



ABA Section of
Dispute Resolution

9th Annual ABA Section of Dispute Resolution Spring Conference

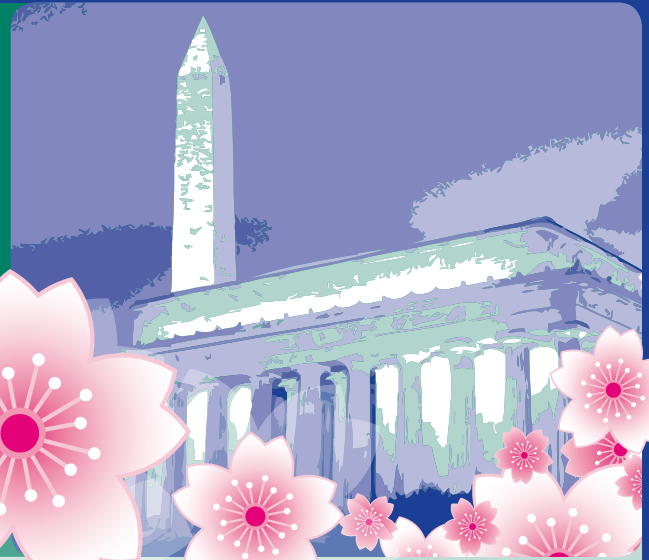
ADR IN BLOOM

POLITICS AND COLLABORATION IN THE NATION'S CAPITAL

APRIL 26, 2007

OMNI SHOREHAM HOTEL

WASHINGTON, D.C.



INSTITUTE FOR MASS AND CLASS ACTION DISPUTE RESOLUTION

The Institute for Mass and Class Action Dispute Resolution is designed to address issues of interest to the litigator, in-house counsel, mediator, arbitrator and special master involved in mass or class action litigation.

This unique, one-day event will feature an array of veteran lawyers who represent both plaintiffs and defendants as well as experienced in-house counsel from major corporations who have been in the class and mass action trenches: Amgen, Baxter International, Bayer Corporation, Georgia-Pacific, LabCorp, Liberty Mutual Group, Schering-Plough and Zurich North America.

Judge J. Fredrick Motz, United States District Court Judge for the District of Maryland and a member of the Judicial Panel on Multidistrict Litigation, 9-11 Special Master Kenneth Feinberg, Elpidio P.D. Villarreal, Paul Strain, Charles Parker, Joe Hollingsworth and Jane Thorpe will provide their unique perspectives at the lunch plenary on Mediation, Negotiation and Settlement of Mass and Class Action Litigation. The day will end with a reception where attendees can network with Institute faculty and the broader ADR in Bloom conference faculty and attendees.

How Will the Institute Help Your Practice?

As a litigator, you will benefit from the creative strategies employed by others to resolve mass and class action litigation.

As a mediator, you will learn from in-house counsel and litigators on both sides of the table, including what issues are key to the parties and when such litigation is ripe for negotiation and resolution.

As an in-house counsel, you will hear your colleagues and the brightest and best share their experiences.

Why Should You Attend?

- You will learn the fundamentals as well as the latest techniques, and best practices in the negotiation, mediation and settlement of class and mass actions from the experts in this area.
- You are interested in this developing area of practice.
- You deal with complex science issues and would like to learn more.
- More class and mass actions are coming to you as an ADR neutral.
- Your litigation practice is expanding with class and mass tort cases.

Thursday, April 26, 2007 | 8:00 am - 4:45 pm

The Institute includes the Plenary lunch, the Frank Sander Lecture and the Thursday evening welcome reception.

8:00 am - 9:10 am

Program Session A

Settlement of Class Actions 101: An Overview of Issues Involved in Mediating and Negotiating Settlement of Class Actions

Van Beckwith, Baker Botts LLP

Leslie Bryant, Doffermyre Shields Canfield Knowles & Devine, LLC

Scott Elder, Alston & Bird LLP

Seamus Duffy, Drinker Biddle

This panel will explore the legal, practical, and ethical basics of negotiation and execution of class action settlements.

9:20 am - 10:40 am

Program Session B

Complex Science Issues in Negotiation, Mediation and Settlement of Mass and Class Actions

John Childs, Chief Counsel of Litigation, Georgia-Pacific Corporation

F. Sam Eberts, Sr. Vice President & General Counsel, Laboratory Corporation of America Holdings

Barbara Harding, Kirkland & Ellis, LLP

Peter Grossi, Arnold & Porter, LLP

Laura Owens, Alston & Bird LLP

Wendy Trachte-Huber, Mediator

Mass and class actions often involve complex issues of science, medicine and technology. This panel will discuss various strategies and issues, including: Daubert and other potentially dispositive issues, use of appointed experts, maturity of science or medicine involved, practical and inexpensive methods to protect parties from fraudulent claims, and roles for mediators and special masters.



