

ABA Litigation Section

2023 Litigation Section Annual Conference

April 19–21, 2023
Loews Atlanta Hotel
Atlanta, GA

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ABA[®]
AMERICAN BAR ASSOCIATION
Litigation Section

From Orangeburg to Ahmaud: Civil Rights in the United States Then and Now Thursday, April 20 | 9:15 AM–10:30 AM | General CLE

This panel will look at the Orangeburg Massacre from the perspective of a survivor and draw the parallels and differences between that event and more recent high-profile cases involving the deaths of minorities including George Floyd, Breonna Taylor, and Ahmaud Arbery. How far have we come? How far do we still have to go? What role do attorneys play in making our society more just and inclusive?



Hon. J. Michelle Childs
U.S. Court of Appeals for the
District of Columbia Circuit
MODERATOR



Bakari Sellers
Strom Law Firm LLC
CNN Political Analyst
SPEAKER



Dr. Cleveland Sellers, Jr.
Civil Rights Activist
SPEAKER

Resolving Mass Torts Through Bankruptcy: Are Non-Debtor Releases Lawful and Prudent?

Friday, April 21 | 9:00 AM–10:15 AM | General CLE

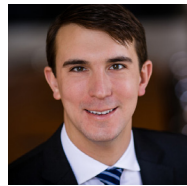
This panel will focus on the evolving practice of resolving mass torts through the bankruptcy process, look at the circuit split concerning non-debtor releases, and discuss whether non-debtor releases in bankruptcy are a prudent way to resolve mass torts.



William S. Sugden
Alston & Bird LLP
MODERATOR



Professor Ralph Brubaker
University of Illinois
School of Law
SPEAKER



Joseph C. Celentino
Latham & Watkins
SPEAKER



Professor Lindsey Simon
University of Georgia
School of Law
SPEAKER



Hon. Sage M. Sigler
U.S. Bankruptcy
Court for the
Northern District of
Georgia
SPEAKER

Supreme Court Review: The Rise of the Conservatives and the Changing Court

Friday, April 21 | 10:30 AM–11:30 AM | General CLE

This plenary will focus on the key decisions from the post-Kennedy Court, discuss trends in the decisions, and look forward to what may be coming next.



Neal Katyal
Hogan Lovells
Former Acting Solicitor General of the United States
SPEAKER

WEDNESDAY, APRIL 19

Welcome Reception | 5:00 PM–6:30 PM | *Included in Registration*

This kick-off reception provides an excellent opportunity to network, catch up with old friends and colleagues, and make new connections. Drinks and light hors d'oeuvres will be served.

Committee Dinners & Dine-Arounds | 7:30 PM–9:30 PM | *Pay on Own*

Gather with those who share your professional and practice interests. All attendees are welcome, including those who are not committee members or are new to the Litigation Section.

THURSDAY, APRIL 20

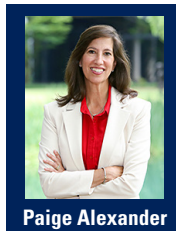
Networking Breakfast | 7:30 AM–9:00 AM | *Included in Registration*

Meet in small groups with Section leaders and newcomers to learn how the Litigation Section can deliver results for your practice and professional development.

John Minor Wisdom & Diversity Leadership Awards Luncheon

12:00 PM–1:15 PM | *Ticketed: \$100*

The Section will present the John Minor Wisdom Public Service and Professionalism Award and the Diversity Leadership Award at the luncheon, celebrating strides in equality of justice and diversity in the legal community. Our keynote speaker will be Paige Alexander, CEO of The Carter Center.



Paige Alexander



The John Minor Wisdom Public Service & Professionalism and Diversity Leadership Awards Luncheon is sponsored by Stone Pigman Walther Wittmann LLC.

50th Anniversary Reception (National Center for Civil and Human Rights)

6:30 PM–9:30 PM | *Ticketed: \$100*

As we honor the past, celebrate the present, and envision the future of the Section, we invite you to join us for a special reception at the National Center for Civil and Human Rights. Transportation will be provided.

FRIDAY, APRIL 21

Committee Networking Breakfast | 8:00 AM–9:00 AM | *Included in Registration*

Start your day by networking with litigators whose practice areas match yours. Learn how to get involved in the Section's 38 open-enrollment committees.

Networking Luncheon | 11:45 AM–12:45 PM | *Ticketed: \$75*

Our keynote speaker will be Hank Klibanoff, a veteran journalist; Pulitzer Prize winning author of *The Race Beat: The Press, the Civil Rights Struggle, and the Awakening of a Nation*; Peabody Award-winning podcast host of *Buried Truths*; and professor at Emory University.



