

June 4- June 6, 2014
Four Seasons Hotel • Las Vegas, NV

The Defense Asbestos Litigation Seminar (DALs):
A Practical Guide for Winning Lung Cancer Cases at Trial

EXCLUSIVELY FOR DEFENSE LAWYERS & CLIENTS



DALS Conference Chairs

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

Tom Radcliffe, DeHay & Elliston L.L.P.

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

SCHEDULE

Wednesday, June 4, 2014: The Prologue

2:30pm – 2:35pm

The Introduction

Speakers:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

Tom Radcliffe, DeHay & Elliston L.L.P.

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

2:35pm – 3:10pm

What We Learned From Victories & Defeats in the Last 12 Months

This topic will examine trial victories and losses in the last 12 months and discuss what we learned from the trials

Moderator:

Thomas A. Bickers, Paine, Tarwater, and Bickers, LLP

Speakers:

TBA

3:10pm – 3:45pm

The Top Adversary Lung Cancer & Mesothelioma Experts

This topic will address the most important plaintiff expert witness that will be faced and suggest their weaknesses and cross examination techniques.

Moderator:

Rick D. Nadolink, Wheeler Trigg O'Donnell LLP

Speakers:

Open forum with audience

3:45pm – 4:45pm

The Jury Consultant View of Persuasion in a Lung Cancer Case

Moderator:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

Speakers:

Cindy K. Andrews, Ph.D., President and Chief Trial Consultant; Firehorse Trial Consulting, LLC

Jill M. Leibold, Ph.D., Director Jury Research, Litigation Insights

4:45pm – 5:30pm

War Stories, Verdict & Witness Stories

The panel invites the participation of the attendees to share their experiences.

Moderator:

Lawrence G. Cetrulo, Cetrulo LLP

Speakers:

Sharla J. Frost, Wilson Elser Moskowitz Edleman & Dicker LLP

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

5:45pm – 7:00 pm

Networking Cocktail Party

SCHEDULE

Thursday, June 5, 2014

8:30am – 8:35am

The Introduction: Defeating the Modern Lung Cancer Case

Speakers:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

Tom Radcliffe, DeHay & Elliston L.L.P.

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

8:35am – 9:15am

New Lung Cancer Cases: How Did We Get Here From There

We are seeing a re-birth of lung cancer filings. This presentation will be an examination of the history of the lung cancer medical and scientific research, writings, and documents that dealt with cancer among smokers, those with and without asbestosis, and non-smokers. There will be an overview of the state of art, and studies by Drs. Selikoff and Markowitz.

Speaker:

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

9:15am – 9:50am

Preparing the Lung Cancer Case: Defeating Smoking & Non-Smoking Claims

This subject is a re-examination of lung cancer case preparation in view of the new approach, the new articles, and the youth of most current deposition takers. The subject will cover the training of lung cancer deposition takers in how to take the deposition, the importance of a review of the existing medical records, the potential importance of pulmonologists, treating physicians, and B readers, an examination of warnings and “failure to warn.”

Speaker:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

9:50am – 10:10am

Break

10:10am – 11:10am

Roundtable Discussion: Joint Defense Approaches to Defending Lung Cancer Claims

The panel will consist of national coordinating counsel and representative clients discussing joint efforts in preparing cases from depositions to experts.

Moderator:

Dwight E. Tarwater, Paine, Tarwater, and Bickers, LLP

Speakers:

C. Michael Evert, Evert, Weathersby, & Houff

Laura Kingsley Hong, Tucker Ellis LLP

Robert E. Thackston, Hawkins Parnell Thackston & Young

Jennifer Whelan, Eckert Seamans

11:10am – 12:00pm

The Deposition of a Smoking Lung Cancer Plaintiff

This segment will demonstrate the methods to be used on the lung cancer cross of the plaintiff.

Speaker:

Gary D. Elliston, DeHay & Elliston L.L.P.

12:00pm – 1:30pm

Lunch (On Your Own)

1:30pm – 2:15pm

Corporate Counsel Roundtable: What We Really Expect From A Defense Lawyer in the Asbestosis Mesothelioma Or Lung Cancer Case

Corporate counsel will outline what they expect of the lawyers who actually defend their cases.

Moderator:

Robert H. Riley, Schiff Hardin LLP

Speakers:

John W. LeBold, Assistant General Counsel, The Sherwin-Williams Company

Joesph J. O’Hara, Assistant General Counsel, The Owens-Illinois Company

Paul F. Slater, Assistant General Counsel, The General Electric Company

SCHEDULE

2:15pm – 3:15pm

The Preparation of the Corporate Representative for Deposition and Trial: Dealing with the Morality, Economic and Knowledge Questions

This section deals with the current trends by plaintiffs in taking corporate representative depositions and their questions on knowledge, morality, ethics, profits, and safety.