INSTITUTE CO-SPONSORS

The ABA Section of Dispute Resolution is grateful to these organizations and individuals for their generous support of the conference:

AIG - Domestic Claims

Alston & Bird LLP

American Arbitration Association

The Bar Association of
the District of Columbia

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(Mid-Atlantic Financial Centers: Metro Square,
Farragut North and McPherson Square)

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National Arbitration Forum

Poorman-Douglas Corporation

Seyfarth Shaw LLP

Spriggs & Hollingsworth

State Bar of Georgia Alternative
Dispute Resolution Section

Troutman Sanders LLP

Weil, Gotshal & Manges LLP

10:50 am – 12:00 pm

Program Session C

Class Action Arbitration

Eugene Farber, Farber, Pappalardo & Carbonari

Stuart M. Widman, Miller Sharkman & Beem, LLP

William L.D. Barrett, Hollyer Brady Smith & Hines, LLP

The United States Supreme Court's controversial decision in *Green Tree Financial Corp. v. Bazzle* implicitly permitted class action proceedings in arbitration. This panel will review how class arbitrations have operated in light of *Bazzle*, and whether class action waivers are unconscionable in light of the California Supreme Court's decision in *Discover Bank v. Superior Court*.

12:10 pm - 1:25 pm

Lunch Plenary

Mediation, Negotiation and Settlement of Mass and Class Action Litigation

Kenneth R. Feinberg, The Feinberg Group, LLP

J. Frederick Motz, U.S. District Judge for the District of Maryland

Elpidio P.D. Villarreal, Vice President and Associate General Counsel, Schering-Plough Corporation

Paul Strain, Venable LLP

Charles Parker, Locke Liddell & Sapp, LLP

Joe Hollingsworth, Spriggs & Hollingsworth, LLP

Jane Thorpe, Alston & Bird LLP

The mediation, negotiation and settlement of mass and class action litigation is a matter of intense interest to the media, Wall Street and the many neutrals, lawyers and parties. This panel, with decades of experience in this arena, will address the practical aspects of resolving such claims, including the timing of such discussions, the valuation of cases, the specter of bankruptcy, insurance coverage disputes and future claims, the appointment of special settlement masters, ethics, media and public relations issues.

1:30 pm – 3:00 pm

Program Session D

In-House Counsel Perspective on the Negotiation, Mediation and Settlement of Mass and Class Action Litigation

George J. Lykos, Senior Vice President, Chief Legal Officer and Secretary, Bayer Corporation

Michael Bolton, Senior Counsel, Baxter International

Anna Richo, Vice President, Law, Amgen, Inc.

Wayne Thorpe, JAMS

Arvin Maskin, Weil, Gotshal & Manges

In-house counsel are key decision makers in the negotiation, mediation and settlement of mass and class action litigation. This panel will focus on what strategies have succeeded and what strategies have failed and the factors that will position mass or class action litigation for settlement.

3:15 pm – 4:45 pm

Program Session E

Option 1: Post Disaster ADR: The Katrina Experience

Sean B. McSweeney, Senior Vice President & Deputy General Counsel, Liberty Mutual Group

Bobby Marzine Harges, Loyola University School of Law

Christopher E. Barnes, Senior Vice President, Claims, North America Field Operation Zurich

Edward Sherman, Tulane University Law School

This session will describe ADR programs offered for disputes arising out of Hurricane Katrina. Most prominent are the Hurricane Mediation Programs established by the states of Louisiana and Mississippi for property-damage disputes. Insurance companies also established ADR programs to supplement the states' efforts. ADR initiatives are developing for non-insurance hurricane-related litigation through court-annexed programs, multi-district and class action settlement proceedings, and criminal and small-claims court cases.

Option 2: Recent Developments in the Adjudication of Claims in Mass Settlements

Michael K. Lewis, JAMS

Kenneth R. Feinberg, The Feinberg Group, LLP

Jeff Richardson, Mitchell, Silberberg & Knupp, LLP

Lester Levy, JAMS

Nicole Hamman, Director, Client Services, Poorman Douglas Corp.

Mass torts and class action settlements often involve procedures for full arbitrations, file reviews, and other forms of adjudication. The panel will discuss current examples in high profile cases.

Institute Planning Committee Chairs

Jane Thorpe, Alston & Bird LLP

Kenneth R. Feinberg, The Feinberg Group, LLP

Institute Planning Committee Members

Deborah Masucci

Wayne Thorpe

June Lehrman

Location

The Omni Shoreham Hotel
2500 Calvert Street, N.W., Washington, D.C. 20008

Reservations

1-800-THE-OMNI or (202) 234-0700

Refer to the ABA Section of Dispute Resolution Ninth Annual Conference.

Important Deadlines:

Pre-Registration Ends: April 4, 2007

Hotel Cut Off Date: April 3, 2007

REGISTRATION FORMRegister Online: www.abanet.org/disputeRegister by Mail: **ABA Section of Dispute Resolution**,

740 15th St. NW, Washington D.C., 20005

Register by Fax: 202-662-1683

For more information, call 202-662-1680. Visit www.abanet.org/dispute for conference updates and schedule. Please type or print clearly.

Institute for Mass and Class Action Dispute Resolution Includes lunch.

- \$350 Early Bird (by 3/14)
- \$375 Pre Registration (by 4/3)
- \$405 On Site Registration (after 4/3)
- \$55 If registered for the ABA Section of Dispute Resolution Spring Conference (see www.abanet.org/dispute for more information)

Registrant Information

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CANCELLATION POLICY: Cancellations must be made in writing and received by 03/14/2007. Total refund less a \$50 processing fee. No refund will be granted after the date except in the case of medical emergency or extenuating circumstance approved by the Section. Written documentation must be provided.

SPECIAL NEEDS: Please check here and attach a statement describing your needs. We will confirm arrangements.

**CC Verification Code: REQUIRED— Visa & MC last 3 digits on the back of the card in the signature line; AMEX last 4 digits on front right above card number.