Hank Klibanoff

SCHEDULE*

WEDNESDAY, APRIL 19

Time	CLE	Event
11:30 AM–6:00 PM		Registration
1:30 PM–2:30 PM	<i>General</i>	Breakout: Litigating in Bankruptcy Court: What Non-Bankruptcy Attorneys Need to Know
	<i>General</i>	Breakout: Advancing Litigation Objectives Through Strategic Communications
	<i>Ethics</i>	Breakout: Get Paid: Ethical and Effective Billing Practices for Lawyers
2:30 PM–2:45 PM		Networking Break
2:45 PM–3:45 PM	<i>General</i>	Breakout: How to Respond When the Expert Is Just Plain Wrong
	<i>General</i>	Breakout: A Review and Update on Civil Rule 30(b)(6)
	<i>Non-CLE</i>	Breakout: The Evolving Law Firm: How Law Firms Can Change to Survive (and Thrive) in Today's World—A Roundtable Discussion
3:45 PM–4:00 PM		Networking Break
4:00 PM–5:00 PM	<i>General</i>	Breakout: Prove It! Expected Amendments to the Federal Rules of Evidence, Including Those Relating to Expert Testimony
	<i>General</i>	Breakout: Hands Off My Human Capital! What You Need to Know about Antitrust in Labor and Employment Markets
	<i>General</i>	Breakout: Litigation Strategies on the Shift from Federalism to State Rights
5:00 PM–6:30 PM		Welcome Reception
7:30 PM–9:30 PM		Committee Dinners & Dine-Arounds

THURSDAY, APRIL 20

Time	CLE	Event
7:00 AM–5:00 PM		Registration
7:30 AM–9:00 AM		Networking Breakfast
9:00 AM–9:15 AM		Welcome Remarks: Mayor Andre Dickens
9:15 AM–10:30 AM	<i>General</i>	Plenary: From Orangeburg to Ahmaud: Civil Rights in the United States Then and Now
10:30 AM–10:45 AM		Networking Break
10:45 AM–11:45 AM	<i>General</i>	Breakout: Everything You Wanted to Know about Special Masters and Court-Appointed Neutrals
	<i>Ethics</i>	Breakout: Don't Be a Cautionary Tale: The Legal Ethics of Cybersecurity
	<i>General</i>	Breakout: From the Bench: Effective Use of Demonstratives, Presentation, and Persuasion

*Schedule as of 3/15/23. Subject to change.

SCHEDULE*

THURSDAY, APRIL 20 (Cont.)

Time	CLE	Event
12:00 PM–1:15 PM		John Minor Wisdom & Diversity Leadership Awards Luncheon (Ticketed: \$100)
1:30 PM–2:30 PM	<i>General</i>	Breakout: ESG, It's Easy as 123?
	<i>General</i>	Breakout: Anatomy of a Major Discovery Project
	<i>General</i>	Breakout: The Great Tuna Debate Continues: Proving Injury at Class Certification
2:30 PM–2:45 PM		Networking Break
2:45 PM–3:45 PM	<i>General</i>	Breakout: Mediator Insights: What You Should Know (and What Your Mediator Needs to Know) to Improve the Mediation Process
	<i>General</i>	Breakout: Social Media, Virtual Evidence, and Litigation
	<i>Ethics</i>	Breakout: Witness Ethics: Do Not Fall into the Trap
3:45 PM–4:00 PM		Networking Break
4:00 PM–5:00 PM	<i>General</i>	Breakout: Mock Trials: Effective Use Throughout Litigation
	<i>Non-CLE</i>	Breakout: Sometimes It's the Little Things: How to Maintain and Grow Your Relationship with Your In-House Clients
	<i>Elimination of Bias</i>	Breakout: To Be an Ally: A How-To Guide on How to Address Gender Identity and Gender Bias in the Court and How to Support Women and Minorities in the Legal Profession
6:30 PM–9:30 PM		50th Anniversary Reception (National Center for Civil and Human Rights) (Ticketed: \$100; Transportation will be provided.)

FRIDAY, APRIL 21

Time	CLE	Event
7:30 AM–2:00 PM		Registration
8:00 AM–9:00 AM		Committee Networking Breakfast
9:00 AM–10:15 AM	<i>General</i>	Plenary: Resolving Mass Torts Through Bankruptcy: Are Non-Debtor Releases Lawful and Prudent?
10:15 AM–10:30 AM		Networking Break
10:30 AM–11:30 AM	<i>General</i>	Plenary: Supreme Court Review: The Rise of the Conservatives and the Changing Court
11:45 AM–12:45 PM		Networking Luncheon (Ticketed: \$75)
1:00 PM–2:00 PM	<i>General</i>	Breakout: Crisis Management for Litigators: When "No Comment" Won't Cut It
	<i>General</i>	Breakout: Be Careful What You Wish For: The Rise of Mass Arbitration
	<i>Ethics</i>	Breakout: The Attorney-Client Privilege: An Ethics Challenge

*Schedule as of 3/15/23. Subject to change.

