

# 4<sup>th</sup> National In-House Counsel Conference on MANAGING COMPLEX LITIGATION

Ensuring corporate control over litigation strategies

FEBRUARY 6-7, 2007  
PARK CENTRAL HOTEL | NEW YORK, NY

## FEATURING EXCEPTIONAL FACULTY FROM:

Altria Corporate Services, Inc.  
American Express Company  
AOL TIME WARNER INC.  
Celanese Corporation

Cingular Wireless  
Dow AgroSciences  
Federation of Defense &  
Corporate Counsel

THE HOME DEPOT  
JAMS, The Resolution Experts  
Lexington Insurance Company  
MassMutual Financial Group

Medtronic, Inc.  
Pfizer Inc.  
Seton Hall University School of Law

### Special Panel: View From the Bench

*The Honorable*  
**Mark I. Bernstein**  
Court of Common Pleas  
(Philadelphia, PA)

*The Honorable*  
**Richard Kramer**  
Complex Litigation  
Department,  
San Francisco Superior Court  
(San Francisco, CA)

### MASTER CLASSES — THURSDAY, FEBRUARY 8, 2007

A: Master Class for Developing an Electronic Discovery Plan in Preparation of Complex Litigation

B: Master Class on Document Retention Challenges in Litigation and Regulation

Learn the most recent developments in complex litigation regarding:

- Government involvement in class action litigation
- New CAFA developments
- Creating a viable exit strategy
- Controlling costs
- Document management and the new FRCP e-discovery rules
- Protecting business objectives
- The role of special masters

### Hear From Distinguished Special Masters



**Kenneth R. Feinberg**  
Founder  
The Feinberg Group, LLP  
Special Master of the Federal September 11th Victim Compensation Fund of 2001  
(New York, NY)



**Gregory P. Miller**  
Founding Shareholder  
Miller Alfano & Raspani, P.C.  
Special Discovery Master in the Multi-District Litigation matter  
*In re: Diet Drugs Products Liability Litigation*, MDL No. 1203  
(Philadelphia, PA)

COCKTAIL RECEPTION HOST

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## Gain Control Over Costly Complex Litigation

**M**anaging a class action can cost a company millions of dollars a year, NOT including settlements and verdicts. These costs include everything from attorney fees to discovery costs. Developing a strategy for managing and controlling costs in complex litigation is crucial for any company faced with the daunting possibility of a class action suit. In addition to these already difficult issues, there is an increase in government actions related to class action lawsuits, the consequences of CAFA are still being ironed out and the recent FRCP changes regarding e-discovery are creating new challenges to a company's document management policies.

### Ensure “Corporate” Control of Complex Litigation

American Conference Institute's 4th National In-House Counsel Conference on **MANAGING COMPLEX LITIGATION** will keep you well prepared by bringing you thoughtful, targeted and in-depth analysis. An experienced faculty of renowned defense practitioners in complex litigation, class actions and MDLs, distinguished special masters and jurists, and leading in-house counsel will show you how to evaluate the many factors that influence your decisions when managing any complex litigation, including CAFA, special masters, discovery, business objectives, jurisdictional concerns, ADR, mediation, insurance and ethical considerations.

#### Add Value to Your Experience by Attending one of our Interactive Master Classes

- A. Developing an Electronic Discovery Plan in Preparation of Complex Litigation
- B. Addressing Document Retention Challenges in Litigation and Regulation

### Reserve Your Spot Now at This Invaluable Event!

Take this opportunity to get the most updated and comprehensive information and advice you need from leading complex litigation counsel while you network with your peers and colleagues. You also will benefit from the detailed written materials prepared specifically for this event. Register now by calling 888.224.2480; by faxing your registration form to 877.927.1563; or registering online at [www.americanconference.com/complit](http://www.americanconference.com/complit).

*“I found the presentations to be substantive and illuminating.”*

March 2006  
*Beth Trent*  
Legal Director, Schering-Plough Corporation

*“Excellent content with conducive environment.”*

March 2006  
*Kathryn Lancaster*  
Associate Counsel, Legal Department, Regeneration Technologies, Inc.

