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- United States District Court, Western District of Washington
- Washington State Court of Appeals, Division I

The Annual Two-Day Conference on

Litigating Class Actions

New developments in state and federal law and best strategies for winning or defending class actions

May 7 & 8, 2009

Seattle, Washington
Renaissance Seattle Hotel

Credits: WA CLE 12.25 inc 1 ethics (call about others)
Quick when/where: 8:30 a.m., 515 Madison St.

Litigating Class Actions Conference

May 7 & 8, 2009 | Seattle, Washington
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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Thomas L. Boeder, Esq., Program Co-Chair
Perkins Coie LLP ~ Seattle, WA

Timothy G. Fielden, Esq., Program Co-Chair
Senior Attorney
Microsoft Corporation ~ Redmond, WA

8:45 Update on Class Action Litigation Trends

National trends and what they tell us about the best current strategies and arguments for winning or defeating class certifications

Charles B. Casper, Esq.
Montgomery, McCracken, Walker & Rhoads, LLP
Philadelphia, PA

9:30 Decisional Trends for Consumer Fraud Cases Affected by California's Section 17200

How California's consumer protection laws compare with other states; standing requirements for plaintiffs; causal links; injury in fact requirement; limits on awards

Steven B. Weisburd, Esq.
Dechert LLP ~ Austin, TX

10:15 Break

10:30 Pre-Filing Strategies and Preparation

Elizabeth J. Cabraser, Esq.
Lieff Cabraser Heimann & Bernstein, LLP
San Francisco, CA

11:30 Special Address: Managing the Public Relations Element in the First Critical Hours of a Case

Richard S. Levick, Esq., President and CEO
Levick Strategic Communications ~ Washington, DC

12:15 Lunch (on your own)

1:30 Special Judicial Panel: From the Bench on Class Actions

Problematic class action issues for plaintiffs and defendants

The Hon. Robert S. Lasnik, Chief Judge
United States District Court, Western District of Washington
Seattle, WA

The Hon. James R. Verellen, Commissioner
Washington State Court of Appeals, Division I
Seattle, WA

2:30 How to Assess Expert Testimony at the Class Certification Stage

The use of experts in class actions litigation from plaintiff and defense perspectives

Ugo Colella, Esq.
Katten Muchin Rosenman LLP ~ Washington, DC

3:15 Break

3:30 Litigating Class Actions Between Certification and Trial

Reconsideration motion, Rule 23(f) petition, merits discovery, experts, summary judgment, motion for trial plan and decertification motions

Fred B. Burnside, Esq.
Davis Wright Tremaine LLP ~ Seattle, WA

John W. Phillips, Esq.
Phillips Law Group PLLC ~ Seattle, WA

5:00 Continue the Exchange of Ideas: Reception for Faculty and Attendees

Sponsored by Perkins Coie LLP



About the Conference

LAW SEMINARS INTERNATIONAL

We dedicate all of our efforts to producing high-quality professional education programs.

Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

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Class actions dominate the litigation landscape. They create massive liability exposure for defendants, attract the attention of regulators and law enforcement officials, generate bad publicity, undermine corporate public relations, and draw whistleblowers out of the woodwork. Whether in finance, securities, antitrust, consumer, employment or other areas, class actions multiply and magnify the risks of missteps in litigation.

This seminar brings together a national panel of leaders from both sides of the class action bar, and members of the judiciary, to explain current and important developments in state and federal laws affecting class actions, and to share innovative strategies to meet the business and legal challenges of class actions.

~ Program Co-Chairs: Thomas L. Boeder, Esq. and Timothy G. Fielden, Esq.



