

Section on Toxic, Environmental, and Pharmaceutical Torts (STEP)

Hilton San Francisco
Golden Gate 2-3 (Lobby Level)

Chair: Leslie W. O'Leary, OR
Moderator: Marcus L. Stevenson, TX

Theme: Potential Ethics and Legal Hurdles in Toxic Torts

8:30 am **Opening Remarks/Elections**

8:45 am **Ethics of Fee Agreements in Mass Torts (ETHICS)**

- Limits on fees in mass tort settlements
- Joint ventures in mass torts
- Referral fees and advertising firms
- Multi-plaintiff settlements

Elizabeth J. Cabraser, CA
Yvonne M. Flaherty, MN
Hon. Sandra M. Moss, Ct. of Common Pleas,
Philadelphia County
Steven J. Skikos, CA

10:15 am **Status of Preemption After *Levine***
Leslie A. Brueckner, CA

10:55 am **Panel: Issues Facing Plaintiffs in Environmental Toxic Torts**

- Lead cases—paint and smelter
 - Vinyl chloride
 - Bisphenol-A
 - Benzene
- Gerson H. Smoger, J.D., Ph.D., TX
Mark R. Cuker, PA
Stephen D. Murakami, NY
Herschel L. Hobson, TX

12:00 pm **Lunch**

Theme: Causation and Legal Defenses in Toxic Torts

2:00 pm **Chinese Drywall**
Allan Kanner, LA

2:35 pm **Screening Toxic Tort Cases**
John C. Bell, GA
Thomas V. Girardi, CA
Raphael Metzger, CA

3:15 pm **Case-Specific Causation**
• Attacks on differential diagnosis as a reliable methodology
Leslie W. O'Leary, OR
• Differential diagnosis from an ER perspective
Paul K. Bronston, M.D., CA

3:55 pm **Lone Pine Orders: Latest Trends and How to Confront**
Ellen Relkin, NY

4:30 pm **Adjourn**

TUESDAY, JULY 28, 2009**Advocacy Track**

Hilton San Francisco
Continental Ballroom 4 (Ballroom Level)

Theme: Applying the Techniques at Trial
Presented with the Women Trial Lawyers Caucus

Chair: Yvonne M. Flaherty, MN
Moderator: Roopal P. Luhana, NY

8:30 am **Opening Remarks**

8:45 am **Demo: Jury Selection**
Lisa A. Blue, J.D., Ph.D., TX

9:30 am **Demo: Opening Statement**
Christine D. Spagnoli, CA

10:15 am **Demo: Living in an MTV World: Visual Presentation of Trial Evidence in an HRT Case**
Zoe Littlepage, TX

11:00 am **Demo: Closing Argument**
Randi C. McGinn, NM

11:45 am **Lunch**

Tuesday, July 28, 2009

ADVOCACY TRACK

Continental Ballroom 4 (Ballroom Level, Hilton San Francisco)

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Presented with the Women Trial Lawyers Caucus

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- 11:45 am **Lunch**

Afternoon theme: Integrating Storytelling into Every Part of Trial

Moderator: Mary Alice McLarty, TX

- 2:00 pm **Theme Development and Trial Story Principle**
James B. Lees, Jr., WV
- 2:40 pm **Storytelling—Getting to the Soul of the Witness in Direct**
R. Rex Parris, CA
- 3:20 pm **Storytelling in Cross**
Edward H. Moore, TX
- 4:00 pm **Storytelling in Argument: Finale and Curtain**
David B. Baum, CA
- 4:45 pm **Storytelling Style: How the Gender of the Storyteller Impacts Credibility**
(ethics/elimination of bias credit)
Laura Dominic, OR
- 5:45 pm **Adjourn**