### AGENDA-AT-A-GLANCE

- Preparing for the Interplay Between Government Actions and Complex Civil Litigation
- Making Corporate Litigation Decisions Based on CAFA Developments
- Creating and Adhering to a Viable Exit Strategy
- Fighting Class Certification
- Predicting and Controlling the Increasing Costs of Complex Litigation
- Comprehending the Electronic Discovery Related Changes to the FRCP
- Adjusting Your Document Management Plan to the New Realities of Discovery
- Protecting Business Objectives During Complex Litigation
- Coordinating Your Company's Defense: MDL Tactics and Strategies
- Understanding and Streamlining the Process for the Use of Mediation and ADR in Class Actions
- Considering the Unique and Growing Role of Special Masters
- The New Wave of Employment-Related Class Actions
- Securing and Protecting the Golden Goose – Insurance Protection for Complex Litigation
- A View from the Bench
- Educating the Court on Scientific and Technical Matters
- Ethical Constraints in Complex Litigation

**DAY 1 • TUESDAY, FEBRUARY 6, 2007**

**7:30 REGISTRATION AND CONTINENTAL BREAKFAST**

**8:15 CO-CHAIRS' OPENING REMARKS**



*Anne E. Cohen*  
Partner  
Debevoise & Plimpton LLP (New York, NY)



*Milton Lawrence Williams*  
Associate General Counsel, AOL TIME WARNER INC. (New York, NY)

**8:30 PREPARING FOR THE INTERPLAY BETWEEN GOVERNMENT ACTIONS AND COMPLEX CIVIL LITIGATION**



*Anne E. Cohen*  
Partner  
Debevoise & Plimpton LLP (New York, NY)



*Will Barnette*  
Senior Corporate Counsel – Commercial Litigation  
THE HOME DEPOT (Atlanta, GA)



*Milton Lawrence Williams*  
Associate General Counsel, AOL TIME WARNER INC. (New York, NY)

*As an unintended consequence of certain legislation, such as CAFA and Sarbanes-Oxley, you now are more likely to face government investigations – and the penalties that often accompany them – on top of complex litigation. This session will address effective strategies for anticipating this possibility, such as:*

- Assessing whether you are at risk for government action resulting from the complex litigation
- Evaluating the different areas where these suits are popping up
  - securities fraud suits
  - SEC, NYSE
  - trade cases
  - banking matters
  - shareholder suits
  - backdating of stock options
  - derivative suits
  - overpriced stocks
  - ERISA litigation
  - improper management of pension plans
  - employee whistleblower
  - consumer fraud lawsuits

- Developing strategies for interaction with regulatory agencies
  - dealing with multiple agencies
  - protecting the individual versus protecting the corporation
- Maintaining attorney/client privilege
  - options when the government presses for waiver of privilege in regulatory/criminal matters
  - what to do when the company also faces private civil claims based on the same facts
- Changing your litigation strategy when faced with government intervention
  - determining the interplay between the suits
  - putting a team together
  - should you get separate counsel for civil and governmental inquiries on the same matter?
  - avoiding unnecessary duplication of efforts and preventing teams from working at cross purposes
  - settlement discussion when faced with possible regulatory sanctions
  - looking at the big picture

**9:30 MAKING CORPORATE LITIGATION DECISIONS BASED ON CAFA DEVELOPMENTS**

*With the two-year anniversary of CAFA just around the corner, it is a good time to reflect on whether the new law has been effective. To that end, in this section, we will review some of the abuses that were taking place in the nation's state court system prior to the passage of CAFA, and provide insight on whether the new law has effectively resolved these issues, and had a significant impact on the way class action lawsuits are litigated in the United States. We also will provide an analysis of recent court opinions addressing CAFA, and discuss the measured approach that has been applied by the federal judiciary to date.*



*John P. Hooper*  
Partner, Co-Chair of the Litigation Department  
Chair of the Class Action and Mass Litigation Group  
Edwards Angell Palmer & Dodge LLP  
(New York, NY)