8:00 Registration and Continental Breakfast

8:30 Special Substantive Law Considerations for Consumer Protection Class Actions
 Plaintiff's perspective
Beth E. Terrell, Esq.
 Terrell, Marshall & Daudt PLLC ~ Seattle, WA
 Defendant's perspective
Kathleen M. O'Sullivan, Esq.
 Perkins Coie LLP ~ Seattle, WA

9:30 Substantive Law Considerations for Labor and Employment Class Actions
 Plaintiff's perspective
Martin S. Garfinkel, Esq.
 Schroeter Goldmark & Bender ~ Seattle, WA
 Defendant's perspective
Karen F. Jones, Esq.
 Riddell Williams P.S. ~ Seattle, WA

10:30 Break

10:45 Settlement Strategies and Issues
 Plaintiff's perspective
Christopher I. Brain, Esq.
 Tousley Brain Stephens PLLC ~ Seattle, WA
 Special master's perspective
Catherine A. Yanni, Esq.
 JAMS ~ San Francisco, CA
 Defendant's perspective
Thomas L. Boeder, Esq., Program Co-Chair

12:15 Lunch (on your own)

1:30 Trial Strategies and Approaches
 Plaintiff's perspective
Steve W. Berman, Esq.
 Hagens Berman Sobol Shapiro LLP ~ Seattle, WA
 Defendant's perspective
Jeffrey A. Hollingsworth, Esq.
 Perkins Coie LLP ~ Seattle, WA

2:45 Break

3:00 Avoiding Ethical Traps in Settling Class Actions
 When and how to negotiate attorney's fees; important differences between common fund and statutory fees cases, valuing non-monetary class benefits and judicial candor in claims-made settlements
Stephen M. Rummage, Esq.
 Davis Wright Tremaine LLP ~ Seattle, WA

4:00 Evaluations and Adjourn

Upcoming Seminars:

| | | |
|---|-------------------|-------------------|
| Departing Employees and Intellectual Property | February 25, 2009 | Palo Alto, CA |
| Gamer Technology | March 9-10, 2009 | Beverly Hills, CA |
| Patent Claim Construction | March 13, 2009 | San Francisco, CA |
| Litigating Employment Class Actions | April 6-7, 2009 | Washington, DC |
| Departing Employees and Intellectual Property | May 15, 2009 | Seattle, WA |

See more at www.lawseminars.com



Registration & Other Conference Information

To Register:

Call us at: 800-854-8009 or 206-567-4490
 Fax the registration form to us at: 206-567-5058
 Email us at: registrar@lawseminars.com
 Web site: www.lawseminars.com
 Mail the registration form on the front page.
 Walk-ins are welcome, subject to space availability.
 Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for this program is \$1245 with a group rate of \$1095 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$945. For students and people in their job for less than a year, our rate is \$622.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00

p.m. on Friday, May 1, 2009. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Renaissance Seattle Hotel at 515 Madison St. in Seattle, WA 98104. Call the hotel directly at (206) 583-0300 for reservations at the special negotiated rate of \$209 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits: This program qualifies for 12.25 WA CLEcredits including 1 ethics. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the written course materials, is available for \$1255. The written course materials or searchable CDs of the course materials are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.

Faculty: Litigating Class Actions Conference

Thomas L. Boeder, *Program Co-Chair*, is firmwide Chair of the Commercial Litigation Practice of Perkins Coie LLP. He is listed in "The Best Lawyers in America" and named a "Super Lawyer". Previously he was Chief of the Consumer Protection, Antitrust and Criminal Law Enforcement Divisions, Washington State Attorney General's Office.

Timothy G. Fielden, *Program Co-Chair*, is a Senior Attorney in the Litigation Group at Microsoft Corporation where he has a record of successfully defending Microsoft in consumer class actions.

Richard S. Levick, *Special Address*, is President and CEO of Levick Strategic Communications, honored as Crisis Agency of the Year by the Holmes Report. He was named to the PRNews Hall of Fame for lifetime achievement.

Steve W. Berman, founder and managing partner of Hagens Berman Sobol Shapiro LLP, has been lead or co-lead counsel in high profile securities, consumer, products liability, antitrust and employment class actions.

Christopher I. Brain, member at Tousley Brain Stephens PLLC, focuses on complex real property, business and class action litigation. He handles purchase agreement disputes, specific performance and foreclosure actions, restrictive use covenant and construction cases.

