



The Voice of the
Defense Bar

DRI Defense Lawyers Asbestos Symposium

**This seminar is open only to those persons
who are actively associated with the defense bar.**

Sharpen your case preparation skills!

Benefit from strategic insights
from top litigators!

Discuss the latest trial techniques
and scientific developments!

Enhance your knowledge with
breaking legal updates!

November 1, 2017

The Cosmopolitan of Las Vegas

Las Vegas, NV

DRI delivers **resources** to build your practice ■

The **Defense Lawyers Asbestos Symposium** is the one and only place for the nation's top asbestos defense counsel to exchange the keys to their success in a small group setting! Keep on top of the latest developments; dissect the latest medical advances in diagnoses and treatment; and collaborate on the best strategies and defenses. Attendance at this symposium will provide defense attorneys with information, knowledge, and approaches to put to use immediately. And for the first time ever, this symposium will bring together a panel of the best and brightest first-chair trial counsel to discuss their experiences from trials that have gone to verdict in the past two years! It is not to be missed. This symposium, for asbestos trial defense lawyers only, will provide you with the tools and implementation strategies for success!

Moderators



Evelyn Fletcher Davis

Hawkins Parnell Thackston & Young LLP
Atlanta, GA



R. Thomas Radcliffe, Jr.

DeHay & Elliston LLP
Baltimore, MD



David A. Speziali

Speziali, Greenwald & Hawkins PC
Williamstown, NJ



What You Will Learn

- Open discussions among defense lawyers only regarding recent trends in the litigation. Where are cases being filed? Who are the new target defendants? What is and is not working?
- Don't always believe what you read: Candid panel discussions from asbestos defense trial counsel regarding their

recent trials and verdicts and what really happens. Learn from their firsthand experiences which strategies have worked and which have not.

- The very latest report on key plaintiff and defense experts.
- Update on case preparation, including: taking depositions; proving shares; and defending your client with the latest and best strategies and tactics.



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

PROGRAM SCHEDULE

Click on any speaker name to view bio.

WEDNESDAY, NOVEMBER 1

11:45 a.m. **Registration**

12:40 p.m. **Welcome and Introduction**

R. Thomas Radcliffe, Jr., *DeHay & Elliston LLP*, Baltimore, MD

David A. Speziali, *Speziali Greenwald & Hawkins PC*,
Williamstown, NJ

12:45 p.m. **2017 National Asbestos Filing Trends**

The dynamics of asbestos litigation change every year. Cases against both new and familiar defendants change based on legal and plaintiffs' lawyer decisions. Understanding the rates and places of filing is integral to providing a proper defense and appropriately staffing the defense of cases.

Bradley Drew, *Navigant Consulting Inc.*, Hamilton, NJ

1:05 p.m. **Lung Cancer Without Asbestosis: Isn't It the Smoking that Did It?**

Scientific and medical literature demonstrates that lung cancer is appropriately associated with asbestos exposure only with a finding of asbestosis or at least sufficient exposure to cause asbestosis. Learn why the epidemiology upon which plaintiffs base such opinions either simply fails to provide support for such opinions or is seriously flawed.

Mark G. Zellmer, *Husch Blackwell LLP*, Saint Louis, MO

1:25 p.m. **The Importance and Preparation of the 30(b)6 Corporate Representative Deposition**

The words spoken by the corporate representative live forever and are repeated in every case. One mistake or misstatement by the corporate representative becomes the center of every case thereafter. Proper preparation and selection of witnesses are of utmost importance.

Laura Kingsley Hong, *Tucker Ellis LLP*, Cleveland, OH

1:45 p.m. **How to Bring the Asbestos Trusts into the Litigation More Frequently**

It is imperative to obtain information from the asbestos trusts regarding not only the amounts that have been paid, but also the products that have been paid on. Since these are bankrupt entities, there is a strong potential for finding that the plaintiff has been exposed to amphibole-containing products that were not "remembered" in the plaintiff's deposition.

Mary Margaret Gay, *Maron Marvel Bradley Anderson & Tardy LLC*,
Jackson, MS

- 2:05 p.m. **Asbestos Fiber Length and Its Relation to Disease Risk**
This presentation will provide an overview of the scientific evidence concerning short-fiber length and disease-inducing potential with the specific goal of addressing the suggestions that short asbestos fibers should be considered carcinogenic.
Christy Barlow, PhD, *Cardno ChemRisk*, Boulder, CO
- 2:25 p.m. **OSHA and the Role of the Employer as the Empty Chair**
As the number of defendants decrease, many trials in the current litigation encompass the possibility of additional, nonparty names on the jury verdict form. Employers had a responsibility through OSHA to comply with multiple safety issues. This session will provide the basic information for use in depositions to determine whether the employer complied.
Albert H. (Al) Parnell, *Hawkins Parnell Thackston & Young LLP*, Atlanta, GA
- 2:45 p.m. **The Importance of the Plaintiff Deposition**
The most important witness in an asbestos case is the plaintiff. While the emphasis on product identification is important, the testimony about warnings (unions, employer, labels, media), alternative exposure, duration, and dose of exposures, are equally important.
David A. Speziali, *Speziali Greenwald & Hawkins PC*, Williamstown, NJ
- 3:05 p.m. **Refreshment Break**
SPONSORED BY **KCIC**
- 3:15 p.m. **No Safe Level Update**
This presentation will review select historical articles that establish the belief that there was a safe level of exposure to asbestos, even for cancer.
R. Thomas Radcliffe, Jr., *DeHay & Elliston LLP*, Baltimore, MD
- 3:35 p.m. **Reconstructing Asbestos Exposures: Case Studies of Occupational and Non-Occupational Exposure**
This session will discuss past exposure reconstruction and the scientific case studies that support the methodology.
Anders Abelman, PhD, *Cardno ChemRisk*, Chicago, IL
- 3:55 p.m. **Defending “Take Home” Exposure Cases**
As “take home” exposure cases have become more prevalent in the asbestos litigation, we must focus on strategies for challenging plaintiff’s causation theories. Available strategies include effective cross-examination of fact witnesses, procuring favorable concessions from plaintiff’s experts, and the use of dose reconstruction.
Judith A. Perritano, *Pierce Davis & Perritano LLP*, Boston, MA