PROGRAMMING

WEDNESDAY, APRIL 19

Litigating in Bankruptcy Court: What Non-Bankruptcy Attorneys Need to Know

Litigating in bankruptcy court can be a trap for the unwary litigator. This program discusses common mistakes that are made by non-bankruptcy attorneys when appearing in bankruptcy court and how to be successful when appearing there.

1:30 PM–2:30 PM

Moderator: **Blakeley E. Griffith**, Snell & Wilmer LLP, Las Vegas, NV
Speakers: **David L. Gay**, Carlton Fields PA, Miami, FL; **James I. McClammy**, Davis Polk & Wardwell LLP, New York, NY; **Shayna M. Steinfeld**, Steinfeld & Steinfeld PC, Atlanta, GA

General CLE

Advancing Litigation Objectives Through Strategic Communications

This program equips lawyers and clients with the communication tools needed to navigate public opinion and effectively advance their litigation strategy. The panel will inform the audience on litigation trends; present tailored case study examples on hot topics from a variety of specialty areas such as Environmental, Social, and Governance (ESG), class actions, the environment, and entertainment litigation; provide a unique business development tool for lawyers to take away; and engage the audience through the live interactive panel format.

1:30 PM–2:30 PM

Moderator: **Rudy R. Perrino**, Kutak Rock LLP, Los Angeles, CA
Speakers: **Andrew Frank**, Karv Communications, New York, NY; **Seth Jacobson**, JCI Worldwide, Los Angeles, CA; **Rodney E. Slater**, Squire Patton Boggs, Washington, DC

General CLE

Get Paid: Ethical and Effective Billing Practices for Lawyers

Billing time is the lifeblood of most law firms. This program looks at the ethical rules applicable to billing clients and collecting fees. The panelists will also discuss best practices for billing and recording time with the goal of getting paid faster. Finally, the program will look at ways to avoid or address fee disputes with clients.

1:30 PM–2:30 PM

Moderator: **Jarvarus A. Gresham**, BakerHostetler LLP, Atlanta, GA
Speakers: **Jeanne Huey**, Hunt | Huey PLLC, Garland, TX; **Kim R. Jessum**, Heraeus Medical Components LLC, Philadelphia, PA; **Michael S. LeBoff**, Klein & Wilson, Newport Beach, CA

Ethics CLE

PROGRAMMING

WEDNESDAY, APRIL 19

How to Respond When the Expert Is Just Plain Wrong

The panel will discuss how to deal with expert screw-ups in the discovery and trial process, including citations to wrong standards and detrimental admissions on the stand. Hear perspectives from plaintiffs' counsel, defense counsel, and a federal judge.

2:45 PM–3:45 PM

General CLE

Moderator: **David A. Thomas**, Blank Rome LLP, Los Angeles, CA
Speakers: **Hon. Steve C. Jones**, U.S. District Court for the Northern District of Georgia, Atlanta, GA; **Kathryn S. Lehman**, King & Spalding LLP, Atlanta, GA; **Marlon A. Prime**, Brennan Manna Diamond LLC, Cleveland, OH

A Review and Update on Civil Rule 30(b)(6)

Attend for a discussion on the proper use of Civil Rule 30(b)(6), including proper notice, objections, resolving objections, taking the deposition, and use of the deposition in court.

2:45 PM–3:45 PM

General CLE

Moderator: **Aaron Krauss**, Cozen O'Connor PC, Philadelphia, PA
Speakers: **James King**, Porter Wright Morris Arthur LLP, Columbus, OH; **Ebony S. Morris**, Phelps Dunbar LLP, New Orleans, LA; **Lyzette Wallace**, Cohen Milstein Sellers & Toll PLLC, Washington, DC; **Keishunna Webster**, Butler Snow LLP, Ridgeland, MS

The Evolving Law Firm: How Law Firms Can Change to Survive (and Thrive) in Today's World—A Roundtable Discussion

Between COVID-19, empowered associates, mental health crisis, and threatened competition from paraprofessionals and non-attorney-owned firms, the old way of doing things no longer works. For law firms to thrive, they must adapt to the changing environment. This program will look at what law firms can do to best position themselves for the future.