- Sean Quinn*  
Vice President and Associate General Counsel  
MassMutual Financial Group (Springfield, MA)
- Assessing the problems regarding class actions that existed prior to CAFA
  - Evaluating CAFA's impact on state court systems
    - assessment of its preclusive effect on forum shopping

- Considering potential loopholes and tactics employed by the plaintiffs' bar to circumvent the new legislation
- Reviewing recent case law addressing CAFA
- Looking toward the future – issues facing the federal judiciary

**10:30 MORNING COFFEE BREAK**

**10:45 CREATING AND ADHERING TO A VIABLE EXIT STRATEGY**



*Kathleen Strickland*  
Shareholder, Greenberg Traurig, LLP  
(Palo Alto, CA)



*John J. Mulderig*  
Associate General Counsel, Altria Corporate Services, Inc. (New York, NY)

*Neal S. Berrinhout*  
Associate General Counsel – Litigation  
Cingular Wireless (Atlanta, GA)

- Knowing what the documents are, including the "hot" documents
- Getting on top of the issues early on
- Penetrating the claims inventories
- Evaluating the exposure and liability
- Getting ahead of the science early
- Ascertaining your strategy
  - defending on principle
  - avoiding litigation
- Working with focus groups
- Choosing the right jurisdiction
  - state court versus federal court – advantages and disadvantages of both venues
  - removal options
  - current case law that could impact your decision
  - developing arguments and responses
- Analyzing what the defenses are
- Working flexibility into your strategy
- Developing a method and plan for dealing with co-defendants, including when they have competing interests
- Articulating strategy and justification to the CEO
- Specific case studies — at what stages do you make the strategic decisions?
- Contemplating and preparing for the outcome
  - evaluating potential damages
  - assessing whether punitive damages are a possibility
  - planning for settlement – tax consequences



# MANAGING COMPLEX LITIGATION

## 11:45 CONSIDERING THE UNIQUE AND GROWING ROLE OF SPECIAL MASTERS



**Kenneth R. Feinberg**  
 Founder, The Feinberg Group, LLP  
 Special Master of the Federal September 11th Victim Compensation Fund of 2001 (New York, NY)



**Gregory P. Miller**  
 Founding Shareholder, Miller Alfano & Raspanti, P.C.  
 Special Discovery Master in the Multi-District Litigation matter In re: Diet Drugs Products Liability Litigation, MDL No. 1203 (Philadelphia, PA)

- Assessing whether to propose using a special master
  - strategic considerations
  - appeal possibilities
  - cost
  - speeding up the process
- Understanding the reasons behind the increased use of Special Masters in complex litigation
- Identifying the myriad functions of a Special Master
  - collect, administer, and resuscitate settlement
  - class action notices
  - technical experts
  - coordinating electronic discovery
- Analyzing the limitations of the Special Master's power

## 12:45

### NETWORKING LUNCH



## 2:15 PREDICTING AND CONTROLLING THE INCREASING COSTS OF COMPLEX LITIGATION



**Steven Glickstein**  
 Partner, Litigation, Co-Chair, Product Liability  
 Kaye Scholer LLP (New York, NY)

**Beverly G. Baughman**

Senior Corporate Counsel, Pfizer Inc. (New York, NY)

- Setting the budget
  - evaluating litigation assumptions
  - determining appropriate resource levels
  - establishing the cost of deployed resources
  - techniques to minimize costs
  - mathematical models to predict costs
- Considering all cost variables
  - attorneys fees
  - national counsel
  - regional or local counsel
  - specialty counsel
  - document production costs
  - e-discovery

- vendor costs
  - information technology
  - experts
  - jury consultants
  - court reporters
  - graphic artists
  - courtroom technology
  - media consultants
  - cross disciplinary litigation
- Tracking litigation expenses
  - monthly projections
  - electronic billing
  - continuous updates
  - computer programs to track costs
- Analyzing litigation expenses
  - comparing actuals to budget
  - determining reasons for variances
  - need for constant vigilance
- Responding to challenges
  - preventing overruns before they occur
  - strategies for responding to changed assumptions
  - importance of devoting resources to budget management