4:15 p.m. **Litigation Update on the Current Testimony of Major Witnesses**

The major witnesses continue to adapt their testimony in multiple ways. This session will address several of the witnesses and where they currently stand.

R. Thomas Radcliffe, Jr., *DeHay & Elliston LLP*, Baltimore, MD

David A. Speziali, *Speziali Greenwald & Hawkins PC*,
Williamstown, NJ

4:30 p.m. **Special Session: The Experience from Recent Asbestos Trial Lawyers**

This is a unique and special panel of first-chair asbestos trial attorneys who have tried asbestos cases to verdict in the last 24 months. They will share the things, good and bad, that they have learned from their trial experiences.

MODERATOR | **Albert H. (Al) Parnell**, *Hawkins Parnell Thackston & Young LLP*, Atlanta, GA

PANEL

William R. Adams, *Dickie McCamey & Chilcote PC*, Wilmington, DE

Keith M. Ameen, *Foley & Mansfield PLLP*, Los Angeles, CA

Tracy J. Cowan, *Hawkins Parnell Thackston & Young LLP*,
Saint Louis, MO

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

Edward R. Hugo, *Hugo Parker LLP*, San Francisco, CA

James A. Lowery, *Gordon Rees Scully Mansukhani LLP*, Dallas, TX

Christopher S. Marks, *Sedgwick LLP*, Seattle, WA

Stephen Novakidis, *Malaby & Bradley LLC*, New York, NY

Vincent J. Palmiotto, *DeHay & Elliston LLP*, Baltimore, MD

Robert F. Redmond, Jr., *McGuire Woods LLP*, Richmond, VA

Robert A. Rich, *Gordon Rees Scully Mansukhani LLP*, Oakland, CA

Theodore F. Roberts, *Venable LLP*, Towson, MD

Gary J. Saalman, *Vorys Sater Seymour and Pease LLP*, Columbus, OH

James G. Scadden, *Gordon Rees Scully Mansukhani LLP*, Oakland, CA

Gary D. Sharp, *Foley & Mansfield PLLP*, Ferndale, MI

Edward R. Ulloa, *Hawkins Parnell Thackston & Young LLP*,
Los Angeles, CA

6:00 p.m. **Adjourn**

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawyers Seminar.**

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.**

All in-house counsel and claims executives receive complimentary registration to the program.

CLE/Claims Adjusters Accreditation

No continuing legal education credits or claims adjuster credits are available for this program.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **October 5, 2017**. Cancellations made after **October 5, 2017** will not receive a refund. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

DRI Asbestos Medicine Seminar Discount

If you register (or already are registered) for DRI's Asbestos Medicine Seminar, November 2–3, 2017, you can register for this program for only **\$225**. At registration checkout, you must use the code **DRIASB2018** to receive the discount. Otherwise, the registration fee for this program is **\$295**.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at **The Cosmopolitan of Las Vegas, 3708 Las Vegas Boulevard South, Las Vegas, NV 89109** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$249 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit dri.org and go to the **DRI Asbestos Medicine Seminar page** and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 702.698.7000** and mention the **DRI Asbestos Medicine Seminar**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **October 2, 2017**, to be eligible for the group rate. Requests for reservations made after **October 2, 2017** are subject to room and rate availability.

FACULTY

Click on any name to view bio.

Anders Abelmann, PhD, Cardno ChemRisk,
Chicago, IL

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Wilmington, DE

Keith M. Ameele, Foley & Mansfield PLLP,
Los Angeles, CA

Christy Barlow, PhD, Cardno ChemRisk, Boulder, CO

Tracy J. Cowan, Hawkins Parnell Thackston &
Young LLP, Saint Louis, MO

Evelyn Fletcher Davis, Hawkins Parnell Thackston &
Young LLP, Atlanta, GA

Bradley Drew, Navigant Consulting Inc., Hamilton, NJ

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**View faculty bios on the DRI Defense Lawyers
Asbestos Symposium webpage; click on "View
speakers" button.**

SEMINAR SPONSOR

DRI wishes to thank our sponsor for their support at this year's seminar!



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November 1, 2017 | The Cosmopolitan of Las Vegas
Las Vegas, NV

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Are you a first-time attendee at this DRI seminar? Yes No

How many attorneys _____ What is your primary
are in your firm? _____ area of practice? _____

REGISTRATION FEE

Registration fee includes program attendance and refreshment break.

- Discounted registered attorney fee* \$225
- Attorney \$295
- In-House Counsel** FREE
- Claims Executive** FREE

*This registration fee applies to an attorney that is registered for DRI's Asbestos Medicine Seminar, November 2-3, 2017 at The Cosmopolitan of Las Vegas.

** As defined on page 5.

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 DRI Defense Lawyers Asbestos Symposium 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.

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