2:45 PM–3:45 PM

Non-CLE

Moderator: **Scott E. Reiser**, Lum Drasco & Positan LLC
Speakers: **William Bay**, Thompson Coburn LLP, St. Louis, MO; **Harmony R. Gbe**, Hogan Lovells, Los Angeles, CA; **Rebecca Glatzer**, Major Lindsey & Africa, Atlanta, GA; **Amy M. Stewart**, Stewart Law Group PLLC, Dallas, TX

PROGRAMMING

WEDNESDAY, APRIL 19

Prove It! Expected Amendments to the Federal Rules of Evidence, Including Those Relating to Expert Testimony

4:00 PM–5:00 PM

General CLE

Every trial attorney, expert witness, and jurist needs to be aware of the proposed amendments to the Federal Rules of Evidence. They include proposed amendment to Rule 702 regarding admissibility of expert testimony. Experts often assist juries with scientific and technical matters, and their testimony can significantly influence a jury's decision. Proposed amendments would clarify and make uniform a court's review of expert testimony before it is presented. Join us to learn about this and other developments that may impact your next trial.

Moderator: **Sherilyn Pastor**, McCarter & English, LLC, Basking Ridge, NJ

Speakers: **Lorelie Masters**, Hunton Andrews Kurth LLP, Washington, DC; **Hon. Tiffany M. Williams Brewer (Ret.)**, Howard University School of Law, Washington, DC; **Hon. Timothy C. Batten, Sr.**, U.S. District Court for the Northern District of Georgia, Atlanta, GA

Hands Off My Human Capital! What You Need to Know about Antitrust in Labor and Employment Markets

4:00 PM–5:00 PM

General CLE

At a time when employees have strong leverage and flexibility in many job sectors throughout the country, the possibility that competitor companies may seek to agree not to hire each other's employees (so-called no-poach agreements), or agree to fix or limit what they pay their employees, is an ongoing (and perhaps growing) concern. Recent years have also witnessed an uptick in both enforcement actions by state and government antitrust agencies and civil litigation by private plaintiffs concerning such alleged agreements. And, most recently, the FTC announced it is seeking to ban nearly all employee non-competes. Please join our panel of antitrust practitioners as they discuss the recent hottest area of antitrust enforcement, including: why there is a focus on labor market antitrust now, recent criminal indictments and trials concerning wage-fixing and no-poach agreements, labor market antitrust class actions, civil enforcement trends, antitrust scrutiny of employee non-competes, and tips for minimizing risk.

Moderator: **Nasir Hussain**, Winston & Strawn LLP, Chicago, IL
Speakers: **Dean M. Harvey**, Lieff Cabraser Heimann & Bernstein LLP, San Francisco, CA; **Allison W. Reimann**, Godfrey & Kahn SC, Madison, WI; **Kristina Srica**, U.S. Department of Justice, Washington, DC; **Christopher Wilson**, Baker Botts LLP, Washington, DC

PROGRAMMING

WEDNESDAY, APRIL 19

Litigation Strategies on the Shift from Federalism to State Rights

4:00 PM–5:00 PM

General CLE

Join us as we discuss strategies on addressing the shift from federal laws that once protected certain civil rights, which now have been returned to the states for interpretation, and the impact on those states' residents.

Moderator: **Griselda Vega Samuel**, Mexican American Legal Defense and Educational Fund, Chicago, IL

Speakers: **Leah C. Aden**, Legal Defense & Educational Fund, Inc., New York, NY; **Luis R. Fraga**, University of Notre Dame, South Bend, IN; **Joseph Kanefield**, Snell & Wilmer LLP, Phoenix, AZ

THURSDAY, APRIL 20

From Orangeburg to Ahmaud: Civil Rights in the United States Then and Now

9:15 AM–10:30 AM

General CLE

This panel will look at the Orangeburg Massacre from the perspective of a survivor and draw the parallels and differences between that event and more recent high-profile cases involving the deaths of minorities, including George Floyd, Breonna Taylor, and Ahmaud Arbery. How far have we come? How far do we still have to go? What role do attorneys play in making our society more just and inclusive?

Moderator: **Hon. J. Michelle Childs**, U.S. Court of Appeals for the District of Columbia Circuit, Washington, DC

Speakers: **Bakari Sellers**, Strom Law Firm LLC, CNN Political Analyst, Columbia, SC; **Dr. Cleveland Sellers, Jr.**, Civil Rights Activist, Denmark, SC

Everything You Wanted to Know about Special Masters and Court-Appointed Neutrals

10:45 AM–11:45 AM

General CLE

Special masters (sometimes referred to as court-appointed neutrals) are becoming an increasingly tapped resource in litigation. This panel of accomplished special masters will discuss the profession, including what special masters do, how they get appointed, and the costs and benefits of using them. Panelists will also discuss tools for becoming a special master for those who are interested.

