

Saturday, October 29, 2005 (continued)

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| 3:00 PM – 4:00 PM | Chairs Session:
Getting Practical Help Where You Need it Most |
| 5:00 PM – 7:00 PM | The Stinking Rose & Beach Blanket Babylon |
| 7:00 PM -10:00 PM | 420 Columbus Avenue
<i>Busses depart for Dinner at the Stinkin Rose at 4:30 pm</i>
Ticketed event: \$100 per person – After 10/19 \$125 per person |
| 10:00 PM – 11:00 PM | TIPS Section Hospitality
<i>Suite of Sandy McCandless</i> |

Sunday, October 30, 2005

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| 8:00 AM – 10:00 AM | Section Council Meeting |
| 8:00 AM - 11:00 AM | Publications Editorial Board Meeting |
| 10:00 AM – 12:00 PM | General Committee Board Meeting |