## 3:15 AFTERNOON REFRESHMENT BREAK

## 3:45 COMPREHENDING THE ELECTRONIC DISCOVERY RELATED CHANGES TO THE FRCP



**Gene Klimov**  
 Director of Data Forensics  
 DOAR Litigation Consulting (New York, NY)

*The December 1, 2006 changes to the FRCP regarding electronic discovery require companies and counsel to address e-discovery issues early on in the litigation and work together in resolving their differences. Understanding and implementing these rules into your daily business practices and litigation strategy is crucial to effectively managing any complex litigation case today. In this session, Mr. Marinov will provide you with a practical framework for complying with the new rules.*

## 4:15

### ADJUSTING YOUR DOCUMENT MANAGEMENT PLAN TO THE NEW REALITIES OF DISCOVERY



**Stephanie A. (Tess) Blair**  
 Partner, Morgan, Lewis & Bockius LLP  
 (Philadelphia, PA)

**Laura M. Kibbe**  
 Senior Corporate Counsel, Managing Director -  
 Discovery Response Team, Pfizer Inc. (New York, NY)

- Debating how documents should be kept – should litigation or business concerns drive the maintenance of documents?
- Review of recent court rulings holding in-house lawyers and counsel responsible for failures to produce documents in e-discovery
- Developing and implementing an attorney-client privilege agreement
- Preparing an effective litigation response plan
  - preservation of documents
    - advising clients on particular facts/circumstances that trigger preservation
    - determining the standard
    - identifying what you need to preserve
  - scope of production
  - determining the initial milestones
  - standards on how to harvest and produce documents
  - protocol for document destruction
- Ensuring adherence to corporate policies on appropriate business communication
- Communicating and justifying your document management system to the courts
- Keeping the focus of the case on the merits
- Minimizing discovery costs, risks, and duplication of efforts
- Managing document collections and legal research libraries
- Providing efficient web-based case management systems
- A look at document management plans that work

## 5:30 CONFERENCE ADJOURNS TO DAY 2

### 5:30-6:30

#### NETWORKING COCKTAIL RECEPTION

HOSTED BY:

EDWARDS ANGELL PALMER & DODGE LLP



## DAY 2 • WEDNESDAY, FEBRUARY 7, 2007

### 8:15 CO-CHAIRS' REMARKS

### 8:30 PROTECTING BUSINESS OBJECTIVES DURING COMPLEX LITIGATION



**Stuart A. Alderoty**  
 Chief Litigation Counsel/Managing Counsel  
 American Express Company (New York, NY)



**John P. Hooper (Moderator)**  
Partner

Co-Chair of the Litigation Department  
Chair of the Class Action and Mass Litigation Group  
Edwards Angell Palmer & Dodge LLP (New York, NY)



**Ariba D. Adams**  
Senior Corporate Counsel, Pfizer Inc.  
(New York, NY)

**Jeanne Walker**  
Associate General Counsel, Celanese Corporation  
(Dallas, TX)

- Understanding the tension between running the business and managing litigation
- Developing well thought out reasons for business policies
- Addressing specific business concerns regarding accounting and financial reporting
  - financial reporting as a management tool
  - means of complying with various government requirements
- increased scrutiny of financial reporting procedures during complex litigation
- adjusting the ongoing accounting and financial reporting processes in order to reduce litigation risk
- Resolving financial, business, or strategic issues while preserving confidential business information
  - alternatives to submitting disputes involving proprietary information to a court for resolution
  - responding to discovery calling for production of confidential materials
- rules and strategies on sealing court records
- strategies where other parties are business competitors
- presenting confidential materials to the court
- Maintaining control of the litigation while keeping the business running
  - managing expectations
  - maintaining a healthy relationship between outside and in-house counsel
  - coordinating counsel from different firms
  - developing virtual law firms
  - effectively managing contract attorneys
- ensuring in-house counsel is part of the decision making process
- improving the outcome of complex litigation
- Winning the public relations battle
  - insights on how to better manage the media to prevent collateral damage
  - curing negative jury perceptions of the corporate defendant