Speaker:

Tom Radcliffe, DeHay & Elliston L.L.P.

3:15pm – 3:35pm

Break

3:35pm – 4:20pm

Insurance Company Roundtable

Insurance leaders will outline what they expect of the lawyers who actually defend their cases.

Moderator:

Thomas W. Tardy, Forman Perry Watkins Krutz & Tardy LLP

Speakers:

Peter Dinunzio, Resolute Management, Inc.

Mark Donlevie, Vice President & General Claims Manager, Complex & Emerging Risks Claims, Liberty Mutual Insurance

Brooke Green, Resolute Management, Inc.

Linda Tatka, Claims Director, Claims & Risk Services, Abestos, Pollution, Health Hazard, Fireman's Fund Insurance Company

4:20pm – 5:15pm

Proving Alternative Causation Through Better Plaintiff and Plaintiff Expert Examination

There are cases where alternate exposure causation is minimal or suspected but not quite thoroughly identified. You will learn ways to use existing information about trades and work places to develop testimony about causation based on historical knowledge. We will use the science articles and plaintiff expert past testimony to create causation from insulation, historical products, and products of bankrupt corporations.

Speaker:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

5:15pm – 6:30pm

Networking Cocktail Party

Friday, June 6, 2014: The Trial

8:30am – 8:35am

The Introduction

Speakers:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

Tom Radcliffe, DeHay & Elliston L.L.P.

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

8:35am – 9:35am

Ethics

Speaker:

Raymond R. Fournie, Armstrong Teasdale LLP

9:35am – 10:15am

Win Your Lung Cancer & Mesothelioma Case Through Effective and Persuasive Voir Dire and Opening

Voir dire and openings are the first and best opportunity to create a defense psychology in jurors. You will learn effective techniques that sway jurors to a favorable verdict.

Speaker:

Edward R. Hugo, Brydon Hugo & Parker

10:15am – 10:30am

Break

SCHEDULE

10:30am – 11:30am

Lung Cancer Closing Arguments: Actual Lung Cancer Closing Presented out of the Presence of Each Other

Speakers:

John Fitzpatrick, Wheeler Trigg O'Donnell LLP
Sharla J. Frost, Wilson Elser Moskowitz Edleman & Dicker LLP

11:30am – 12:15pm

Critique of Closing Arguments & Jury Consultant Observations

Moderator:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

Speakers:

Cindy K. Andrews, Ph.D., President and Chief Trial Consultant; Firehorse Trial Consulting, LLC
Jill M. Leibold, Ph.D., Director Jury Research, Litigation Insights

12:15pm – 1:30pm

Lunch (On Your Own)

1:30pm – 2:30pm

The State of the Art Conduct Defense: Defeating Negligence and Punitive Damages

This topic would include an up-to-date discussion of the historic documents as support for your client's defense to conduct-related claims. It will include a discussion of medical and scientific articles; the applicable government regulations; asbestos and cigarettes, the impact of warnings; the role of the US Government and the US Navy in developing the state of the art.

Speaker:

Kurt Rasmussen, Rasmussen Willis Dickey & Moore L.L.C.

2:30pm – 3:15pm

The Joint Defense: Can We Still Cooperate Through Preparation And Trial Without Pointing Fingers?

Many plaintiff lawyers count on defendants pointing fingers at each other at trial. Can amphibole, chrysotile, retailer, premises, contractors, engineers, and low dose defendants cooperate? Are defendants able to present their

defenses and not harm each other? Can they still preserve their cross claims?

Speaker:

Lawrence G. Cetrulo, Cetrulo LLP

3:15pm – 3:30pm

Break

3:30pm – 4:00pm

The Gatekeeper (Daubert or Other) Hearing on "Each and Every Exposure" Or "Special Exposure"

This is a discussion of the issues which we face in attempting to eliminate a witness and relates to past decisions, scientific articles, and the expert cross examination

Speaker:

Bruce T. Bishop, Wilcox & Savage, P.C.

4:00pm – 4:45pm

Culpability: Proving Shares On the Jury Verdict Form

This section is an overview of what you need to think about when constructing your jury verdict form, the evidence you will need to place an entity on the verdict form, and dealing with bankrupt shares.

