



2010 ABA Annual Meeting

August 5–7, 2010

The Westin
Market Street

San Francisco, CA

ONSITE
GUIDE



12 hours of MCLE credit, including 4.5 hours of ethics credit, have been requested in 60-minute states, and 14.4 hours of MCLE credit, including 5.4 hours of ethics credit, have been requested in 50-minute states.

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Section of Litigation

Welcome.

Dear Colleagues:



Welcome to San Francisco and the 2010 ABA Annual Meeting. The ABA Section of Litigation is proud to present a great line-up of top-notch CLE from nationally recognized lawyers and judges who are dedicated to improving the profession and enhancing the skills of trial advocates of all levels. The programs are designed to provide practical approaches and to address some of the evolving issues in litigation practice.

Our CLE programs include *Shaping the Law: A Solicitors General Roundtable* with former Solicitors General Prof. Drew S. Days III, Prof. Charles Fried, Theodore B. Olson, and Kenneth W. Starr, trial skills training from top judges and lawyers, including *The Heart and Soul of Your Cases: Crafting a Winning Theme*; *Lawyer's Poker: Using the Lessons of Poker to Win Litigation*; *Negotiation for Young (and Old) Lawyers: What Every Lawyer Should Know About Making a Deal*; and much more!

This year's meeting, is as convenient as ever, with all of our CLE programs taking place in the Presidential CLE Centre, located at Moscone Center West, only a few short blocks from the Westin San Francisco Market Street, our headquarters hotel. If you have not yet purchased your All-Access CLE Badge, you may do so at the registration desk at Moscone Center West. The All-Access CLE badge will grant you admission to all CLE programs at the Annual Meeting.

Be sure to make time for the many opportunities to network with lawyers and judges from around the country during our Committee & Practice Area Coffee Networking Hour, programs, and special events. A limited number of tickets are still available for our special events, including the International Human Rights Award Luncheon (at the Westin San Francisco) with special guest speaker James J. Brosnahan, lion of the trial bar, as well as an elegant evening at the Contemporary Jewish Museum. Stop by the registration desk at the Moscone Center West to purchase your tickets.

I especially encourage you to stop by our Committee & Practice Area Coffee Networking Hour. It is free to all registrants, and is a great way to meet lawyers who share your interests and, for those who are interested, it offers a good opportunity to learn more about the Section's committees.

I look forward to seeing you at the CLE Centre programs and our networking events!

A handwritten signature in black ink that reads "Lorna G. Schofield". The signature is fluid and cursive.

Lorna G. Schofield
Chair, ABA Section of Litigation

MEETING HIGHLIGHTS

All programming will take place at the Moscone Center West unless otherwise indicated.

THURSDAY, AUGUST 5, 2010

10:30 am – 12:00 pm

PRESIDENTIAL SHOWCASE PROGRAM **Enforcing a Right to Counsel for Children:** **The Time Is Now**

ROOM 2001/2003, 2ND FLOOR

Children are removed from their homes and placed into state custody every day, yet depending on the state in which they live, they may not be represented by a lawyer in these life-impacting legal proceedings. This program will explore the role a lawyer should have for a child in the dependency court under the ABA Model Rules of Professional Responsibility and the barriers that exist in allowing lawyers to represent children.

Speakers:

Hon. Rosemary Barkett, U.S. Court of Appeals, Eleventh Circuit, Miami, FL
Hilarie Bass, Vice Chair, Section of Litigation, Greenberg Traurig, LLP, Miami, FL
Michael Dale, Nova Southeastern University Law Center, Ft. Lauderdale, FL
Prof. Diane Geraghty, Loyola University School of Law, Chicago, IL
Trenny Stovall, DeKalb County Child Advocacy Center, College Park, GA
Angela Vigil, Baker & McKenzie, Miami, FL

FRIDAY, AUGUST 6, 2010

10:30 am – 12:00 pm

PRESIDENTIAL SHOWCASE PROGRAM **Shaping the Law: A Solicitors General** **Roundtable**

ROOMS 2001/2003, 2ND FLOOR

The Solicitor General is responsible for representing the United States in the U.S. Supreme Court as well as supervising the positions taken in court by lawyers for the United States. In a roundtable format, former Solicitors General will discuss and debate several timely legal developments.

Speakers:

Marsha Coyle, *The National Law Journal*, Washington, DC
Prof. Drew S. Days III, Yale Law School, New Haven, CT
Prof. Charles Fried, Harvard Law School, Cambridge, MA
Gregory Garre, Latham & Watkins LLP, Washington, DC
Theodore Olson, Gibson, Dunn & Crutcher LLP, Washington, DC
Kenneth W. Starr, Baylor University, Waco, TX

SATURDAY, AUGUST 7, 2010

8:30 am – 10:00 am

The Roberts Court, Year Four: **Welcome Justice Sotomayor!**

ROOM 3016, 3RD FLOOR

As they have for the past three years, Kenneth W. Starr and Professors Days and Karlan will break down the 2009–10 Supreme Court term with their customary insightful, humorous, and poignant analyses. A standing-room-only crowd will once again appreciate and applaud these Supreme Court experts and their ability to provide not only a historical context to the Court's key opinions but also a constantly unfolding update on the future themes of a Court in transition.