9:30

**COORDINATING YOUR COMPANY'S DEFENSE: MDL TACTICS AND STRATEGIES**



**David Herr**  
Partner  
Maslon Law Firm (Minneapolis, MN)



**Barbara Ashley**  
Senior Legal Counsel  
Medtronic, Inc. (Minneapolis, MN)

- Knowing when and if to file a petition before the MDL panel
  - choosing whether to seek or to oppose MDL
  - consolidated instead
- Review of the MDL's decisions and trends
  - appearing before the panel
  - role of the MDL judge in trying the case
  - persuasive arguments for seeking consolidation
- Addressing the jurisdictional concerns associated with MDLs
  - spreading cases around to different jurisdictions
  - knowing the best jurisdictions to seek transfer to
  - managing federal and state multijurisdictional relations
  - coordinating parallel proceedings brought in multiple state courts
- Formulating strategies in MDL litigation
  - best utilization of the MDL panel
  - choosing which case to "push" first
  - considering the reverberations of your actions in other forums
- Analyzing the current status of the ALI Aggregate Litigation Project on MDL matters
- Understanding the enormous financial impact of MDL on the company

10:15

**MORNING COFFEE BREAK**

10:45

**UNDERSTANDING AND STREAMLINING THE PROCESS FOR THE USE OF MEDIATION AND ADR IN CLASS ACTIONS**



**Michael D. Young, Esq.**  
JAMS, The Resolution Experts  
(New York, NY)

- Determining whether early resolution through settlement is appropriate
  - developing the resolution strategy early on - prior to costly discovery
- considering the use of mediation
- Developing strategies for effectively using mediation to settle class action litigation

- choosing the mediator
- structuring the mediation process
- conducting the mediation process
- Deciding whether to use arbitration clauses, including class action preclusion clauses
  - assessing and evaluating different types of arbitration clauses and different arbitration procedures
  - seeking to enforce arbitration clauses and/or class action preclusion clauses
- Conducting class-wide or putative class-wide arbitrations
  - applicable rules
  - litigating class issues in arbitration

11:15

**FIGHTING CLASS CERTIFICATION**



**Perry A. Napolitano**  
Partner, Reed Smith LLP  
(Pittsburgh, PA)



**J. Douglas Richards**  
Partner, Milberg Weiss Bershad & Schulman LLP  
(New York, NY)



**The Honorable Mark I. Bernstein**  
Court of Common Pleas  
(Philadelphia, PA)

*In this section, experienced plaintiff and defense counsel will present a hypothetical class certification oral argument. In the process you will learn:*

- Whether you should fight class certification
- Key arguments for defeating class certification
- Responses to commonly argued plaintiff points

12:00

**THE NEW WAVE OF EMPLOYMENT-RELATED CLASS ACTIONS**



**Gerald L. Maatman, Jr.**  
Partner  
Seyfarth Shaw LLP (Chicago, IL)

**Karen L. Cipriani**  
Complex Claims Examiner, Lexington Insurance  
(Boston, MA)

- Considering CAFA's impact on employment-related class actions and developing strategies to protect employers
- Analyzing key class action cases and emerging theories for workplace class actions that companies will face in 2007 and beyond
  - determining whether the exposure will be different or a manifestation of newly emerging theories
  - what extent are certain types of companies at a greater risk due to recent decisions?
- Assessing employers' vulnerability to employment discrimination class actions

