



# Cutting-Edge Issues in Asbestos Litigation Conference

---

**March 16-17, 2015**  
**The Beverly Wilshire Hotel**  
**Beverly Hills, CA**

---

## **CONFERENCE CHAIRS**

**John D. Cooney, Esq.**, Cooney & Conway, Chicago, IL

**Timothy L. Krippner, Esq.**, Segal McCambridge Singer & Mahoney, Ltd., Chicago, IL

**Jeffrey B. Simon, Esq.**, Simon Greenstone Panatier Bartlett, PC, Dallas, TX



[www.perrinconferences.com](http://www.perrinconferences.com)

**Sunday, March 15, 2015**

---

**6:30 PM – 7:30 PM – Networking Cocktail Reception (located on Rodeo Terrace)**

*Sponsored by: Cooney & Conway, Segal McCambridge Singer & Mahoney, Ltd. and Simon Greenstone Panatier Bartlett, PC*

---

**Day 1 - Monday, March 16, 2015**

---

**7:45 AM – Registration and Continental Breakfast (located in Wintergarden)**

*Sponsored by: Forman Watkins Krutz & Tardy LLP*

**8:15 AM – Welcome & Opening Remarks**

**John D. Cooney, Esq.**, Cooney & Conway – Chicago, IL

**Timothy L. Krippner, Esq.**, Segal McCambridge Singer & Mahoney, Ltd. – Chicago, IL

**Jeffrey B. Simon, Esq.**, Simon Greenstone Panatier Bartlett, PC – Dallas, TX

**8:30 AM – The Top Emerging Trends in 2015 Asbestos Litigation**

- An overview of the most significant developments in the previous year
- The Future of Mesothelioma in America: The re-evaluation of future claims
- Discussion of national filing trends

**Charles E. Bates, PhD.**, Chairman, Bates White Economic Consulting – Washington, DC

**Perry J. Browder, Esq.**, Simmons Hanley Conroy LLC – Alton, IL

**Jessica M. Dean, Esq.**, Dean, Omar & Branham, LLC – Dallas, TX

**Shepard A. Hoffman, Esq.**, The Law Offices of Shepard A. Hoffman, LLC – Dallas, TX

**John J. Kurowski, Esq.**, Kurowski Shultz LLC – Swansea, IL

**William F. Mahoney, Esq.**, Segal McCambridge Singer & Mahoney, Ltd. – Chicago, IL

**Thomas W. Tardy, III, Esq.**, Forman Watkins Krutz & Tardy LLP – Jackson, MS

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

**9:45 AM – The Relationship between Carriers and Insureds in the Changing Litigation Environment**

**Barry I. Buchman, Esq.**, Gilbert LLP – Washington, DC

**Nina Lynn Caroselli, Esq.**, Chief Operating Officer, Senior Vice President Claims, The RiverStone Group – Manchester, NH

**Susan A. Jackson, Esq.**, Cetrulo LLP – Boston, MA

**Frederick Schaefer**, Associate Vice President Asbestos, Nationwide Indemnity Company – Wausau, WI

**10:30 AM – Break**

## **10:45 AM – Key Jurisdictional Updates in California, Illinois, Louisiana and Pennsylvania**

*An update on recent appellate activity, significant developments and key rulings in key jurisdictions*

- Admissibility of expert testimony
- Workers compensation and exclusivity
- Liability for “take home” exposure

**Leonard F. Feldman, Esq.**, Weitz & Luxenberg P.C. – Cherry Hill, NJ

**Chris Massenburg, Esq.**, Manion Gaynor & Manning LLP – New Orleans, LA

**Hon. Arnold L. New**, First Judicial District of Pennsylvania, Court of Common Pleas, Complex Litigation Center – Philadelphia, PA