Speakers:

John Barkett, Shook, Hardy & Bacon LLP, Miami, FL
Prof. Drew S. Days III, Yale Law School, New Haven, CT
Prof. Pamela Karlan, Stanford Law School, Stanford, CA
Kenneth W. Starr, Baylor University, Waco, TX

SCHEDULE AT A GLANCE

All programming will take place at the Moscone Center West unless otherwise indicated.

THURSDAY, AUGUST 5, 2010

10:30 am – 12:00 pm

- **PRESIDENTIAL SHOWCASE PROGRAM**
20/20 Vision: The Impact of Technology and Globalization on Ethics for the 21st Century Lawyer

Primary Sponsor:

ABA Commission on Ethics 20/20
ROOM 2016, 2ND FLOOR

- **PRESIDENTIAL SHOWCASE PROGRAM**
Enforcing a Right to Counsel for Children: The Time Is Now
ROOM 2001/2003, 2ND FLOOR

2:00 pm – 3:30 pm

- **One Step over the Line: The Long Road from Civility to Hardball and Beyond**
ROOM 3016, 3RD FLOOR
- **A Tale of Two Cases: Managing Discovery Costs and Minimizing Risks With and Without Outsourcing**
ROOM 3014, 3RD FLOOR

3:15 pm – 5:15 pm

- **Council & Annual Business Meeting**
WESTIN SAN FRANCISCO MARKET STREET, METROPOLITAN I, 2ND FLOOR

3:45 pm – 5:15 pm

- **A Power Shift: Client Development in the Age of Obama**
ROOM 3016, 3RD FLOOR
- **Social Networking Sites: Ethically Maximizing the Use of These Powerful Media**
ROOM 3014, 3RD FLOOR

6:30 pm – 8:00 pm

- **Welcome Reception**
WESTIN SAN FRANCISCO MARKET STREET, DUCCA PATIO

FRIDAY, AUGUST 6, 2010

8:00 am – 10:00 am

- **Judicial Intern Opportunity Program Collaborative Working Group Meeting**
WESTIN SAN FRANCISCO MARKET STREET, CORNELL, 3RD FLOOR

8:30 am – 10:00 am

- **The Heart and Soul of Your Cases: Crafting a Winning Theme**
ROOM 3016, 3RD FLOOR
- **Litigation in the Internet Age: Making Litigation Rules and Procedures Responsive to Today's Changed Landscape**
ROOM 3014, 3RD FLOOR

10:30 am – 12:00 pm

- **PRESIDENTIAL SHOWCASE PROGRAM**
Shaping the Law: A Solicitors General Roundtable
ROOMS 2001/2003, 2ND FLOOR

12:15 pm – 1:45 pm

- **International Human Rights Award and Passing of the Gavel Luncheon**
Featured Speaker: James J. Brosnahan, Morrison & Foerster LLP
WESTIN SAN FRANCISCO MARKET STREET, METROPOLITAN II & III, 2ND FLOOR

2:00 pm – 3:30 pm

- **Corporate Governance 2010: Don't Get Caught in the Past**
ROOM 3014, 3RD FLOOR
- **Negotiation for Young (and Old) Lawyers: What Every Lawyer Should Know about Making a Deal**
ROOM 3016, 3RD FLOOR

SCHEDULE AT A GLANCE

All programming will take place at the Moscone Center West unless otherwise indicated.

Friday, August 6, 2010, continued

3:45 pm – 5:15 pm

- **Can You Handle the Truth?**
ROOM 3016, 3RD FLOOR

3:45 pm – 5:15 pm

- **Celebrating Women on the Appellate Bench: A Mock Argument Examining Potential Gender Influences on Decision Making**
ROOM 3014, 3RD FLOOR

5:30 pm – 6:30 pm

- **Committee and Practice Area Coffee Networking Hour**
*WESTIN SAN FRANCISCO MARKET STREET,
METROPOLITAN I & II*

7:00 pm – 10:00 pm

- **An Evening at the Contemporary Jewish Museum**

SATURDAY, AUGUST 7, 2010

8:30 am – 10:00 am

- **Lawyer's Poker: Using the Lessons of Poker to Win Litigation**
ROOM 3014, 3RD FLOOR
- **The Roberts Court, Year Four: Welcome Justice Sotomayor!**
ROOM 3016, 3RD FLOOR

10:30 am – 12:00 pm

- **PRESIDENTIAL SHOWCASE PROGRAM**
The Digital Revolution and E-Discovery Present Dramatic Challenges for Lawyers, the Business Community, and the Courts
Primary Sponsor:
ABA Section of Science and Technology
ROOM 2001/2003, 2ND FLOOR

2:00 pm – 3:30 pm

- **Complaint vs. Indictment: The Bigger Picture at the Intersection of Civil and Criminal Justice**
ROOM 3016, 3RD FLOOR
- **Dial 911: Injunctive Relief for the Business Crisis**
ROOM 3014, 3RD FLOOR

2:00 pm – 5:00 pm

- **The Murder of Vincent Chin**
Primary Sponsor:
ABA Section of Tort Trial and Insurance Practice Section
ROOM 2009, 2ND FLOOR

3:45 pm – 5:15 pm

- **I Can See Clearly Now: Insights from the Nation's Top CLOs**
Primary Sponsor:
ABA Section of Science and Technology
ROOM 2010, 2ND FLOOR

5:30 pm – 7:00 pm

- **Networking Reception with the ABA General Practice, Solo and Small Firm Division**
*WESTIN SAN FRANCISCO MARKET STREET,
DUCCA PATIO*

7:00 pm – 9:00 pm

- **President's Reception**
*SAN FRANCISCO CITY HALL,
200 POLK STREET*

All programs will take place at the Moscone Center West unless otherwise indicated.

SUNDAY, AUGUST 8, 2010

8:30 am – 10:00 am

■ **Lawyers at Midlife: Planning for and Living the Rest of Your Life**

Primary Sponsor:

ABA Commission on Lawyer

Assistance Programs

PALACE HOTEL, MARINA, 2ND FLOOR

10:30 am – 12:00 pm

■ **PRESIDENTIAL SHOWCASE PROGRAM**
The Vanishing Line Between Criminal and Civil Securities Fraud: *SEC v. Goldman Sachs* and Other Recent Securities Fraud Actions

Primary Sponsor:

ABA Section of Criminal Justice

ROOM 2001/2003, 2ND FLOOR

MONDAY, AUGUST 9, 2010

7:15 am – 8:45 am

■ **House of Delegates Breakfast for Section of Litigation Members of the House**

ROOM 3020, 3RD FLOOR

THURSDAY, AUGUST 5, 2010

10:30 am – 12:00 pm

PRESIDENTIAL SHOWCASE PROGRAM
Enforcing a Right to Counsel for Children: The Time Is Now

ROOM 2001/2003, 2ND FLOOR

Children are removed from their homes and placed into state custody every day, yet depending on the state in which they live, they may not be represented by a lawyer in these life-impacting legal proceedings. This program will explore the role a lawyer should have for a child in the dependency court under the ABA Model Rules of Professional Responsibility and the barriers that exist in allowing lawyers to represent children.

Speakers:

Hon. Rosemary Barkett, U.S. Court of Appeals, Eleventh Circuit, Miami, FL

Hilarie Bass, Vice Chair, Section of Litigation, Greenberg Traurig, LLP, Miami, FL

Michael Dale, Nova Southeastern University Law Center, Ft. Lauderdale, FL

Prof. Diane Geraghty, Loyola University School of Law, Chicago, IL

Trenny Stovall, DeKalb County Child Advocacy Center, College Park, GA

Angela Vigil, Baker & McKenzie, Miami, FL

Sponsoring Committee:

Children's Rights Litigation

Co-Sponsoring Entities:

- ABA Center on Children and the Law
- ABA Center for Professional Responsibility
- ABA Commission on Homelessness and Poverty
- ABA Commission on Youth at Risk
- ABA Law Student Division
- ABA Section of Criminal Justice
- ABA Standing Committee on Legal Aid & Indigent Defendants
- ABA Standing Committee on Pro Bono and Public Service
- ABA Standing Committee on Specialization

PROGRAMMING

All programs will take place at the Moscone Center West unless otherwise indicated.

Thursday, August 5, 2010, continued

2:00 pm – 3:30 pm

One Step over the Line: The Long Road from Civility to Hardball and Beyond

ROOM 3016, 3RD FLOOR

Good ethics is good strategy, but many lawyers think scorched earth and hiding the ball are even better. This engaging program will explore the slippery slope of sharp practices and the many faces of hardball litigation, and it will show how litigators on the high road can gain an advantage over opponents engaging in such tactics.

Speakers:

Kenneth Berman, Nutter McClennen & Fish LLP, Boston, MA

Abbe Fletman, Flaster/Greenberg PC, Philadelphia, PA

Elaine Johnson James, Edwards Angell Palmer & Dodge LLP, West Palm Beach, FL

Jonathan Lerner, Skadden, Arps, Slate, Meagher & Flom LLP, New York, NY

Sponsoring Committee:

Business Torts Litigation

A Tale of Two Cases: Managing Discovery Costs and Minimizing Risks With and Without Outsourcing

ROOM 3014, 3RD FLOOR

Discover ways to manage e-discovery from our panel of veterans of electronic discovery battles as they explore how litigators in two complex cases with very different discovery approaches—one with outside discovery specialists and one involving just in-house discovery—efficiently and effectively managed the e-discovery challenges they encountered.

Speakers:

Laura Cullison, MassMutual, Chicago, IL

Richard Finkelman, Navigant Consulting, Inc., Los Angeles, CA

Robin Hulshizer, Latham & Watkins LLP, Chicago, IL

Mark Michels, Cisco Systems, Inc., San Jose, CA

Sponsoring Committee:

Pretrial Practice and Discovery

3:45 pm – 5:15 pm

A Power Shift: Client Development in the Age of Obama

ROOM 3016, 3RD FLOOR

From the Presidency to the Supreme Court, minority and female attorneys occupy the highest places of power and shoulder the greatest responsibility. An experienced and diverse panel discusses the impact current events have on the perception of minority and women lawyers' power and competency, and opportunities for increased diversity and business development.

Speakers:

Jacqueline Becerra, Greenberg Traurig, Miami, FL

Joseph Hanna, Goldberg Segalla LLP, Buffalo, NY

Joan Haratani, Morgan Lewis & Bockius LLP, San Francisco, CA

Joseph West, Wal-Mart Stores, Inc.,
Bentonville, AK

Sponsoring Committees:
Minority Trial Lawyer
The Woman Advocate

Social Networking Sites: Ethically Maximizing the Use of These Powerful Media

ROOM 3014, 3RD FLOOR

Attorneys' use of social networking sites is becoming increasingly popular. These tools provide an exciting and economical way to facilitate information sharing and business development. Our panel will discuss the professional opportunities provided by these tools, and offer advice on avoiding ethical pitfalls when using these sites.

Speakers:

Darryl Cross, LexisNexis, Chicago, IL
Prof. Stephen Gillers, New York University
School of Law, New York, NY
Thomas Goldstein, Akin Gump Strauss Hauer
& Feld LLP, Washington, DC
Paul Lippe, Legal OnRamp, Moffett Field, CA
Erika Rottenberg, LinkedIn, Mountainview, CA

Sponsoring Committee:
Professional Liability Litigation

Co-Sponsoring Committee:
The Woman Advocate

FRIDAY, AUGUST 6, 2010

8:30 am – 10:00 am

The Heart and Soul of Your Cases: Crafting a Winning Theme

ROOM 3016, 3RD FLOOR

Using multimedia presentations and live demonstrations by expert trial lawyers, we will explore how to create a compelling theme and story for your case that resonates in pretrial pleadings and hearings, depositions, trial arguments and witness examinations, in post-trial pleadings, and on appeal.

Speakers:

Cindy Andrews, DecisionQuest, Torrance, CA
Elizabeth Cabraser, Lieff Cabraser Heimann &
Bernstein LLP, San Francisco, CA
Hon. Consuela M. Callahan, U.S. Court of
Appeals for the Ninth Circuit, Sacramento, CA
Cynthia Cohen, Verdict Success,
Manhattan Beach, CA
Brian Sun, Jones Day, Los Angeles, CA

Sponsoring Committee:
Trial Practice

Litigation in the Internet Age: Making Litigation Rules and Procedures Responsive to Today's Changed Landscape

ROOM 3014, 3RD FLOOR

Many lawyers and clients believe that civil procedure, particularly in the federal courts and involving e-discovery, has made litigation so expensive that only the wealthy can afford it. This program will discuss current developments and future action, following the recent May 2010 conference of federal practitioners and judges at Duke Law School.

Speakers:

Loren Kieve, Kieve Law Offices,
San Francisco, CA
Hon. Mark Kravitz, U.S. District Court,
New Haven, CT

PROGRAMMING

All programs will take place at the Moscone Center West unless otherwise indicated.

Friday, August 6, 2010, continued

Lorna Schofield, Chair, Section of
Litigation, Debevoise & Plimpton LLP,
New York, NY

Stephen Susman, Susman Godfrey LLP,
Houston, TX

Sponsoring Special Committee:
Future of Civil Litigation

10:30 am – 12:00 pm

PRESIDENTIAL SHOWCASE PROGRAM

Shaping the Law: A Solicitors

General Roundtable

ROOMS 2001/2003, 2ND FLOOR

The Solicitor General is responsible for representing the United States in the U.S. Supreme Court as well as supervising the positions taken in court by lawyers for the United States. In a roundtable format, former Solicitors General will discuss and debate several timely legal developments.

Speakers:

Marsha Coyle, *The National Law Journal*,
Washington, DC

Prof. Drew S. Days III, Yale Law School,
New Haven, CT

Prof. Charles Fried, Harvard Law School,
Cambridge, MA

Gregory Garre, Latham & Watkins LLP,
Washington, DC

Theodore Olson, Gibson, Dunn &
Crutcher LLP, Washington, DC

Kenneth W. Starr, Baylor University, Waco, TX

Sponsoring Committee:

Trial Practice

Co-Sponsors:

- ABA Law Student Division
- ABA Section of Antitrust Law
- ABA Section of Intellectual Property Law
- ABA Section of Tort Trial &
Insurance Practice

2:00 pm – 3:30pm

**Corporate Governance 2010: Don't Get
Caught in the Past**

ROOM 3014, 3RD FLOOR

New trends in corporate governance law and practice at the start of a new decade, including the extent to which rules governing director conduct and liability are changing. Come learn about new strategies by plaintiffs and defendants in corporate governance cases, and the impact of these new strategies on boardroom behavior.

Speakers:

Anne Box, Robbins Geller Rudman &
Dowd LLP, San Diego, CA

Koji Fukumura, Cooley LLP, San Diego, CA
Stephen Radin, Weil Gotshal & Manges LLP,
New York, NY

Chief Justice Myron Steele, Delaware
Supreme Court, Wilmington, DE

Sponsoring Committee:

Corporate Counsel

**Negotiation for Young (and Old) Lawyers:
What Every Lawyer Should Know About
Making a Deal**

ROOM 3016, 3RD FLOOR

Negotiation is an essential skill for every lawyer. This program presents the fundamentals of effective negotiation, including preparing, presenting your position, and closing the deal. In addition, the program will explore strategies for dealing with difficult situations often encountered by lawyers, and it will discuss the ethics of legal negotiation.

Speakers:

Prof. Cindy Archer, Loyola Law School,
Los Angeles, CA

David Coale, K&L Gates LLP, Dallas, TX

Michael LeBoff, Hodel Briggs Winter, LLP,
Irvine, CA
Betty Shumener, DLA Piper, Los Angeles, CA

Sponsoring Committee:
Commercial and Business Litigation

3:45 pm – 5:15 pm

Can You Handle the Truth?

ROOM 3016, 3RD FLOOR

Using video clips of mock jury deliberations, the panel will examine what happens during jury deliberations, focusing on how recent dramatic societal changes have changed the dynamics in the jury room. What can trial lawyers do to deal with unconscious or unexpressed prejudices held by jury members? How does having four generations represented on the jury affect their interactions?

Speakers:

Cristina Arguedas, Arguedas, Cassman &
Headley, Berkeley, CA
Catherine Conway, Akin Gump Strauss Hauer
Feld LLP, Los Angeles, CA
Susan Fillichio, DecisionQuest, Torrance, CA

Sponsoring Committee:
Trial Evidence

Co-Sponsoring Committee:
The Woman Advocate

Celebrating Women on the Appellate Bench: A Mock Argument Examining Potential Gender Influences on Decision Making

ROOM 3014, 3RD FLOOR

The growing number of woman appellate judges gives cause for celebration. But what role, if any, does their gender play in deciding appeals? A mock argument of a gender-sensitive hypothetical, to a panel of all woman judges, provides a platform to consider the concepts debated during Justice Sotomayor's confirmation.

Speakers:

Hon. Consuelo M. Callahan, U.S. Court of
Appeals for the Ninth Circuit, Sacramento, CA
Chief Justice Marilyn Kelly, Michigan Supreme
Court, Lansing, MI
Karen Precella, Haynes and Boone, LLP,
Fort Worth, TX
Chief Justice Chase Rogers, Connecticut
Supreme Court, Hartford, CT
Susan Estrich, Quinn Emanuel Urquhart
& Sullivan LLP, Los Angeles, CA
Paul Watford, Munger, Tolles & Olson LLP,
Los Angeles, CA

Sponsoring Committee:
Appellate Practice

Co-Sponsoring Committees:
Minority Trial Lawyer
The Woman Advocate

SATURDAY, AUGUST 7, 2010

8:30 am – 10:00 am

Lawyer's Poker: Using the Lessons of Poker to Win Litigation

ROOM 3014, 3RD FLOOR

Expert trial lawyers and world class poker players will use multimedia, live demonstrations and audience participation to examine famous poker hands and several trial vignettes to show how poker and game theory can improve trial lawyers' skills in pretrial practice, trials, appeals and settlement negotiations.

Speakers:

Laura Besvinick, Hogan Lovells, Miami, FL
Fred Choi, TeleNav, Inc., Sunnyvale, CA
Linda Listrom, Chicago, IL
Lawrence Rosenberg, Jones Day, Washington, DC
Mark Seif, World Champion Poker Player,
Las Vegas, NV

Sponsoring Committee:
Trial Evidence

PROGRAMMING

All programs will take place at the Moscone Center West unless otherwise indicated.

Saturday, August 7, 2010, continued

The Roberts Court: Year Four, Welcome Justice Sotomayor!

ROOM 3016, 3RD FLOOR

As they have for the past three years, Kenneth W. Starr and Professors Days and Karlan will break down the 2009–10 Supreme Court term with their customary insightful, humorous, and poignant analyses. A standing-room-only crowd will once again appreciate and applaud these Supreme Court experts and their ability to provide not only a historical context to the Court's key opinions but also a constantly unfolding update on the future themes of a Court in transition.

Speakers:

John Barkett, Shook, Hardy & Bacon LLP,
Miami, FL
Prof. Drew S. Days III, Yale Law School,
New Haven, CT
Prof. Pamela Karlan, Stanford Law School,
Stanford, CA
Kenneth W. Starr, Baylor University, Waco, TX

2:00 pm – 3:30 pm

Complaint vs. Indictment: The Bigger Picture at the Intersection of Civil and Criminal Justice

ROOM 3016, 3RD FLOOR

A panel of civil and criminal litigators discuss challenges in defending clients facing exposure on two fronts, including stays of civil proceedings, joint defense agreements, privilege waivers, negotiating plea agreements, coordination between civil and criminal counsel, pleading the Fifth Amendment in civil discovery, and using civil settlements to avoid prosecution.

Speakers:

Amy Greer, Reed Smith LLP, Philadelphia, PA
John Hemann, Morgan, Lewis & Bockius LLP,
San Francisco, CA
Walter Loughlin, K&L Gates, New York, NY
Robert McGahan, Goodwin Procter LLP,
Los Angeles, CA

Sponsoring Committee:
Business Torts Litigation

Dial 911: Injunctive Relief for the Business Crisis

Through a series of interactive vignettes, experienced trial lawyers will reveal and examine key procedural and substantive concepts involved in seeking injunctive and other extraordinary relief within the context of a "business emergency."