Moderator: **Merril Hirsh**, Academy of Court-Appointed Neutrals, Washington, DC

Speakers: **Carlos A. González**, The González Firm LLC, Atlanta, GA; **Cary Ichter**, Ichter Davis LLC, Atlanta, GA; **David M. Tenner**, Ridley McGreevy & Winocur PC, Denver, CO

PROGRAMMING

THURSDAY, APRIL 20

Don't Be a Cautionary Tale: The Legal Ethics of Cybersecurity

10:45 AM–11:45 AM

Ethics CLE

Data breaches and cyber threats involving or targeting lawyers and law firms are a major professional-responsibility and liability threat facing the legal profession. As custodians of highly sensitive information and client funds, law firms are attractive targets for hackers. The news has been filled with stories about data breaches and ransomware attacks on law firms. This interactive panel will discuss the ethical obligations regarding online communication, protection of client data, ethically sufficient security, and data breach notification requirements. It will also analyze common techniques used to breach law firm security; identify essential strategies and measures used to mitigate risk; and discuss how cyber risk insurance can provide tools, guidance, and coverage for a law firm dealing with a breach.

Moderator: **Geoffrey J. Miller**, Custom House Risk Advisors, New Haven, CT

Speakers: **Rachel Hudgins**, Hunton Andrews Kurth LLP, Atlanta, GA; **Neil B. Posner**, Much Shelist PC, Chicago, IL; **Dr. David Thaw**, University of Pittsburgh, Pittsburgh, PA

From the Bench: Effective Use of Demonstratives, Presentation, and Persuasion

10:45 AM–11:45 AM

General CLE

This program will cover what is working and what is not. It will include insights and examples from the bench on successes and failures with the use of trial graphics along with insights from an experienced trial graphics consultant.

Speakers: **George Inmon**, Blue Bear Solutions, Atlanta, GA; **Hon. Jeffery Cavender**, U.S. Bankruptcy Court, Atlanta, GA; **Hon. Shukura L. Ingram**, Superior Court of Fulton County, Atlanta, GA; **Hon. Eric Richardson**, Superior Court of Fulton County, Atlanta, GA

PROGRAMMING

THURSDAY, APRIL 20

ESG, It's Easy as 123?

1:30 PM–2:30 PM

General CLE

Navigating Environmental, Social, and Governance (ESG) considerations, developing ESG strategies, and managing ESG risks has become a hot topic and a top priority for our business clients, in-house counsel, and their outside lawyers. Scrutiny of ESG factors arises from the idea that companies should be operated not solely to maximize shareholder return, but with sensitivity to the concerns of all stakeholders, including institutional investors, customers, employees, suppliers, and even surrounding communities and advocacy groups. As such, ESG casts a very wide net. Our experienced panel will discuss the current ESG landscape and rapidly evolving litigation trends, including developments in ESG legislative initiatives, anti-ESG efforts, and ESG-related court decisions. Join us to learn the latest on this important topic that is impacting our corporate clients on a myriad of fronts across a wide array of legal practice areas.

Moderator: **Lara E. White**, Tulane University, New Orleans, LA
Speakers: **Cathleen M. Devlin**, Saul Ewing Arnstein & Lehr LLP, Philadelphia, PA; **James Gamble**, PricewaterhouseCoopers LLP, Saratoga Springs, NY; **Betsy A. Hellman**, Skadden Arps Slate Meagher & Flom LLP and Affiliates, New York, NY

Anatomy of a Major Discovery Project

1:30 PM–2:30 PM

General CLE

Young attorneys can become invaluable to their firms by becoming e-discovery experts. This program will provide an overview of the discovery process from start to finish, including preserving, searching for, and collecting electronically stored information (ESI). The panel of ESI experts will discuss best e-discovery practices as well as potential pitfalls to avoid.

Moderator: **Joseph V. Schaeffer**, Babst Calland Clements and Zomnir PC, Pittsburgh, PA
Speakers: **Bari Justin Goggins**, Apple Inc., Washington, DC; **Laura G. Readinger**, Potter Anderson & Corroon LLP, Wilmington, DE; **Bria Stephens**, Lawrence & Bundy LLC, Atlanta, GA

PROGRAMMING

THURSDAY, APRIL 20

The Great Tuna Debate Continues: Proving Injury at Class Certification

1:30 PM–2:30 PM

General CLE

In recent years, at class certification, courts around the country have increasingly focused their attention on plaintiffs' proof of class-wide damages. A split has developed across the circuits with respect to whether and in what amount a proposed class can include "uninjured" class members. The issue has come to a head in *Olean v. Bumble Bee Foods*, in which an en banc Ninth Circuit panel reinstated a district court ruling certifying a class, after another panel had reversed class certification. While the Supreme Court has declined to review the decision, the question of whether so-called uninjured class members may bar class certification will continue to pervade class action jurisprudence.