**Sara M. Salger, Esq.**, Gori Julian & Associates, P.C. – Edwardsville, IL

**David K. Schultz, Esq.**, Polsinelli LLP – Los Angeles, CA

**J. Yasmin Tayyab, Esq.**, Morgan, Lewis & Bockius – Chicago, IL

**Joseph J. Welter, Esq.**, Goldberg Segalla – Buffalo, NY

## **11:45 AM – Networking Lunch (located on Rodeo Terrace)**

## **1:00 PM – The Bankruptcy Trust Offset: What is it and should it be Applied in a Civil Case?**

- A discussion of jurisdiction variability on the discovery and admissibility of trust claims
- Can or should claimants be required to pursue or disclose future Bankruptcy claims during the pendency of tort action?

**John D. Cooney, Esq.**, Cooney & Conway – Chicago, IL

**Mary Margaret Gay, Esq.**, Forman Watkins Krutz & Tardy LLP – Jackson, MS

**Anne M. Kearse, Esq.**, Motley Rice LLC – Mt. Pleasant, SC

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

## **2:00 PM – A Medical Update: An Analytical Review of Lung Cancer, Current Medicine, Epidemiology and Mesothelioma**

- Discussion of the Vogelstein Paper- Cancer and “bad luck”
- Discussion of current research in the role of stem cells in the development of cancer
- New Roles and Issues for DNA testing in Mesothelioma and Lung cancer

**Arnold R. Brody, Ph.D.**, Professor Emeritus, Department of Pathology, Tulane University School of Medicine – New Orleans, LA

**Adam Cooper, Esq.**, Weitz & Luxenberg P.C. – New York, NY

**Kirk T. Hartley, Esq.**, LSP Group LLC – Chicago, IL

**Ollie M. Harton, Esq.**, Hawkins Parnell Thackston & Young LLP – Atlanta, GA

**Trey Jones, Esq.**, The Lanier Law Firm – Los Angeles, CA

### **3:00 PM – Break**

*Sponsored by: Hawkins Parnell Thackston & Young LLP*

### **3:15 PM – New York, New York - The Battle in the Big Apple**

- Potential modifications of the CMO including punitive damages
- Viability of Berkowitz and the Dummit decision
- What about replacement parts?
- Will consolidations continue and how will they be composed?

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

**Robert C. Malaby, Esq.**, Malaby & Bradley, LLC – New York, NY

**Paul Slater, Esq.**, Senior Counsel, General Electric Company – Fairfield, CT

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

### **4:15 PM – The In-House and Insurance Perspective Roundtable**

**Moderator: A. Scott Goldberg, Esq.**, Selman Breitman LLP – Los Angeles, CA

**Nina Lynn Caroselli, Esq.**, Chief Operating Officer, Senior Vice President Claims, The RiverStone Group – Manchester, NH

**R. Harding Erwin, Jr., Esq.**, Senior Counsel, Chevron Products Company – Houston, TX

**Daniel K. Myhrer**, CPCU, ARM, AIC, Director, NWI Specialty Claims, Asbestos, Nationwide Indemnity Company – Wausau, WI

**Paul Slater, Esq.**, Senior Counsel, General Electric Company – Fairfield, CT

**Loree Shelko**, Assistant General Counsel and Manager of Asbestos Litigation, ITT Corporation – New York, NY

**Richard H. Taylor**, Litigation Counsel, CertainTeed Corporation – Valley Forge, PA

**Antionietta Vitale Castano**, Complex Director, Mass Tort Claims, AIG – Jersey City, NJ

### **5:15 PM – 6:15 PM – Networking Cocktail Reception (located on Rodeo Terrace)**

*Sponsored by: Garretson Resolution Group, Gori Julian & Associates, P.C. and Kurowski Shultz LLC*