Speakers:

Khaldoun Baghdadi, Walkup Melodia Kelly &
Scheonberger, San Francisco, CA
Christopher Garcia, Chicago, IL
Kirsten Stoll-DeBell, Merchant & Gould, PC,
Denver, CO

Sponsoring Committee:
Energy Litigation

CO-SPONSORED PROGRAMS

All programs will take place at the Moscone Center West unless otherwise indicated.

THURSDAY, AUGUST 5, 2010

10:30 am – 12:00 pm

PRESIDENTIAL SHOWCASE PROGRAM **20/20 Vision: The Impact of Technology and Globalization on Ethics for the 21st Century Lawyer**

ROOMS 2001/2003, 2ND FLOOR

Lawyers and law firms of all sizes and practice areas are experiencing technology-driven realities that did not exist eight years ago and that consumers of legal services demand they endorse. Because our world is shrinking, global legal practice developments are increasingly relevant to U.S. practitioners and clients. Hear from experts about the ethical challenges of virtual law offices, where clients interact with lawyers or access their files through online portals maintained in the “cloud,” globalization and attendant ethical and regulatory implications for outbound U.S. lawyers and inbound foreign lawyers, as well as legal process outsourcing.

This is a complimentary CLE program.

Speakers:

George Jones, Jr, Sidley Austin LLP,
Washington, DC
Stephanie Kimbro, Kimbro Legal Services,
Wilmington, NC
Steven Mark, Legal Services Commissioner,
New South Wales, Australia
Judith Miller, Washington, DC

Primary Sponsor:

ABA Commission on Ethics 20/20

SATURDAY, AUGUST 7, 2010

10:30 am – 12:00 pm

PRESIDENTIAL SHOWCASE PROGRAM **The Digital Revolution and E-Discovery Present Dramatic Challenges for Lawyers, the Business Community, and the Courts**

ROOMS 2001/2003, 2ND FLOOR

E-discovery is transforming how lawyers practice law and dramatically affecting the business

community and the courts. Explore the consequences of the digital revolution on business, access to justice for individuals and organizations, and courts immersed in uncharted territory in addressing digital evidence, particularly after the Supreme Court’s *Melendez-Diaz* decision.

Speakers:

Hon. John Facciola, U.S. District Court,
Washington, DC
Prof. Richard Marcus, UC Hastings College
of Law, San Francisco, CA
Lucy L. Thomson, CSC, Alexandria, VA

Primary Sponsor:

ABA Section of Science and Technology

2:00 pm – 5:00 pm

The Murder of Vincent Chin

ROOM 2009, 2ND FLOOR

This program explores the development and evolution of race-based hate crimes under federal law by examining the 1982 state and federal trials regarding the murder of Vincent Chin and the way later hate crimes such as the Matthew Sheppard case have been prosecuted. The panel will examine the role of prosecutors, defense counsel, and judges in these cases.

Primary Sponsor:

ABA Tort Trial and Insurance Practice Section

Co-Sponsor:

National Asian Pacific American Bar Association

3:45 pm – 5:15 pm

I Can See Clearly Now: Insights from the Nation’s Top CLOs

ROOM 2010, 2ND FLOOR

Financial Armageddon has been avoided in the markets. But companies large and small—including law firms and law departments—are still grappling with the consequences and implications of the Great Recession. Concurrently, the landscape for compliance, regulation, data protection, and privacy has become increasingly

CO-SPONSORED PROGRAMS

All programs will take place at the Moscone Center West unless otherwise indicated.

Saturday, August 7, 2010, continued

complex and must accommodate changing business models and new technologies such as social networks. Come learn what CLOs from leading-edge technology companies are doing to steer their companies through this challenging environment.

Speakers:

Tonik Barber, VIZ Media, LLC,
San Francisco, CA
Paula Boggs, Starbucks Coffee Co., Seattle, WA
Mary Doyle, Palm, Inc., Sunnyvale, CA
Nancy Heinen, Apple Computer, Inc.,
Portola Valley, CA
Alexander MacGillivray, Twitter,
San Francisco, CA

Primary Sponsor:

ABA Section of Science and Technology

SUNDAY, AUGUST 8, 2010

8:30 am – 10:00 am

Lawyers at Midlife: Planning for and Living the Rest of Your Life

PALACE HOTEL, MARINA, 2ND FLOOR

Lawyers at midlife, as young as 50, should begin planning for the time when they no longer practice law. Financial planning and the need for economic independence play a big role, but are not the only aspects to consider. This program looks at the emotional aspects and the need for meaningful engagement after transitioning from practice.

