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The 14th annual conference on litigating

Class Actions

Trends, tips and strategies from the Nation's leading class action experts



May 10 & 11, 2018

Seattle, Washington

1201 Third Avenue Building, 49th Floor

Credits: 11.00 WA CLE credits (incl. 1 ethics) (call about others)

Quick when/where: 8:30 a.m., 1201 Third Avenue

Class Actions Conference

May 10 & 11, 2018 | Seattle, Washington
1201 Third Avenue Building, 49th Floor

Yes! Please register me:

Name: _____

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If you cannot attend in person, check boxes to order:

- Live Homestudy Webcast Homestudy Replay
 Course Materials



800 Fifth Avenue, Suite 101 | Seattle, WA 98104
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- 8:30 Registration Opens**
- 9:00 Legal Ethics (Optional)**
Communication issues with putative class members by plaintiffs and defense counsel
John Strait, Esq., Emeritus Professor
Seattle University School of Law ~ Seattle, WA
- 10:00 Break**
- 10:15 Introduction to the Main Program**
Thomas L. Boeder, Esq., Program Co-Chair
Perkins Coie LLP ~ Seattle, WA
Timothy G. Fielden, Esq., Program Co-Chair
Microsoft Corp ~ Redmond, WA
- 10:30 Consumer Protection and the Opioid Crisis**
Update on deceptive trade practice lawsuits against Purdue Pharma by the State of Washington and Purdue Pharma and other manufacturers by several Washington cities; state regulatory perspective on the interplay with consumer class actions
Shannon E. Smith, Esq.
Chief of the Consumer Protection Division
Washington State Attorney General's Office ~ Seattle, WA
Opioids as a case study of the interplay between government regulatory activity and consumer protection class actions
Gretchen Freeman Cappio, Esq.
Keller Rohrback LLP ~ Seattle, WA
- 12:00 Lunch (on your own)**



- 1:15 2018 Annual Update on National Class Action Trends**
Charles B. Casper, Esq.
Montgomery McCracken Walker & Rhoads LLP
Philadelphia, PA
- 2:00 Article 3 Standing: Update on the Continuing Spokeo v. Robins Litigation**
Follow on decisions addressing when a plaintiff has sufficiently pled a concrete injury under Spokeo II
Rafey S. Balabanian, Esq.
Edelson PC ~ Chicago, IL
J. Warren Rissier, Esq.
Morgan Lewis & Bockius LLP ~ Los Angeles, CA
- 3:00 Break**
- 3:15 Establishing a Prima Facie Case: Update on the Use of Statistical Evidence**
Applying the analysis in Tyson Foods: Lessons from follow on wage and hour cases on the propriety of using statistical sampling and the soundness of the specific statistical methodology used; strategies for leveraging or disputing statistical evidence
Fred B. Burnside, Esq.
Davis Wright Tremaine LLP ~ Seattle, WA
- 4:00 Corporate Fraud Against Consumers**
Lessons from Diesel Gate, Wells Fargo fake accounts, Apple battery degradation, and other cases involving purposeful misconduct
Thomas E. Loeser, Esq.
Hagens Berman Sobol Shapiro LLP ~ Seattle, WA
Derek W. Loeser, Esq.
Keller Rohrback LLP ~ 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

What previous attendees have said:

- “Very well run conference on cutting edge issues. Thanks for everything.”
- “Impressive program and looking forward to next year.”
- “Excellent topics and quality speakers!”
- “Our firm determined this was the best Class Action seminar around.”

Key developments in class actions continued in 2017, with important cases involving cybersecurity, privacy, the Internet of Things, labor and employment, corporate acquisitions and securities, consumer protection, pharmaceuticals, and government investigations. Many court rulings emerged in these cases on legal issues such as Article III standing, arbitration clauses with class-action waivers, ascertainability, commonality, predominance, statistical evidence, appellate review, and settlements. Lower courts continue to interpret and apply opinions from the U.S. Supreme Court in cases such as Comcast, Concepcion, Dukes, Genesis Healthcare, Halliburton, and Spokeo. The Trump Administration, a Republican-controlled Congress, and revisions to the Federal Rules of Civil Procedure will bring further changes to class actions, yet these cases continue to proliferate with uncertain and mixed results. Please join us for this program covering important developments in class actions, with presentations demonstrating that such cases remain a lively area of law.