Speaker:

Eric R.I. Cottle, K&L Gates LLP

4:45pm – 5:30pm

The Documents: Unions, Navy & Historic Literature

This section will discuss the key the medical and scientific and government documents from Walsh Healey to the Navy. The materials will be made available to conference attendees.

Speaker:

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

5:30pm

Closing Remarks

Speakers:

Albert H. Parnell, Hawkins Parnell Thackston & Young, LLP

Tom Radcliffe, DeHay & Elliston L.L.P.

David A. Speziali, Speziali, Greenwald & Hawkins, P.C.

REGISTRATION

The Defense Asbestos Litigation Seminar: A Practical Guide for Winning Lung Cancer Cases at Trial

[This event is exclusively for defense attorneys and clients.](#)

Registration Fee

The registration fee for this program is \$975.

Group rates are available. Please inquire for details.

Registration

Register by mail or email through the registration form attached at the end of the brochure. Please make checks payable to Perrin Conferences.

Send Mail-in registrations:

Perrin Conferences
200 Coldstream Drive
Berwyn PA, 19312

For more information or to email registration form, please contact:

Bethany Long Corio
610-220-1817

bcorio@perrinconferences.com

Kelsey Browning

610-389-2979

kbrowning@perrinconferences.com

Hotel Information

The conference will be hosted at the Four Seasons Hotel Las Vegas, located at 3960 S Las Vegas Blvd, Las Vegas, NV 89119.

To reserve a room, call the Hotel Reservations Department directly at 1-877-632-5000 or 702-632-5100 and reference the "DALS" (the Defense Asbestos Litigation Seminar) room block. A block of rooms has been reserved at the discounted group rate of \$169/ night. Direct reservations must be made prior to May 12, 2014.

Cancellation Policy

Registrants who are unable to attend will receive a full refund. Please provide written notice to Bethany Long Corio or Kelsey Browning. You are able to enroll a substitute in your place at anytime.

Bethany Long Corio

bcorio@perrinconferences.com

Kelsey Browning

kbrowning@perrinconferences.com

Continuing Legal Education (CLE) Credit

CLE Accreditation for this conference will be provided as requested by attendees. Please send state specific CLE requests in with your registration. This program includes 16.5-19.8 hours of CLE (depending on your state) including 1.0 hour of Ethics.

The Defense Asbestos
Litigation Seminar:
A Practical Guide for Winning
Lung Cancer Cases at Trial

The cost of the seminar is \$975.

NOTICE: THIS SEMINAR IS ONLY OPEN TO THOSE PERSONS WHO ARE ACTIVELY ASSOCIATED WITH THE DEFENSE BAR. EACH ATTENDEE WILL BE REQUIRED TO COMPLETE A CONFIDENTIALITY FORM ACKNOWLEDGING THE ASSERTION OF THE JOINT DEFENSE AND WORK PRODUCT PRIVILEGES IN CONNECTION WITH ATTENDANCE AT THIS PROGRAM. THE LAW FIRMS SPONSORING THE DEFENSE ASBESTOS LITIGATION SEMINAR RESERVE THE RIGHT TO REFUSE ENTRY TO ANY PERSON WHO IN THEIR SOLE DISCRETION DOES NOT MEET CRITERIA FOR ENTRY, OR TO REVOKE PERMISSION FOR ANY PERSON WHO IS DETERMINED IN THEIR SOLE DISCRETION TO BE INAPPROPRIATELY ADMITTED.

DALS Conference Chairs

Albert H. Parnell, Hawkins Parnell
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David A. Speziali, Speziali, Greenwald &
Hawkins, P.C.

**DALS 2014
Registration Form**

June 4-6, 2014

The Four Season Hotel, Las Vegas
3960 S Las Vegas Blvd
Las Vegas, NV 89119

Contact Perrin Conferences:

Bethany Long Corio
610-220-1817
bcorio@perrinconferences.com

Kelsey Browning
610-389-2979
kbrowning@perrinconferences.com

Name: _____

Company/Firm: _____

Business Address: _____

Phone: _____

Fax: _____

E-mail: _____

Only one registrant per Registration Form

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CONFIDENTIALITY AGREEMENT

Acknowledgment of the limited nature of admission to the Defense Asbestos Litigation Seminar:

By signing and submitting this form, I acknowledge that DALS 2014 is a seminar run for and by attorneys and their clients who are only dealing with claims and a joint defense privilege is to all participants. No audio, video, or photography is permitted. I acknowledge the sponsors of DALS 2014 may refuse and/or revoke admission to anyone whom they determine does not meet admission criteria without a refund of the admittance fee.

Signature:
