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5th Annual Conference!

# Class Actions

Prosecuting and Defending Complex Litigation

March 5-6, 2009 • Fairmont • San Francisco

## Program Co-Chairs



**James E. Miller, Esq.**  
Shepherd, Finkelman, Miller & Shah  
Chester, CT



**Luanne Sacks, Esq.**  
DLA Piper  
San Francisco, CA

Dear Colleague:

Please join us at CLE International's Fifth Annual Class Actions Conference in San Francisco.

Class actions continue to be the most dynamic aspect of state and federal civil litigation. Whether you are involved in consumer, securities, employment or other types of class actions, this is one professional opportunity you will not want to miss!

At this Conference, you'll hear from an outstanding faculty of both plaintiff and defense attorneys. You'll discover innovative strategies to successfully litigate and meet the business and legal challenges of class actions from start to finish.

We hope to see you there.

**James E. Miller, Esq.**

**Luanne Sacks, Esq.**

Please Join Us for a **Private Networking Reception** Sponsored By:



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Schedule and Instructor Bios Inside

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## THURSDAY, MARCH 5

- 8:00 Registration and Continental Breakfast
- 8:30 **Welcome and Introduction**  
Overview of Day One  
**James E. Miller, Esq., Program Co-Chair**  
Shepherd, Finkelman, Miller & Shah, Chester, CT  
**Luanne Sacks, Esq., Program Co-Chair**  
DLA Piper, San Francisco, CA
- 8:45 **To File or Not to File**  
Identifying Viable Class Claims, Venue, and Representative Plaintiffs  
**Scott R. Shepherd, Esq.**  
Shepherd, Finkelman, Miller & Shah, Media, PA
- 9:30 **eDiscovery**  
The Pitfalls You Need to Avoid  
*Plaintiff Perspective*  
**Gretchen M. Nelson, Esq.**  
Kreindler & Kreindler, Los Angeles, CA  
*Defense Perspective*  
**Browning E. Marean III, Esq.**  
DLA Piper, San Diego, CA
- 10:30 Morning Break
- 10:45 **Pre-Certification**  
Dispositive Motions, Pleadings Challenges, Class vs. Merit Discovery  
*Plaintiff Perspective*  
**John W. Phillips, Esq.**  
Phillips Law Group, Seattle, WA  
*Defense Perspective*  
**Jacqueline M. