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The Third Annual Comprehensive Conference on

Litigating Class Actions

Practice tips for keeping up with a rapidly changing landscape

December 9 & 10, 2013

Chicago, Illinois
The Gleacher Center

Credits: IL 12.5 CLE (incl. 1 ethics) pending (call about others)
Quick when/where: 8:30 a.m., 450 North Cityfront Plaza Drive

Litigating Class Actions Conference
December 9 & 10, 2013 | Chicago, Illinois
The Gleacher Center

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- 8:00 Registration Opens**
- 8:30 Introduction and Overview**
Todd C. Jacobs, Esq., *Program Co-Chair*
 Grippo & Elden LLC ~ Chicago, IL
Adam J. Levitt, Esq., *Program Co-Chair*
 Grant & Eisenhofer P.A. ~ Chicago, IL
- 8:45 Class Action Fairness Act**
 What is and what isn't a coupon settlement? The push to link attorneys' fees in non-coupon settlements to claim rates
Joseph J. Siprut, Esq.
 Siprut PC ~ Chicago, IL
- 9:30 Break**
- 9:45 A Key Component of Your Case Strategy: A Proactive Approach to Ethical Issues at the Beginning, Middle, and End of the Case**
 Finding suitable class representatives; representing multiple classes or subclasses; defendants' communications with absent class members; settling cases on an individual basis or a subset of the class; other settlement issues; attorneys' fees
Stephen M. Rummage, Esq.
 Davis Wright Tremaine LLP ~ Seattle, WA
- 10:45 Recent Developments in Qui Tam Litigation and Parallel Government Investigations**
 Plaintiff perspective on the whistle blower provisions in the False Claims Act and the Dodd-Frank Wall Street Reform and Consumer Protection Act; recent cases and legislative proposals
Reuben A. Guttman, Esq.
 Grant & Eisenhofer P.A. ~ Washington, DC
 Defense perspective on Medicare/Medicaid data analysis and the government's use of CID document demands
Sam S. Sheldon, Esq.
 Quinn Emanuel Urquhart & Sullivan, LLP ~ Washington, DC
- 12:00 Lunch (on your own)**

- 1:15 The Supreme Court's Genesis Decision: A Death Knell for Class Actions or a Minor Problem in Most Cases?**
 Offers of judgment questions raised by the Decision
F. Paul Bland, Jr., Esq.
 Public Justice ~ Washington, DC
- 1:45 Arbitration Agreements and Class Actions: The Impact of American Express v. Italian Colors and Other Post-Concepcion Developments**
 Recent and pending cases in the U.S. Supreme Court, Second and Ninth Circuits, California Supreme Court and elsewhere
Archis A. Parasharami, Esq.
 Mayer Brown LLP ~ Washington, DC
- 2:15 Topic stays the same: Status of Telephone Consumer Protection Act Cases and Related Insurance Issues**
 Overview of the TCPA and this burgeoning area of class action law; discussion of recent trends and important cases; summary of related insurance issues
Matthew O. Sitzer, Esq.
 Grippo & Elden LLC ~ Chicago, IL
- 3:00 Break**
- 3:15 Developing Trial Strategies and Approaches**
 Defendant and plaintiff perspectives: Developing central trial themes; identifying key fact and expert witnesses; evaluating witness strengths and weaknesses; selecting approaches to discovery and trial
Mark A. DiCello, Esq.
 The DiCello Law Firm ~ Mentor, OH
Gary M. Elden, Esq.
 Grippo & Elden LLC ~ Chicago, IL
Ralph H. Palumbo, Esq.
 Summit Law Group ~ Seattle, WA
- 4:15 Recent Developments in the Supreme Court, Seventh Circuit and Northern District of Illinois**
 Class certification, damages, arbitration, privacy and related issues
The Hon. Rebecca R. Pallmeyer
United States District Court Judge
 United States District Court, Northern District of Illinois
 Chicago, IL
Todd C. Jacobs, Esq., *Program Co-Chair*
Adam J. Levitt, Esq., *Program Co-Chair*
- 5:00 Continue the Exchange of Ideas: Reception for Faculty and Attendees**
 Sponsored by Grippo & Elden LLC and Grant & Eisenhofer P.A.



About the Conference



LSI would like to thank
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Seminal decisions from the United States Supreme Court and leading federal appellate courts defining and redefining the scope of class action practice have come fast and furious over the past several years. New developments, as well as ongoing developments in the appellate courts, trial courts and Congress, have the potential to impact virtually every business, consumer and shareholder in the U.S. Lawyers and business leaders alike need to be aware of this changing landscape and the effect it may have on the bottom line.

This class action litigation conference is designed to provide a cutting-edge and in-depth exploration of this vibrant area of the law. Our faculty is comprised of leading class action practitioners, judges and service providers from across the United States who will discuss strategies from both plaintiffs' and defendants' perspectives. This two-day conference will include discussions of the latest developments in significant areas of the law affected by class action practice, including recent decisions concerning antitrust, arbitration rights, damages calculations, forum issues, securities and other financial transactions, consumer protection, contracts, false claims act/whistleblower claims, governmental investigations, labor and employment, and Internet privacy, to name just a few.

Whether you are an experienced legal practitioner, in-house counsel, a business leader, or involved in any endeavor affected by class action litigation, this conference will answer your questions and provide strategies and insight into this important legal field.

Program Co-Chairs: Todd C. Jacobs, Esq. of Grippo & Elden LLC and Adam J. Levitt, Esq. of Grant & Eisenhofer P.A.



8:30 Evolving Issues in Privacy Class Actions
Jay Edelson, Esq.
Edelson LLC ~ Chicago, IL

9:15 Manifestation of Defect Analysis in Consumer Class Action Cases
Timothy G. Blood, Esq.
Blood Hurst & O'Reardon LLP ~ San Diego, CA
Livia M. Kiser, Esq.
Loeb & Loeb LLP ~ Chicago, IL

10:15 Break

10:30 Consumer Class Actions: How are the Lower Courts Interpreting and Applying Comcast?
Overview of recent cases on certification issues
Carolyn J. Frantz, Esq.
Bartlit Beck Herman Palenchar & Scott LLP ~ Chicago, IL
Plaintiff perspective
Jonathan D. Selbin, Esq.
Lief Cabraser Heimann & Bernstein, LLP ~ New York, NY
Defendant perspective on early stage procedural strategies including motions to dismiss class allegations
Scott Voelz, Esq.
O'Melveny & Myers LLP ~ Los Angeles, CA

12:00 Lunch (on your own)
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1:15 Antitrust Class Actions: Post Italian Colors Developments
Ascertainability; class certification decisions post-Comcast; conflicts created by settlement and adequacy of representation; litigation strategies; predominance in the context of liability v. damages; role of Daubert at class certification stage

Spencer Weber Waller, Esq., Moderator
Professor and Director, Institute for Consumer Antitrust Studies
Loyola University Chicago School of Law ~ Chicago, IL
Michael J. Freed, Esq.
Freed Kanner London & Millen LLC ~ Bannockburn, IL
Andrew S. Marovitz, Esq.
Mayer Brown LLP ~ Chicago, IL
James A. Morsch, Esq.
Butler Ruben Saltarelli & Boyd LLP ~ Chicago, IL

2:45 Break

3:00 Securities Class Actions
Trends, Supreme Court Decisions during the past term; recent significant lower court rulings affecting securities class action practice
Daniel L. Berger, Esq.
Grant & Eisenhofer P.A. ~ New York, NY
Howard S. Suskin, Esq.
Jenner & Block LLP ~ Chicago, IL

4:00 Preparing for and Trying a Class Action Price-Fixing Case
Few price-fixing cases get tried and fewer class action price-fixing cases get tried: Particular issues in preparing a major price-fixing case with particular attention to class action issues
Joseph Goldberg, Esq.
Freedman Boyd Hollander Goldberg Urias & Ward P.A.
Albuquerque, NM

Daniel E. Gustafson, Esq.
Gustafson Gluek PLLC ~ Minneapolis, MN
Dennis Stewart, Esq.
Hulett Harper Stewart LLP ~ San Diego, CA

5:00 Evaluations and Adjourn

Upcoming Seminars:
Tribal Water in the Southwest Nov. 18-19, 2013 Scottsdale, AZ
Mobile Payments Law Nov. 21-22, 2013 Palo Alto, CA
See more at www.lawseminars.com



Registration & Other Conference Information

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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 \$1045 with a group rate of \$785 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$695. For students and people in their job for less than a year, our rate is \$522.50. 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 Tuesday, December 3, 2013. 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 Gleacher Center at 450 North Cityfront Plaza Drive in Chicago, IL 60611; (312) 464-8787. Check http://www.choos-e-chicago.com for a list of River North hotels.

Continuing Education Credits: Live credits: This program qualifies for 12.5 (including 1 ethics) IL CLE credits (pending). Upon request, we will apply for, or help you 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 course materials, is available for \$1055. The course materials alone 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

Todd C. Jacobs, *Program Co-Chair*, managing principal, Grippo & Elden LLC, focuses on class action defense, shareholder derivative actions, complex commercial contract cases, mass tort insurance coverage litigation and intellectual property.

Adam J. Levitt, *Program Co-Chair*, director, Grant & Eisenhofer P.A., leads the Consumer Practice Group. He specializes in commercial and class action litigation in consumer protection, antitrust, securities, technology and agricultural law.

Spencer Weber Waller, *Moderator*, Professor and Director, Institute for Consumer Antitrust Studies, Loyola University Chicago School of Law, worked for the U.S. DOJ, in the Foreign Commerce Section of the Antitrust Division.

Daniel L. Berger, director at Grant & Eisenhofer P.A., has litigated complex securities and discrimination class actions, including trying two 10b-5 securities class actions to jury verdicts.

F. Paul Bland, Jr., Senior Attorney, Public Justice, is responsible for litigating public interest cases. He has won more than 30 cases that led to reported decisions for consumers, employees or whistleblowers in four of the U.S. Courts of Appeals and the high courts of nine different states.

Timothy G. Blood, managing partner, Blood Hurst & O'Reardon LLP, focuses on litigation, including class actions. He is a recognized expert on consumer fraud law.

Mark A. DiCello, trial lawyer and partner, The DiCello Law Firm, focuses on trucking litigation and has been lead trial and liaison counsel in complex civil matters resulting in large plaintiff verdicts and settlements.

Jay Edelson is the founder and managing partner of Edelson LLC, a consumer class action firm. He currently is lead counsel in *Harris v comScore*, the largest privacy case ever certified on an adversarial basis and is also lead counsel in privacy class actions against defendants such as Time, Avmed, Netflix, and Sony.

Gary M. Elden, principal, Grippo & Elden LLC, litigates complex commercial civil matters. He has

tried jury cases in more than a dozen jurisdictions from DC and New York, to California

Carolyn J. Frantz, partner, Bartlit Beck Herman Palenchar & Scott LLP, focuses on legal strategy, critical motions and appellate issues in multidistrict litigation.

Michael J. Freed, founding partner of Freed Kanner London & Millen LLC, specializes in litigation with an emphasis in antitrust and securities actions. Previously, he was with the U.S. DOJ, Antitrust Division.

Joseph Goldberg, senior shareholder, Freedman Boyd Hollander Goldberg Urias & Ward P.A., confines his practice to antitrust, class actions and commercial litigation.

Daniel E. Gustafson is a founding member of Gustafson Gluek PLLC. He is an adjunct professor at the University of Minnesota Law School teaching "Fundamentals of Pretrial Litigation."

Reuben A. Guttman, director, Grant & Eisenhofer P.A., focuses on litigation and class actions. He represents clients in claims brought under the Federal False Claims Act and securities laws.

Livia M. Kiser, partner and Co-Chair of Loeb & Loeb LLP's Health and Wellness Marketing Compliance Task Force, is a commercial litigator with expertise in consumer protection.

Andrew S. Marovitz, partner and practice leader in the Litigation Group worldwide, Mayer Brown LLP, concentrates on antitrust and commercial litigation in monopolization, price fixing, market allocation and conspiracy cases.

James A. Morsch, partner, Butler Rubin Saltarelli & Boyd LLP, is a commercial litigator experienced in class actions, trade secret and restrictive covenants, unfair competition and distribution disputes, injunctions and in representing insurance companies in disputes.

The Hon. Rebecca R. Pallmeyer is a United States District Court Judge in the Northern District of Illinois.

Ralph H. Palumbo, founder, Summit Law Group, has tried cases in antitrust and trade regulation, environmental law, product liability, commercial and contract disputes,

and trade secrets/non-competition agreements.

Archis A. Parasharami, partner at Mayer Brown LLP, is co-chair of the Consumer Litigation & Class Action Practice and a member of the Supreme Court & Appellate Practice.

Stephen M. Rummage, partner at Davis Wright Tremaine LLP, has defended consumer class actions, securities fraud claims, right of publicity actions, contract disputes and construction.

Jonathan D. Selbin, partner, Lief Cabraser Heimann & Bernstein, LLP, heads the Economic Injury Product Defect Practice Group, representing plaintiffs in consumer protection and defective product cases.

Sam S. Sheldon, partner and head of the Health Care Practice Group, Quinn Emanuel Urquhart & Sullivan, LLP, represents companies and senior executives in litigation before the federal government including Department of Justice and Department of Health and Human Services.

Joseph J. Siprut, founder and managing partner of Siprut PC, focuses on cases against powerful, well-funded adversaries. He has been appointed lead or co-lead class counsel in some of the largest class actions in the country.

Matthew O. Sitzer, partner, Grippo & Elden LLC, represents businesses in lawsuits, arbitrations and class actions arising from financial transactions.

Dennis Stewart, partner at Hulett Harper Stewart LLP, has been lead counsel, principal counsel and/or trial counsel in antitrust, consumer and securities cases. Previously, he was with the Antitrust Division of the U.S. DOJ, participating in investigations and trials involving alleged criminal violations of the antitrust and related laws.

Howard S. Suskin, partner in the Litigation Department, Jenner & Block LLP, is Co-Chair of its Class Action Practice. He has first-chair experience representing clients in civil and criminal securities matters.

Scott Voelz, partner, O'Melveny & Myers LLP, represents clients in class and mass actions involving product liability and property damage claims, environmental and toxic tort cases.

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Chicago, Illinois

The Gleacher Center

450 North Cityfront Plaza Drive
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Who Should Attend:

Attorneys, business executives, and consultants involved with class action litigation and governmental officials involved with parallel investigations

You Will Learn About:

- *Class Action Fairness Act*
- *A proactive approach to ethical issues at the beginning, middle and end of the case*
- *Qui Tam litigation and parallel government investigations*
- *Arbitration agreements*
- *Telephone Consumer Protection Act cases and related insurance issues*
- *Developing trial strategies and approaches*
- *Recent developments in the Supreme Court, Seventh Circuit and Northern District of Illinois*
- *Evolving issues in privacy class actions*
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- *Consumer class actions: How are the lower courts interpreting and applying Comcast?*
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- *Securities class actions*
- *Preparing for and trying a price-fixing case*

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