---

## **Day 2 - Tuesday, March 17, 2015**

---

### **8:00 AM – Women in Business Breakfast Roundtable (located in Burgundy Room)**

*Sponsored by: PohlmanUSA Court Reporting*

**Karen P. Agelson, Esq.**, Walsworth – Orange County, CA

**Sheri G. Brutsch**, Counsel, CertainTeed Corporation – Valley Forge, PA

**Florence McClain, Esq.**, Lewis Brisbois Bisgaard & Smith LLP – San Francisco, CA

### **8:30 AM – Continental Breakfast (located in Wintergarden)**

## **9:00 AM – Asbestos Medicine Inside and Outside the Courtroom: Is there a Difference?**

**Thomas J. Burns, Esq.**, O'Connell, Tivin, Miller & Burns – Chicago, IL  
**Chris Panatier, Esq.**, Simon Greenstone Panatier Bartlett, PC – Dallas, TX

## **10:00 AM – Break**

## **10:15 AM – The Discovery Deposition Conundrum**

- A balance of resource use and the right to defend in the discovery Deposition process
- Overview of the current practice rules across the country
- Bankruptcy shares and their role in the discovery
- Preparing for a more efficient (and shorter) deposition while protecting client rights
- Getting through the deposition itself- handling time constraints and objections
- How and under what circumstances deposition transcripts can be used

**Brian P. Barrow, Esq.**, Simon Greenstone Panatier Bartlett, PC – Long Beach, CA  
**Hon. Mark Davidson**, 11<sup>th</sup> Civil District of Texas – Harris County, TX  
**Hon. Emilie H. Elias**, Los Angeles Superior Court – Los Angeles, CA  
**Hon. Teri Jackson**, Asbestos Department Judge, San Francisco Superior Court – San Francisco, CA  
**Stephen M. Nichols, Esq.**, Polsinelli LLP – Los Angeles, CA  
**Hon. Brad Seligman**, Asbestos Department Judge, Alameda County Superior Court – Oakland, CA

## **11:15 AM – Effectiveness and Ethical Considerations in Depositions**

- A review of ever shifting world of Product Identification in the discovery process
- How is it occurring now and what is the impact?

**Edward Casmere, Esq.**, Schiff Hardin LLP – Chicago, IL  
**Hon. Mark Davidson**, 11<sup>th</sup> Civil District Court of Texas – Harris County, TX  
**Harold H. Hunter, Esq.**, The Hunter Law Group – Dallas, TX  
**Jeffrey B. Simon, Esq.**, Simon Greenstone Panatier Bartlett, PC – Dallas, TX

## **12:15 PM – Adjourn**

*\*Speakers and Agenda are subject to change.*



## CONFERENCE INFORMATION & DETAILS:

### PERRIN CONFERENCES

#### Cutting-Edge Issues in Asbestos Litigation Conference

March 16-17, 2015

Beverly Wilshire Hotel, Beverly Hills, CA

#### Registration:

**Registration Cost \$1195.**

All in-house counsel and insurance professionals receive complimentary registration at Perrin Conferences live programs. *\*Special Restrictions Apply.*

Registration fee includes private website access to course materials and admission to all networking events including breakfasts, cocktail receptions, refreshment breaks, lunch, etc. *Group discounts available, please inquire.*

\*Speakers & Agenda are subject to change.

#### Register Online at:

[https://www.perrinconferences.com/html/Upcoming\\_Events/cutting\\_edge\\_litigation.shtml](https://www.perrinconferences.com/html/Upcoming_Events/cutting_edge_litigation.shtml)

**Register by Mail through the Mail-In Registration Form attached at the end of the brochure.**

For more information or to register, contact Lynnsey Perrin ([lperrin@perrinconferences.com](mailto:lperrin@perrinconferences.com)) 610-804-6165 or Bethany Corio ([bcorio@perrinconferences.com](mailto:bcorio@perrinconferences.com)) 610-220-1817.

#### Hotel Information:

**Beverly Wilshire Hotel**  
**9500 Wilshire Blvd.**  
**Beverly Hills, CA 90212**

Call the Beverly Wilshire Hotel (310) 275-5200 and reference Perrin Conferences to receive the conference rate. The conference room rate is \$355 per night for a Deluxe Room and \$415 per night for a Premier Studio Suite.

