

Defense Lawyers Asbestos Symposium

- 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 7, 2018

Hilton Austin Downtown

Austin, TX

The **Defense Lawyers Asbestos Symposium** is a unique, exceptionally insightful “defense-only” seminar, where defense attorneys and clients share meaningful lessons from the past year. The seminar provides attendees with up-to-date information about plaintiffs’ attorneys, their newest practices and tactics, and suggestions to combat the plaintiffs’ bar’s efforts. Attendees benefit from the private knowledge that led to both victories and losses in the last 12 months.

Moderators



Edward P. **Abbot**



Albert H. **Parnell**



R. Thomas **Radcliffe, Jr.**



What You Will Learn

- You will learn the latest trends in case filings.
- You will learn where the talc cases have gone and where they are going.
- You will learn how to prepare and defend your PMK!
- You will learn how to make the best of the asbestos trusts.

Members Get More

- Access to **LegalPoint**™ at **dri.org**: Committee newsletters, seminar course materials, and other publications.
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PROGRAM SCHEDULE

Click on any speaker name to view bio.

WEDNESDAY, NOVEMBER 7

12:00 p.m. **Registration**

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

Edward P. Abbot, *Hawkins Parnell Thackston & Young LLP*,
New York, NY

Albert H. Parnell, *Hawkins Parnell Thackston & Young LLP*,
Atlanta, GA

R. Thomas Radcliffe, Jr., *DeHay and Ellison LLP*, Baltimore, MD

12:45 p.m. **2018 National Asbestos-Filing Trends**

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

Bradley Drew, *Navigant PACE*, Hamilton, NJ

1:05 p.m. **Toxic Tort Litigation Side Show: Plaintiff-
Manufactured Allegations of Discovery Abuse—
The Plaintiff's Claims and Your Best Defense**

This session will demonstrate multiple claims made by plaintiffs against defense discovery issues.

Kyle E. Bjornlund, *Cetrulo LLP*, Boston, MA

1:25 p.m. **The Importance in 2018 of Frequently Bringing the Asbestos
Trusts into the Asbestos Personal Injury Litigation**

It is important to obtain information from the asbestos trusts regarding not only the amounts that have been paid, but also the products that have been identified and 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

1:45 p.m. **Defense Strategies in a Post-OSHA Gasket and Packing Case**

This presentation will discuss the challenges presented by exposures in the 1970s and 1980s and consider ways to defend gasket and packing exposures when insulation exposures are greatly reduced or eliminated.

Judith A. Perritano, *Pierce Davis & Perritano LLP*, Boston, MA

- 2:05 p.m. **A Weight of Evidence Analysis Regarding Asbestos Exposure and Other Cancers (Kidney and Colon)**
Dr. Keenan will present a state-of-the-science analysis regarding the current views in the scientific literature regarding the toxicology and epidemiology of asbestos exposure and kidney and colon cancer.
James Keenan, PhD, MS, DABT, *Cardno ChemRisk*, Arlington, VA
- 2:25 p.m. **Anti-Venom: Teaching Your PMK to Beat the Reptile**
This presentation will discuss ways to prepare your PMK (“person most knowledgeable”) not only to field reptile questions successfully, but to answer these open-ended questions in a way that advances your client’s defenses.
Jason J. Irvin, *Hawkins Parnell Thackston & Young LLP*, Dallas, TX
- 2:45 p.m. **Preparing for and Taking the Adverse Expert Deposition**
This session will offer suggestions on how to set up the cross-examination of the expert for jury perception, as opposed to simply eliciting the expert opinions.
Todd J. Suddleson, *DeHay & Elliston LLP*, Dallas, TX
- 3:05 p.m. **Refreshment Break**
SPONSORED BY **KCIC**
- 3:15 p.m. **The Corporate Representative Most Knowledgeable**
This presentation will discuss the selection and preparation of appropriate PMK witnesses. We will also suggest strategies for addressing aging, retired, or nonexistent PMK witnesses.
Katharine Scott Perry, *Adler Pollock & Sheehan PC*, Boston, MA
Jennifer A. Whelan, *Manning Gross & Massenburg LLP*, Boston, MA
- 3:35 p.m. **The Interactive Effects of Cigarette Smoke and Asbestos Exposure for the Risk of Lung Cancer**
Dr. Madl will present a state-of-the-science analysis regarding the threshold, interactive, or synergistic effects of asbestos exposure and smoking for the risk of lung cancer.
Amy Madl, PhD, DABT, *Cardno ChemRisk*, Aliso Viejo, CA
- 3:55 p.m. **National Cosmetic Talc Litigation Update**
This discussion will focus on the current state of the national cosmetic talc litigation, reviewing the recent plaintiff and defense verdicts and discussing hot jurisdictions, which documents are being used effectively and which to avoid, which expert witnesses are persuasive in negotiations and which are effective in trials, and the continuing evolution of plaintiff and defense strategies.
Edward P. Abbot, *Hawkins Parnell Thackston & Young LLP*, New York, NY

- 4:15 p.m. **Dose Reconstruction: How and Why**
This presentation will demonstrate how defense CIHs (“certified industrial hygienists”) prepare a proper dose reconstruction and how the defense attorney can use the reconstruction to defend asbestos cases and limit liability. Suggestions on attacking plaintiff experts’ dose reconstructions will be discussed.
Christopher P. Manning, *DeHay & Elliston LLP*, Dallas, TX
- 4:35 p.m. **Using Manufacturing Facilities That Used Asbestos as a Method of Developing Alternative Exposures**
The Johns-Manville scrap material facility was located just outside of New Orleans and presented an opportunity to create local alternative exposures. There were similar facilities and clusters of cases across the United States. This session will discuss the discovery that can be used to develop alternative exposures.
Barbara B. Ormsby, *Deutsch Kerrigan LLP*, New Orleans, LA
- 4:55 p.m. **The Trial Lawyers Symposium**
This session is presented to provide an opportunity for asbestos defense lawyers who have recently completed an asbestos trial to share their insights. Hear their thoughts and observations on why they won or lost, an evaluation of opposing counsel and their techniques, what could be improved, and how to better prepare. (Additional trial lawyer panelists will be announced and defense trial lawyers who have recently completed an asbestos trial are eligible to present.)
MODERATOR | **Albert H. Parnell**, *Hawkins Parnell Thackston & Young LLP*, Atlanta, GA
Stephen Christopher (Chris) Collier, *Hawkins Parnell Thackston & Young LLP*, Atlanta, GA
Sharla J. Frost, *Tucker Ellis LLP*, Houston, TX
Todd J. Suddleson, *DeHay & Elliston LLP*, Dallas, TX
- 6:00 p.m. **Adjourn**

FACULTY

Click on any name to view bio.

Edward P. Abbot, Hawkins Parnell Thackston & Young LLP, New York, NY

Kyle E. Bjornlund, Cetrulo LLP, Boston, MA

Stephen Christopher (Chris) Collier, Hawkins Parnell Thackston & Young LLP, Atlanta, GA

Bradley Drew, Navigant PACE, Hamilton, NJ

Sharla J. Frost, Tucker Ellis LLP, Houston, TX

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

Jason J. Irvin, Hawkins Parnell Thackston & Young LLP, Dallas, TX

James Keenan, PhD, MS, DABT, Cardno ChemRisk, Arlington, VA

Amy Madl, PhD, DABT, Cardno ChemRisk, Aliso Viejo, CA

Christopher P. Manning, DeHay & Elliston LLP, Dallas, TX

Barbara B. Ormsby, Deutsch Kerrigan LLP, New Orleans, LA

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

Judith A. Perritano, Pierce Davis & Perritano LLP, Boston, MA

Katharine Scott Perry, Adler Pollock & Sheehan PC, Boston, MA

R. Thomas Radcliffe, Jr., DeHay and Ellison LLP, Baltimore, MD

Todd J. Suddleson, DeHay & Elliston LLP, Dallas, TX

Jennifer A. Whelan, Manning Gross & Massenburg LLP, Boston, MA

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



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.

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. **Non-member 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 13, 2018**. Cancellations received after **October 13, 2018** 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.

Discounts

DRI Asbestos Medicine Seminar Discount If you register (or already are registered) for DRI's Asbestos Medicine Seminar, November 8–9, 2018, 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 **Hilton Austin Hotel, 500 East 4th Street, Austin, TX 78701**.

Take advantage of the group rate of **\$279 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 512.482.8000** 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 6, 2018**, to be eligible for the group rate. Requests for reservations made after **October 6** are subject to room and rate availability.

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Defense Lawyers Asbestos Symposium

November 7, 2018 | Hilton Austin Downtown
Austin, TX

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Please list any special needs _____

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 who is registered for DRI's Asbestos Medicine Seminar. November 8-9, at the Hilton Austin Downtown.

** As defined on page 6.

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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