Moderator: **Beena M. McDonald**, Chimicles Schwartz Kriner & Donaldson-Smith LLP, San Francisco, CA
Speakers: **Justin T. Holcombe**, Skaar & Feagle LLP, Woodstock, GA; **Professor Nicole Iannarone**, Drexel University Thomas R. Kline School of Law, Philadelphia, PA; **David R. Singh**, Weil Gotshal & Manges LLP, Redwood City, CA

Mediator Insights: What You Should Know (and What Your Mediator Needs to Know) to Improve the Mediation Process

2:45 PM–3:45 PM

General CLE

Take a glimpse "behind the curtain" to collaboratively improve the mediation process and your chances of a successful mediated resolution. Learn firsthand from mediators and litigators—how should you prepare for mediation; when should it take place; who needs to be present; does it matter whether mediation is virtual or in-person; are there barriers to settlement; are there unrealistic expectations; and are emotions in play? Hear from the experts about how you can help them.

Moderator: **Sylvia Mayer**, S. Mayer Law, Houston, TX
Speakers: **Kelly Overstreet Johnson**, Overstreet Johnson Mediation & Arbitration, Tallahassee, FL; **Linda A. Klein**, Baker Donelson Bearman Caldwell & Berkowitz PC, Atlanta, GA; **Gregory J. Parent**, Miles Mediation & Arbitration, Atlanta, GA

PROGRAMMING

THURSDAY, APRIL 20

Social Media, Virtual Evidence, and Litigation

2:45 PM–3:45 PM

General CLE

The program will enable young attorneys and seasoned attorneys who are not familiar with social media and/or modern technology to properly identify, access, authenticate, and admit social media and other electronically stored discovery material into evidence in virtual and in-person evidentiary proceedings.

Moderator: **Eshigo P. Okasili**, Law Office of Eshigo P Okasili LLC, Silver Spring, MD
Speakers: **Rhani M. Lott Choi**, National Institute for Trial Advocacy, Atlanta, GA; **Hon. Keathan B. Frink**, Seventeenth Judicial Circuit of Florida, Fort Lauderdale, FL; **Paul Mark Sandler**, Shapiro Sher Guinot & Sandler, Baltimore, MD

Witness Ethics: Do Not Fall into the Trap

2:45 PM–3:45 PM

Ethics CLE

Litigators' lives revolve around witnesses. There are so many ethical minefields facing lawyers in this area that lawyers who do not walk carefully may be seeking advice from ethics counsel. No lawyer wants to do that. Attend to listen how to avoid those minefields and sleep better at night.

Moderator: **John S. Austin**, Austin Law Firm PLLC, Raleigh, NC
Speakers: **M. Laughlin Allen**, McGuireWoods, Atlanta, GA; **Keisha O. Coleman**, Ballard Spahr LLP, Atlanta, GA; **Tiffany Rowe**, Orrick Herrington & Sutcliffe LLP, Washington, DC

Mock Trials: Effective Use Throughout Litigation

4:00 PM–5:00 PM

General CLE

An esteemed panel of litigators and a jury consultant will discuss the benefits of mock trials throughout all stages of litigation. The panel will discuss how to ensure meaningful results by making informed decisions regarding the timing, scope, and format of the exercise.

Moderator: **Genevieve M. Sauter**, Noonan Lance Boyer & Banach LLP, San Diego, CA
Speakers: **Harold E. Franklin, Jr.**, King & Spalding LLP, Atlanta, GA; **Jill M. Leibold, PhD**, Litigation Insights, Los Angeles, CA; **L. Chris Stewart**, Stewart Miller Simmons Trial Attorneys, Atlanta, GA

PROGRAMMING

THURSDAY, APRIL 20

Sometimes It's the Little Things: How to Maintain and Grow Your Relationship with Your In-House Clients

4:00 PM–5:00 PM

Non-CLE

The world is full of excellent lawyers, and the competition for clients is fierce. Getting the client doesn't mean keeping the client. In-house counsel regularly make changes in the firms with whom they work, even when the existing client-counsel relationship appears strong. Lawyers who lose business often struggle to understand the reasons why. This program seeks to illuminate some of those reasons using a fireside chat format to explore the pragmatic and interpersonal aspects of in-house counsel's expectations and the selection process for outside counsel. A group of leading in-house attorneys who manage litigation on a daily basis will provide insights into what can sour or sweeten relationships between outside counsel and their in-house clients. The panel's discussion of real-world experiences should leave the audience not only with tips on how to keep clients, but also ways to use "the little things" to create a stronger client-counsel relationship.

Moderator: **Joan K. Archer**, AGI Digital, Leawood, KS
Speakers: **Elizabeth T. Timkovich**, Atlantic Union Bank, Huntersville, NC; **Lillian Caudle**, Mercedes-Benz USA, LLC, Atlanta, GA; **Kacy Goebel**, The Home Depot, Atlanta, GA; **Robin E. Perkins**, Wells Fargo Bank, Des Moines, IA

To Be an Ally: A How-To-Guide on How to Address Gender Identity and Gender Bias in the Court and How to Support Women and Minorities in the Legal Profession

4:00 PM–5:00 PM

Elimination of Bias CLE

Navigating the courts and the legal profession in general as a minority, woman, or identifying as an LGBTQ individual can be difficult. This program will focus on the power of allyship to promote equity in the legal industry so all its members feel safe and valued. It will also focus on how to properly address members of these communities properly in the court system.