# MANAGING COMPLEX LITIGATION

- impact of *Dukes v. Wal-Mart* and other leading employment discrimination class action decisions on employers
- what's going to happen to Rule 23 theories and tactics in light of *Dukes* and the perspectives of plaintiffs, defendants, and courts?
- new EEOC tactics targeting big corporations for class action vulnerabilities
- cutting edge theories in race, gender, age and disability discrimination class actions and collective actions, and strategies for employers to limit and contain those theories
- winning defense strategies to defeat class certification theories in employment discrimination cases (and the plaintiff's views as to surmounting these defense strategies)
- Preparing for the flood of wage and hour fair labor standard class and collective actions being filed across the country
  - defeating class certification in wage and hour claims
  - using statistics, time and motion studies, and interview blitzes in exempt/non-exempt cases
  - assessing and defending California 17200 claims in wage and hour litigation
  - ascertaining the impact of *Sau-On* on certification battles
  - minimizing exposure in and defending against the explosion in meal break and rest period class actions
  - new exposures and practical strategies for reducing risk in off-the-clock claims
  - winning strategies for preventing class actions and FLSA collective actions
- Determining whether audit programs can be used to assess and reduce exposure



## 12:45 NETWORKING LUNCH

### 2:00 SECURING AND PROTECTING THE GOLDEN GOOSE – INSURANCE PROTECTION FOR COMPLEX LITIGATION



**Dan D. Kohane**  
Partner, Hurrwitz & Fine, P.C.  
President, Federation of Defense & Corporate Counsel (Buffalo, NY)

- Appreciating risk awareness and insurance procurement
  - understanding the types of risk that are creating by business conduct

- using coverage counsel and insurance brokers, in tandem, to assess risk and contemplate eventualities
- building an “insurance team” and recognizing skill sets
- securing and providing “litigation insurance” for anticipated claims
- Determining duties of notification, cooperation and protecting policyholder rights
  - assessing when, and to whom, notice of a claim or lawsuit should be given
  - participating in selection of defense counsel
- Understanding the opportunity, obligation and rights of being an “Additional Insured”
  - where can other coverage be located, once a claim is made?
  - what duties are owed to carriers to whom you have not paid a premium, but from whom you may enjoy protection?
  - the role and importance of “other insurance” clauses
- Recognizing conflicts in multiple party litigation

## 2:45 AFTERNOON REFRESHMENT BREAK

### 3:00 A VIEW FROM THE BENCH



*The Honorable Mark I. Bernstein*  
Court of Common Pleas  
(Philadelphia, PA)



*The Honorable Richard Kramer*  
Complex Litigation Department  
San Francisco Superior Court (San Francisco, CA)

*Take advantage of this rare opportunity to hear from judges with class action and complex litigation dockers. Learn firsthand what procedures are most effective at conveying your message to the fact finder, including summary jury trials, what works best to explain complex expert concepts, and what other strategies have proven most successful in the courtroom.*

### 4:00 EDUCATING THE COURT ON SCIENTIFIC AND TECHNICAL MATTERS



**Dean T. Barnhard**  
Partner, Barnes & Thornburg LLP  
(Indianapolis, IN)

**Guy Relford**

Global Litigation Counsel  
Dow AgroSciences (Indianapolis, IN)

- Understanding the present standards for admissibility of scientific evidence

- What are the courts doing now to provide foundational and more detailed education to judges on science & computer technology?
- Evaluating the different views – can and should the courts be educated on scientific matters?
- Practical steps in the life of a complex technical case
  - should you attempt to lay out the scientific background for the court?
  - how can you present the materials in a practical and ethical fashion?
  - dealing with and presenting experts to the court

### 4:45 ETHICAL CONSTRAINTS IN COMPLEX LITIGATION



**Howard M. Erichson**  
Professor of Law  
Seton Hall University School of Law (Newark, NJ)

- Addressing the specific ethical issues in class actions
  - conflicts of interest
  - ethical constraints in class actions
- Handling the ethical issues in non-class aggregate settlements
  - conflicts of interest in mass settlements and informed consent
  - the aggregate settlement rule: disclosure and informed consent
- Settlements that restrict future practice
  - Dealing with ethics of joint defense groups
  - confidentiality
  - conflicts of interest

### 5:45 CONFERENCE CONCLUDES

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**Benjamin Greenzweig**  
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# MASTER CLASSES: THURSDAY, FEBRUARY 8, 2007