~ Program Co-Chairs: Thomas L. Boeder, Esq. of Perkins Coie LLP and Timothy G. Fielden, Esq. of Microsoft Corp



9:00 Trends in Data Breach Class Action Litigation; the Internet of Things (IoT) as a Developing Class Action Issue

Evolving security standards for IoT devices: How to identify industry standards and best practices for keeping up with moving goal posts; liability for hacking, and liability for the vendor's unauthorized use of information generated from IoT devices

Roxane A. Polidora, Esq. Pillsbury Winthrop Shaw Pittman LLP ~ San Francisco, CA

Evolving standards of care and case law trends for companies holding consumer data; implications for asserting and defending against class action claims

Todd M. Hinnen, Esq. Perkins Coie LLP ~ Seattle, WA

Equifax data breach case study: The role of class actions when government regulators decline to pursue penalties or remedies for consumers

Ralph Palumbo, Esq. Yarmuth Wilsdon PLLC ~ Seattle, WA

10:30 Break

10:45 Mergers & Acquisitions: Changing Federal Review Standards and the Potential for an Increase in Antitrust, Consumer Protection, and Securities Class Actions

How are DOJ and FTC review criteria changing under the Trump administration? To what extent will state antitrust enforcement actions and class action litigation fill the void?

Rebecca J. Francis, Esq. Davis Wright Tremaine LLP ~ Seattle, WA

Stephen E. Morrissey, Esq. Susman Godfrey LLP ~ Seattle, WA

11:45 Proving Damages

The economics: Current best thinking for measuring or estimating damages in antitrust, securities, and consumer protection cases, including quantification of the harm from data breaches and privacy violations

Steven Schwartz, Ph.D., Vice President CRA International Inc ~ Dallas, TX

12:15 Lunch (on your own)

1:30 Arbitration Clauses with Class Action Waivers: Labor Law Meets the Me Too Movement

Plaintiff and defense perspectives from the class action bar: Class actions as a remedy for sexual harassment and gender discrimination; other waiver issues including the consolidated NLRB cases at the Supreme Court

Lindsay L. Halm Schroeter Goldmark & Bender ~ Seattle, WA

Charles N. Eberhardt, Esq. Perkins Coie LLP ~ Bellevue, WA

2:30 Settlement Strategies for Class Actions and Multidistrict Litigation

Best practices for designing a settlement that the courts will approve; when not in court, adapting strategies for maximum success in ADR; tips for more effectively administering settlements once approved

The Hon. Thomas McPhee, Esq. JAMS ~ Seattle, WA

Emily Brubaker Harris, Esq. Corr Cronin Michelson Baumgardner Fogg & Moore LLP Seattle, WA

Gretchen Freeman Cappio, Esq. Keller Rohrback LLP ~ Seattle, WA

Members of the Faculty

3:30 Evaluations and Adjourn

Related Seminars & Webcast Replays:

Natural Resource Damages	March 1-2, 2018	Washington, DC
Washington's Public Records Act	March 16, 2018	Seattle, WA
Trade Secrets	March 23, 2018	Seattle, WA

See more at www.lawseminars.com



Registration & Other Conference Information

To Register:

Call us at: 206-567-4490
Fax the registration form to us at: 206-567-5058
Email us at: registrar@lawseminars.com
Online: 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 in person or webcast attendance for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$745. For students, people in their job for less than a year, and public interest NGOs, our rate is \$497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Materials will be available for download and review a few days before the seminar. Make checks payable to Law Seminars International. Financial aid is available to those who qualify. Contact our office for more information.

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 4, 2018. After that time, we will credit your tuition toward attendance at another program or the purchase of a webcast or audio replay.

Seminar Location: The conference will be held at the 1201 Third Avenue Building, 49th Floor at 1201 Third Avenue in Seattle, WA 98101. Thanks to Perkins Coie for making their conference space available. Lodging is available at a number of nearby hotels--use your favorite hotel

website to find the one that offers the best deal for you.

Continuing Education Credits: Live credits: This program qualifies for 11.00 (including 1 ethics) Washington CLE credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

Time Shift Your Content: Webcast and audio replays, with course materials, are available at the same price as live attendance. The course materials alone are available for \$100. Replays will be available within three business days after the seminar or from the date we receive payment.

Faculty: Class Actions Conference



Thomas L. Boeder, *Program Co-Chair* is a partner at Perkins Coie LLP. He was recently named a "Litigation Star" by *Benchmark Litigation* for 2018. His practice includes antitrust, class actions, consumer product liability and consumer protection litigation.



Timothy G. Fielden, *Program Co-Chair*, is Assistant General Counsel for Corporate, External, and Legal Affairs, at Microsoft Corporation. He represents the company in class actions, product liability, and commercial litigation.