Speaker:

Mike Long, Attorney Counselor, Oregon
Attorney Assistance Program and author of
Lawyers at Midlife—Laying the Groundwork for the Road Ahead

Primary Sponsor:

ABA Commission on Lawyer
Assistance Programs

10:30 am – 12:00 pm

PRESIDENTIAL SHOWCASE PROGRAM

The Vanishing Line Between Criminal and Civil Securities Fraud: SEC v. Goldman Sachs and Other Recent Securities Fraud Actions

ROOM 2001/2003, 2ND FLOOR

Once, the line dividing criminal and civil securities fraud was clear. With the increasing criminalization of enforcement actions for securities fraud, that line continues to blur to the point where many believe it is nonexistent. This program will explore the complex legal issues surrounding charging civil and criminal securities frauds and the critical issues regarding the exercise of prosecutorial discretion in this area. The resolution of these questions is critical to every corporate executive.

Speakers:

Greg Andres, Deputy Assistant Attorney
General, Criminal Division, Justice
Department, Washington, DC
Hon. Cormac Carney, U.S. District Court,
Central District of California, Santa Ana, CA
(Invited)
Cheryl Evans, Special Counsel, U.S. Chamber
Legal Reform, Washington, DC
Tom Gorman, Porter Wright LLP,
Washington, DC
Robert Khuzami, Director of Enforcement
Division, Securities and Exchange
Commission, Washington, DC (Invited)
Prof. Ellen Podger, Stetson University College
of Law, Gulf Port, FL
Frank Razzano, Pepper Hamilton LLP,
Washington, DC

Primary Sponsor:

ABA Section of Criminal Justice

SOCIAL & NETWORKING EVENTS

All events will take place at the Westin San Francisco Market Street unless otherwise indicated.

THURSDAY, AUGUST 5, 2010

6:30 pm – 8:00 pm

Welcome and Outreach Reception

DUCCA PATIO

Join meeting attendees and featured speakers for this complimentary networking reception.

Complimentary Event; Event Code **LT01**

Sponsored by:



FRIDAY, AUGUST 6, 2010

12:15 pm – 1:45 pm

International Human Rights Award and Passing of the Gavel Luncheon

METROPOLITAN II & III, 2ND FLOOR

The International Human Rights Award honors an individual who has made substantial and long-term contributions in furtherance of civil rights, civil liberties, and/or human rights outside the United States. This year's Award recipient is Beatrice Mtetwa, a founding and current member of Zimbabwe Lawyers for Human Rights.



Join featured speaker, James J. Brosnahan, lion of the trial bar, for this year's keynote address. He has 50 years of civil and criminal trial experience. He has tried over 140 cases to verdict, including numerous high profile cases.

Ticketed Event: \$65; Event Code **LT02**

Sponsored by:

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5:30 pm – 6:30 pm

Committee & Practice Area Coffee Networking Hour

METROPOLITAN BALLROOM, 2ND FLOOR

Join Committee leaders and members on Friday afternoon for coffee, camaraderie, and networking. Because this event is open to all ABA Annual Meeting registrants, you will have the opportunity to network with attorneys from around the country in your practice area. Committees hosting tables during the coffee hour:

- Appellate Practice
- Children's Rights Litigation
- Condemnation, Zoning and Land Use Litigation
- Corporate Counsel
- Criminal Litigation
- Environmental Litigation
- Expert Witnesses
- Health Law Litigation
- Immigration Litigation
- Insurance Coverage Litigation
- Intellectual Property Litigation
- LGBT Litigator
- Minority Trial Lawyer
- Real Estate Litigation Committee
- Solo & Small Firm
- Woman Advocate

Complimentary Event; Event Code **LT04**

SOCIAL & NETWORKING EVENTS

All events will take place at the Westin San Francisco Market Street unless otherwise indicated.

7:00 pm – 10:00 pm

An Evening at the Contemporary Jewish Museum

Join your colleagues for a memorable reception at the Contemporary Jewish Museum.

Designed by Daniel Libeskind as a dynamic and welcoming space, the facility is a place to experience art, music, film, and literature, and to debate and meet other people.

CONTEMPORARY JEWISH MUSEUM

736 Mission Street

(between 3rd and 4th Streets)

Dress: Cocktail or Business

Ticketed Event: \$100; Event Code **LT03**

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SATURDAY, AUGUST 7, 2010

5:30 pm – 7:00 pm

Networking Reception with the ABA General Practice, Solo and Small Firm Division

Hosted by LexisNexis

DUCCA PATIO

Join members of the Section of Litigation, the General Practice, Solo and Small Firm Division, and LexisNexis for a complimentary networking reception designed for the general practice, solo and small firm attorney.

Complimentary Event; Event Code **GP03**

7:00 pm – 9:00 pm

President's Reception

This year's President's Reception will be held at the San Francisco City Hall, 200 Polk Street.

Ticketed Event: \$50; Event Code **PR-A**

Thank you to our 2010 ABA Annual Meeting Cochairs:

Buzz Hines, Farella Braun + Martel LLP

Amy Longo, O'Melveny & Meyers LLP

Maralee MacDonald, Boutin Gibson Di Giusto Hodell Inc.

Raymond Marshall, Bingham McCutchen LLP

GENERAL/REGISTRATION INFORMATION

REGISTRATION INFORMATION

All participants must register for the ABA Annual Meeting to attend CLE programs and receive housing. Please note that all ABA member registrants must pay the ABA Annual Meeting registration fee.