**Montage Beverly Hills**  
**255 N Canon Drive**  
**Beverly Hills, CA 90210**

We have opened a second room block at the Montage Beverly Hills Hotel, located .3 miles (5 minutes) from the Beverly Wilshire Hotel. Call the Montage Beverly Hills Hotel (310) 499-4199 and reference Perrin Conferences to receive the conference rate. The conference room rate is \$375 per night for a standard guestroom.

**Luxe Rodeo Drive Hotel**  
**360 North Rodeo Drive**  
**Beverly Hills, CA 90210**

A room block has opened up at the Luxe Rodeo Drive Hotel, located .2 miles ( less than 5 minutes) from the Beverly Wilshire. Call the Luxe Rodeo Drive Hotel at (310) 476-6571 and reference Perrin Conferences to receive the conference rate. The conference room rate is \$279 per night for a standard guest room.

**SLS Hotel**  
**465 S La Cienega Blvd.**  
**Los Angeles, CA 90048**

Call the SLS Hotel at 1-888-627-8542 and refer to the Perrin Conferences Room Block to receive the group rate. The conference rate is rate is \$319/night.

**Continuing Legal Education (CLE) and CE Adjuster Credits:**

CLE Accreditation and CE Adjuster Accreditation for this conference will be provided as requested by attendees. Please send requests for state specific accreditation to Kelsey MinerD ([kminerD@perrinconferences.com](mailto:kminerD@perrinconferences.com))

**Cancellation Policy:**

If you cannot attend, please notify us prior to March 2, 2015, and we will refund your registration fee. Cancellations received after this date and no-shows are subject to a \$200 administrative fee. You may enroll a substitute at any time before the course starts.

**Financial Aid Policy:**

Perrin Conferences is dedicated to providing high-quality continuing legal education to attorneys interested in course offerings. Program registrants who are unable to afford registration fees due to financial hardship may apply for a complete registration waiver or reduction in fee. Factors to be considered include employment status and annual income. Please send a written letter to Lynnsey Perrin addressing your financial situation for consideration. All requests must be submitted 14 days prior to the start of the program and are kept confidential.

## Thank You to Our Conference Sponsors and Partners:



COONEY AND CONWAY

Segal McCambridge  
Segal McCambridge Singer & Mahoney



USLEGAL  
SUPPORT  
The Power of Commitment™



SIMON GREENSTONE PANATIER BARTLETT  
A PROFESSIONAL CORPORATION

O'CONNELL, TIVIN, MILLER & BURNS, LLC



CARR MALONEY PC



WILLIAMS KASTNER™

LEWIS  
BRISBOIS  
BISGAARD  
& SMITH LLP



CETRULO LLP





**Mail-in Registration Form**

**Perrin Conferences**

**Cutting-Edge Issues in Asbestos Litigation Conference**

**March 16-17, 2015 (Beverly Hills, CA)**

Name \_\_\_\_\_

Company/Firm Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

Fax \_\_\_\_\_

Email Address \_\_\_\_\_

**Registration Fee: \$1195    (circle one)    CHECK    CREDIT CARD    COMPLIMENTARY\***

Name on Card \_\_\_\_\_

Credit Card Number \_\_\_\_\_

Expiration Date \_\_\_\_\_ Credit Card Code \_\_\_\_\_

Billing Address \_\_\_\_\_

**Make Checks Payable to:** Perrin Conferences, LLC

**Mail Form to:** Perrin Conferences, 200 Coldstream Drive, Berwyn, PA 19312

**Email Form to:** Bethany Corio [bcorio@perrinconferences.com](mailto:bcorio@perrinconferences.com)

***\*In-house counsel and insurance professionals receive complimentary registration at Perrin Conferences***