Moderator: **Maria R. Butler**, Thompson Hine LLP, Atlanta, GA
Speakers: **Teresa M. Beck**, Klinedinst PC, San Diego, CA; **Celeste Fiore**, Trans Affirming Alliance, Montclair, NJ; **Hon. Tiffany L. Palmer**, Court of Common Pleas, Philadelphia, PA

PROGRAMMING

FRIDAY, APRIL 21

Resolving Mass Torts Through Bankruptcy: Are Non-Debtor Releases Lawful and Prudent?

9:00 AM–10:15 AM

General CLE

This panel will focus on the evolving practice of resolving mass torts through the bankruptcy process, will look at the circuit split concerning non-debtor releases, and will discuss whether non-debtor releases in bankruptcy is a prudent way to resolve mass torts.

Moderator: **William S. Sugden**, Alston & Bird LLP, Atlanta, GA
Speakers: **Professor Ralph Brubaker**, University of Illinois School of Law, Champaign, IL; **Joseph C. Celentino**, Latham & Watkins LLP, Chicago, IL; **Professor Lindsey Simon**, University of Georgia School of Law, Athens, GA; **Hon. Sage M. Sigler**, U.S. Bankruptcy Court for the Northern District of Georgia, Atlanta, GA

Supreme Court Review: The Rise of the Conservatives and the Changing Court

10:30 AM–11:30 AM

General CLE

This plenary will focus on the key decisions from the post-Kennedy Court, discuss trends in the decisions, and look forward to what may be coming next.

Speaker: **Neal Katyal**, Hogan Lovells; Former Acting Solicitor General of the United States, Washington, DC

Crisis Management for Litigators: When "No Comment" Won't Cut It

1:00 PM–2:00 PM

General CLE

What should you do when the mediator calls? This program will discuss best practices for dealing with the media. Discussion of when help for clients with sensitive and high-profile issues is an absolute necessity.

Moderator: **J. Rita McNeil Danish**, Signal Ohio, Columbus, OH
Speakers: **Peter K. Duda**, Weber Shandwick, New York, NY; **James C. Gulotta, Jr.**, Stone Pigman Walther Wittmann LLC, New Orleans, LA; **Laura Harris**, King & Spalding, New York, NY; **Heather White**, Allspring Global Investments, Charlotte, NC; **Lawrence J. Zimmerman**, The Law Office of Lawrence J. Zimmerman, Marietta, GA

PROGRAMMING

FRIDAY, APRIL 21

Be Careful What You Wish For: The Rise of Mass Arbitration

1:00 PM–2:00 PM

General CLE

In this program, a panel of experienced practitioners will discuss what happens after an order compelling arbitration, or when a group of claimants concedes that its claims are arbitrable. The recent proliferation of mass arbitration has subjected defendants to inefficiencies, administrative expense, and continued liability. We will discuss case studies and the latest strategies from both sides of the “v.”

Moderator: **Adam E. Polk**, Girard Sharp LLP, San Francisco, CA
Speakers: **Richard D. Freer**, Emory University School of Law, Atlanta, GA; **Robert J. Herrington**, Greenberg Traurig, Los Angeles, CA; **Dan R. Saeedi**, Taft Stettinius & Hollister LLP, San Francisco, CA; **E. Adam Webb**, Webb Klase & Lemond LLC, Atlanta, GA

The Attorney-Client Privilege: An Ethics Challenge

1:00 PM–2:00 PM

Ethics CLE

All lawyers know that they must take steps to protect the attorney-client privilege. But our panel will test the limits of that knowledge and—we promise—make you a better ethical lawyer!

Moderator: **John M. Barkett**, Shook Hardy & Bacon LLP, Miami, FL
Speakers: **Hon. Paul W. Grimm (Ret.)**, U.S. District Court for the District of Maryland, Baltimore, MD; **Jan L. Jacobowitz**, Legal Ethics Advisor, Miami, FL

REGISTRATION

REGISTRATION

Registration Fees	Through 4/5/23	After 4/5/23
Litigation Section Member	\$720	\$820
ABA Member: Join the Litigation Section*	\$785	\$885
Government/Academic/Public Service/Judge**	\$420	\$520
Young Lawyer** (age 35 or younger or in practice less than 5 years)	\$420	\$520
Law Student (law students can join the Section for free at ambar.org/ltjoin)	\$25	\$50
In-House Counsel (does not include solo practitioners, contract lawyers, vendors, partners, or employees of law firms)	\$395	\$495
ABA Member	\$820	\$900
Non-ABA Member	\$900	\$1,000

*ABA Members can join the Litigation Section for a \$65 fee and receive the Litigation Section Member registration rate. Membership pays for itself! Please note: Section membership will be applied within five business days.