The Section of Litigation's headquarters hotel is:

The Westin San Francisco Market Street
50 Third Street
San Francisco, CA 94103
General Phone: 415-974-6400
General Fax: 415-543-8268

Section of Litigation Information Desk Hours (Located in the 3rd Floor Foyer of the Moscone Center West)

Thursday, August 5 1:30 pm – 5:30 pm
Friday, August 6 8:00 am – 5:30 pm
Saturday, August 7 8:00 am – 3:30 pm

Phone number for the Section's
Information Desk: 415-348-4519

TICKETED EVENTS

Tickets to events—e.g., The International Human Rights Award Luncheon and An Evening at the Contemporary Jewish Museum—can be purchased at the ABA Registration Desk, located in the Moscone Center West. Prepaid tickets are included in your ABA registration packet. Please note that tickets are subject to availability.

SECTION OF LITIGATION CLE TICKETS

This year, purchasing CLE is easier than ever. ABA member attendees can purchase an All-Access CLE Badge for a fee of \$595. This badge can be used for admittance to governance meetings, non-CLE programs and ALL CLE programs at the Annual Meeting, including those in the Presidential CLE Centre and at satellite hotels. Members whose primary focus at the Annual Meeting is governance, and who may only be able to attend a few CLE programs, can register for the Annual Meeting for a fee of \$320, which includes admittance to all governance and non-CLE programs, and purchase individual CLE program tickets for \$75 each. Discounted CLE program tickets will be available

to registered government lawyers and judges for \$35. The Law Student registration fee includes access to all CLE programs. Admittance to each CLE program will require one individual program ticket OR the All-Access CLE Badge. Registration for non-ABA Members is \$875 which includes the All-Access CLE Badge.

MCLE CREDIT

Accreditation has been requested for this program from every state with mandatory continuing legal education requirements for attorneys. Please check with your state agency for confirmation of general as well as ethics approval for any programs. Please call Tara Blasingame at 312-988-5664 with questions pertaining to the number of credit hours requested.

CANCELLATION AND REFUND POLICY

All requests for cancellations must be submitted in writing according to the procedures outlined below. Registration fees will be refunded, minus a \$50 processing fee, for cancellations, substitutions, or transfers.

After July 7, all cancellation requests must be accompanied by an explanation for cancellation. These requests must be sent in writing by email to abanet@xpressreg.net; by fax to 508-759-4552; or by mail to ABA/CDS/Travel Planners, San Francisco 2010, 107 Waterhouse Road, Bourne, MA 02532. Please include your Badge I.D. number on all correspondence. All requests for registration cancellations must be received by August 31, 2010, to receive a refund. There is no fee for cancelled guest registrations.

Unused CLE tickets are fully refundable until October 15, 2010. Unused CLE tickets, along with a request for a refund, must be sent to the ABA Meetings and Travel Department at 321 N. Clark Street, 16th Floor, Chicago, IL 60654.

No cash refunds will be made onsite in San Francisco. Credit card refunds will be processed immediately and may take up to two billing cycles to appear on your statement. Requests for cash or check refunds onsite at the Annual Meeting will be processed after the conclusion of the meeting.

SPONSORS & HOST COMMITTEE

Special thanks to our sponsors! The Section of Litigation gratefully acknowledges the following organizations for their sponsorship of our programming and events at the ABA Annual Meeting:

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Thanks to our 2010 Section of Litigation ABA Annual Meeting Host Committee members for their help in planning this valuable meeting.

Mary Alexander
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Joel Sanders
Nedra Shawler
Rojit Singla
Therese Stewart
Colleen Truden
Steve Walters
James Warren
Doug Young

CALENDAR OF UPCOMING CLE EVENTS

DATE	EVENT	LOCATION
October 14, 2010	National Institute on Class Actions Contact: ABA Service Center—(800) 285-2221 <i>Registration & Fee Required</i>	Hard Rock Hotel Chicago, IL
January 27 – 29, 2011	Environmental, Mass Torts and Products Liability Litigation CLE Seminar Contact: TBD—(312) 988-5662 <i>Registration & Fee Required</i>	The Silvertree Hotel Snowmass Village, CO
February 13 – 14, 2011	ABA Midyear Meeting Contact: Jennifer Walter—(312) 988-6246 <i>Registration Required</i>	TBD Atlanta, GA
February 17 – 20, 2011	Corporate Counsel CLE Seminar Contact: Lesley Roselle—(312) 988-6714 <i>Registration & Fee Required</i>	Naples Grande Beach Resort Naples, FL
March 3 – 5, 2011	Insurance Coverage CLE Seminar Contact: TBD—(312) 988-5662 <i>Registration & Fee Required</i>	The Westin La Paloma Tuscon, AZ
April 13 – 15, 2011	Section Annual CLE Conference Contact: Emily O'Keefe—(312) 988-6256 <i>Registration & Fee Required</i>	Fontainebleau Resort Miami Beach, FL
August 4 – 7, 2011	ABA Annual Meeting Contact: Lesley Roselle—(312) 988-6714 <i>Registration & Fee Required</i>	InterContinental Toronto Centre Toronto, Canada



www.abanet.org/litigation