The Hon. Thomas McPhee (Ret.) joined JAMS after serving 22 years on the Thurston County Superior Court where he presided over civil cases. He required dispute resolution in all civil cases and has conducted more than 300 settlement negotiations.



Rafey S. Balabanian is the Managing Partner of Edelson PC and its director of nationwide litigation. He has been appointed lead class counsel in more than two dozen class actions in state and federal court.



Fred B. Burnside, partner at Davis Wright Tremaine LLP, concentrates his practice in complex civil litigation and is Co-Chair of the Class Actions Defense Group.



Gretchen Freeman Cappio is a partner in Keller Rohrback LLP's Complex Litigation Group. She serves on the leadership team representing Volkswagen, Audi, and Porsche consumers multi-billion dollar emissions fraud litigation.



Charles B. Casper is chair of Montgomery McCracken's Class Action Defense practice. This includes consumer and antitrust class actions.



Charles N. Eberhardt is a partner at Perkins Coie LLP. He represents clients in employment class and collective action litigation.



Rebecca J. Francis, partner, Davis Wright Tremaine LLP, focuses her practice on complex civil litigation, with an emphasis on consumer class action defense.



Lindsay L. Halm, Schroeter Goldmark & Bender, represents workers and consumers in employment law, class action, products liability, and sexual assault matters.



Emily Brubaker Harris is the managing partner of Corr Cronin Michelson Baumgardner Fogg & Moore LLP. Her practice focuses on complex civil litigation including class action defense and employment litigation.



Todd M. Hinnen is a partner with Perkins Coie's Privacy and Security practice, where he counsels and represents clients in litigation regarding privacy, data security, compliance with law enforcement and national security issues.



Derek W. Loeser is a senior member of Keller Rohrback's Complex Litigation Group and maintains a national practice prosecuting class action and large-scale individual cases.



Thomas E. Loeser is a partner at Hagens Berman Sobol Shapiro LLP. He focuses on automobile defect litigation, class actions, consumer protection and data breach/identity-theft/privacy cases.



Stephen E. Morrissey is a partner at Susman Godfrey LLP. He has been involved in a number of high-profile class action cases on topics

ranging from toxic torts to securities litigation to copyright violations in the entertainment industry.



Ralph Palumbo, Yarmuth Wilsdon PLLC, has tried cases involving a broad spectrum of complex issues, including: antitrust and trade regulation; products liability; and class-action litigation.



Roxane A. Polidora is the firm-wide leader of Pillsbury Winthrop Shaw Pittman LLP's Antitrust & Competition practice. She has extensive experience handling class action lawsuits, including complex multi-district litigation, as well as district attorney and state attorney general investigations and litigation.



J. Warren Rissier, partner, Morgan Lewis & Bockius LLP, counsels on defense of class actions and other complex commercial litigation, with emphasis on consumer actions, securities.



Dr. Steven Schwartz, Ph.D., is vice president of CRA International Inc. He advises clients on a range of litigation matters, including securities, intellectual property, and antitrust disputes. Previously he was an antitrust economist in the Bureau of Economics at the Federal Trade Commission.



Shannon E. Smith is a Senior Assistant Attorney General and Chief of the Consumer Protection Division of the Washington State Attorney General's Office. Her responsibilities include managing the Consumer Protection Division's litigation, enforcement, consumer services, and outreach and education.



John Strait is Emeritus Professor of Law, Seattle University School of Law. He has consulted and lectured nationally on civil and criminal trial advocacy, legal and judicial ethics, and legal malpractice, and served on the Washington Supreme Court's Judicial Ethics Advisory Committee.

May 10 & 11, 2018

Seattle, Washington

1201 Third Avenue Building,
49th Floor

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(206) 694-5000

Who Should Attend:

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

You Will Learn About:

- *Opioids and the interplay between government regulatory activity and consumer protection class actions*
- *Article 3 standing: Pleading concrete injury under Spokeo II*
- *Establishing a prima facie case: the use of statistical evidence after Tyson Foods*
- *Corporate fraud: Lessons from recent cases involving purposeful misconduct*
- *Trends in data breach class action litigation*
- *The Internet of Things (IoT) as a developing class action issue*
- *M&A: The potential for an increase in antitrust, consumer protection, and securities class actions*
- *Proving damages: Current best thinking for measuring or estimating, including data breaches and privacy violations*
- *Arbitration clauses with class action waivers: Labor law meets the Me Too Movement*
- *Wrap up panel on settlement strategies*

To Register:

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