**Rate applies to Litigation Section members only. Join the ABA at americanbar.org/membership. Already an ABA member? [Join the Section](#) for only \$65!

EVENTS AND TICKET PRICES

Wednesday, April 19

Welcome Reception	Included in Registration
Committee Dinners & Dine-Arounds	Pay on Own

Thursday, April 20

Networking Breakfast	Included in Registration
John Minor Wisdom & Diversity Leadership Awards Luncheon	\$100
50th Anniversary Reception (National Center for Civil and Human Rights)	\$100

Friday, April 21

Committee Networking Breakfast	Included in Registration
Networking Luncheon	\$75

Register at ambar.org/sac2023

MEETING MENTORS

Request a Meeting Mentor during the registration process to maximize your Conference experience. One of our Section leaders will contact you before the Conference to answer any questions you might have and meet you at the Welcome Reception to introduce you to others in the Litigation Section.

GENERAL INFO

Hotel Information

Loews Atlanta Hotel | 1065 Peachtree | Atlanta, GA

A block of rooms has been reserved at the discounted rate of \$234 plus tax per night. The deadline for room reservations at the discounted rate is **Friday, March 31, 2023 at 6:00 PM ET**. To reserve, use the direct link posted at ambar.org/sac2023 or call 404-745-5000 and reference the 2023 ABA Litigation Section Annual Conference. All reservations are subject to availability.

MCLE Information

The ABA will seek **11.5** hours of CLE credit (including 4.0 hours of ethics credit and 1.0 hour of elimination of bias credit) in 60-minute states and **13.8** hours of CLE credit (including 4.8 hours of ethics credit and 1.2 hours of elimination of bias credit) for this program in 50-minute states. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit americanbar.org/mcle for general information on CLE at the ABA.

Program Course Materials

Course materials will be sent in advance via email to registrants and posted online before the Conference. You may bring a laptop, smartphone, or tablet to view the materials onsite, as complimentary Wi-Fi access will be available.

Registration/Participant Image and Voice Agreement

Registration for, attendance at, or participation in the 2023 Litigation Section Annual Conference and other associated activities constitutes an agreement by the registrant to permit the ABA to use and distribute (both now and in the future) the participant's image or voice in photographs, videotapes, electronic reproductions, or audiotapes of such event.

Scholarships

A limited number of scholarships to defray tuition expense for CLE programs are available upon application, on a program-by-program and case-by-case basis. Preference will be given to public interest lawyers, government lawyers, full-time law professors, solo or small firm practitioners of limited means, and unemployed attorneys. Scholarship applications must be received by **Wednesday, March 29, 2023**. You will be notified prior to the program if your application is approved. A minimum fee may be charged on all approved scholarship applications to defray expenses. For programs with tuition costs over \$500, qualifying attorneys will receive at least a 50% reduction in the course fee(s).

GENERAL INFO

Cancellations and Substitutions

Registration cancellations must be made by **Wednesday, March 29, 2023**, and are subject to a \$50 administrative fee. No refunds will be provided for requests made after this date. Registrants who do not cancel before **Wednesday, March 29, 2023**, and who do not attend will receive a copy of the program materials after the conference. Written substitutions will be permitted until **Wednesday, March 29, 2023**. After this date, substitutions must be made onsite. Substitutions are not permitted once a registrant has registered onsite or the conference has occurred. Only the substitute will be eligible for CLE credit. The substitute and original registrant must work out the payment between themselves. Please submit all written requests to Monica Lockhart at monica.lockhart@americanbar.org. The ABA reserves the right to cancel any programs and assumes no responsibility for personal expenses. Please contact Monica Lockhart at 312-988-5498 with any questions.

Services for Persons with Disabilities

If special arrangements are required, please contact Monica Lockhart at monica.lockhart@americanbar.org. Please submit requests at least two weeks prior to the Conference.

Health & Safety

The ABA takes the health and safety of our members, guests, and staff seriously. We know that the decision whether to attend a meeting is based upon a variety of personal and business considerations. We will continue to monitor a variety of sources, including the U.S. Centers for Disease Control and Prevention (CDC) and U.S. state and local health authorities for the latest public health updates, as well as applicable restrictions on events and gatherings. The ABA plans to hold this meeting in person but reserves the right to cancel or reschedule this event or convert it to a virtual event if health and safety restrictions require it. We will update the registrants and the website should the plans for this event change. As part of the registration process to hold this ABA meeting in person, every attendee is required to affirm his/her commitment to comply with the in-person meeting guidelines. Please review the requirements posted online carefully prior to registering for the meeting.

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