**A** 9:00 A.M. TO 12:30 P.M.  
*(Registration Begins at 8:30 a.m.)*

**MASTER CLASS FOR DEVELOPING AN ELECTRONIC DISCOVERY PLAN IN PREPARATION OF COMPLEX LITIGATION**

*Carolyn B. Sutherland*  
Special Counsel, Baker Botts LLP  
(Houston, TX)

*Laura M. Kibbe*  
Senior Corporate Counsel, Managing Director -  
Discovery Response Team, Pfizer Inc.  
(New York, NY)

*With the new changes to the FRCP regarding electronic discovery in effect as of December 1, 2006, it is imperative for your company to be prepared. In this hands-on interactive workshop, your experienced leaders will provide you with detailed instruction on how to develop a cost-effective system of electronic discovery that also conforms to the new rules. Point of discussion include:*

- Developing processes for litigation holds that will survive challenge
- Creating a team to respond to discovery
- Preparing efficient and cost effective preservation methods
- Developing efficient and cost effective data review processes
- Avoiding the pitfalls created by data packrats
- Assessing the new obligations imposed by the federal rule amendments
- Dealing with opposing counsel under the rule amendments

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**B** 2:00 P.M. TO 5:00 P.M.  
*(Registration Begins at 1:30 p.m.)*

**MASTER CLASS ON DOCUMENT RETENTION CHALLENGES IN LITIGATION AND RETENTION**

*Heather S. Heidelbaugh*  
Shareholder, Babst, Calland, Clements & Zomnir, PC  
(Pittsburgh, PA)

*In light of recent increased scrutiny by regulators, competitors, and potential plaintiffs, your client needs to understand what best practices will help it maximize compliance and the overall effectiveness of its document retention policies. This intensive three-hour Master Class will provide a practical guide to maintaining a coherent, effective, consistent and comprehensive document retention policy. Don't miss this opportunity for practical insight on:*

- Establishing or improving on an effective document retention policy
- Effective techniques for ensuring compliance with an established policy
- Steps to establish the universal application of the policy and its consequences to your work force
- Auditing document retention policies to minimize claims of spoliation
- Reducing risk in the creation of "bad" documents, and controlling the dissemination of information within the company
- Ensuring that potentially relevant documents are not destroyed before applicable retention requirements of state or federal law (e.g., IRS, SEC and EEOC retention requirements) have been met

## WHO YOU WILL MEET

**In-House and Outside Counsel Practicing in:**

- Class Actions
- Complex Litigation
- Business Litigation
- Product Liability
- Consumer Fraud/Finance
- Employment Litigation
- Insurance Litigation

## CONTINUING EDUCATION CREDITS

Accreditation will be sought in those jurisdictions requested by registrants which have continuing legal education requirements. To request credit, please check the appropriate box on the Registration Form.



This course has been approved in accordance with the requirements of the New York State Continuing Legal Education Board in the amount of 16.5 hours, of which 1.0 hours will apply to ethics. An additional 4.0 credit hours will apply to Master Class A, 3.5 hours will apply to Master Class B.

ACI certifies that this activity has been approved for CLE credit by the State Bar of California in the amount of 14.0 hours, of which 1.0 hours will apply to ethics. An additional 3.5 credit hours will apply to Master Class A, 3.0 hours will apply to Master Class B.



**4<sup>th</sup> National**

In-House Counsel Conference on

# MANAGING COMPLEX LITIGATION

Ensuring corporate control over litigation strategies

FEBRUARY 6-7, 2007

PARK CENTRAL HOTEL | NEW YORK, NY

MASTER CLASSES  
THURSDAY, FEBRUARY 8, 2007

A: Master Class for Developing an Electronic Discovery Plan in Preparation of Complex Litigation

B: Master Class on Developing a Cost Metric Analysis for Complex Litigation

**PRIORITY SERVICE CODE:**

## REGISTRATION FORM

**ATTENTION MAILROOM:** If undeliverable to addressee, please forward to: LITIGATION COUNSEL, VP LITIGATION

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YES! Please register the following delegate(s) for the

*4<sup>th</sup> National In-House Counsel Conference on MANAGING COMPLEX LITIGATION*

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Conference & One Workshop A or B

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