Fred B. Burnside, partner, Davis Wright Tremaine LLP, focuses on class action defense and other complex commercial litigation. He is Co-Chair of the firm's Class Action Defense Group and Deputy Chair of the Litigation Practice.

Elizabeth J. Cabraser, founding partner of Lief Cabraser Heimann & Bernstein, LLP, represents plaintiffs in mass tort, investment and consumer fraud, product liability, toxic contamination,

employment discrimination, and civil rights actions.

Charles B. Casper, partner at Montgomery, McCracken, Walker & Rhoads, LLP and Chair of their Class Action Defense Practice Group, defends class actions, computer software and hardware litigation, commercial and antitrust litigation and environmental insurance.

Ugo Colella is a litigation partner and Head of the Class Action Group in the Washington, D.C. office of Katten Muchin Rosenman, LLP. He focuses on business-related civil litigation and is experienced in the complexities associated with class actions and multidistrict litigation.

Martin S. Garfinkel, partner at Schroeter Goldmark & Bender and member of the firm's Employment Law Practice Group, focuses his litigation practice on employment class actions.

Jeffrey A. Hollingsworth, partner at Perkins Coie LLP, specializes in defense of multi-plaintiff discrimination claims and class action employment litigation for large commercial business and public employers. He is listed in *The Best Lawyers in America* and as a "Super Lawyer".

Karen F. Jones, managing principal at Riddell Williams P.S., counsels businesses on employment matters and has been lead counsel in individual and class claims of discrimination, wage hour issues and unfair competition. She was listed in *The Best Lawyers in America* and *Chambers USA*.

The Hon. Robert S. Lasnik is Chief Judge of the United States District Court, Western District of Washington. He chaired the Ninth Circuit's Public Information and Community Outreach Committee and is on the Judicial Council and Judicial Conference U.S. Budget Committee.

Kathleen M. O'Sullivan, partner and Co-Chair of the Appellate Practice Group at Perkins Coie LLP, focuses on complex business litigation, class action defense, constitutional litigation and appellate litigation. She was named a "Super Lawyer" by *Washington Law & Politics*.

John W. Phillips, of Phillips Law Group PLLC, practices in consumer class actions, mass tort product liability, environmental exposure cases, and complex commercial litigation with a focus on Intellectual Property.

Stephen M. Rummage, partner at Davis Wright Tremaine LLP, focuses on appeals and litigation, emphasizing consumer class actions. He was listed in *The Best Lawyers in America* and *Chambers USA*.

Beth E. Terrell, member of Terrell, Marshall & Daudt PLLC, focuses on complex litigation, including the prosecution of consumer fraud, defective product, securities, and wage and hour class actions. She has been co-lead counsel on many multi-state and nationwide class actions.

The Hon. James R. Verellen is Commissioner at the Washington State Court of Appeals, Division I. Previously he was shareholder of Vandenberg, Johnson and Gandara, where he focused on general civil litigation and commercial, business and real estate law.

Steven B. Weisburd, partner with Dechert LLP's Litigation Group, focuses on civil litigation and consumer fraud class actions. He is a member of the firm's Mass Torts and Products Liability, Media, and Appellate Practice Groups.

Catherine A. Yanni, of JAMS, has mediated and acted as Special Master/Discovery Referee. She specializes in class action, including settlement implementation and mass tort cases.

May 7 & 8, 2009
Seattle, Washington

Renaissance Seattle Hotel
515 Madison St.
(206) 583-0300

Who Should Attend:
Corporate and trial attorneys,
corporate executives
and governmental officials
responsible for managing
class action litigation

You Will Learn About:

- Current litigation trends and their impact on class actions
- Trends for consumer fraud cases
- Pre-filing strategies and preparation
- Managing the public relations element in a case
- Judges' views of class actions
- Class actions between certification and before trial
- How to access merits issues
- Considerations for consumer class actions
- Considerations for employment class actions
- Settlement strategies and issues
- Trial strategies and approaches
- Avoiding ethical traps in settling class actions

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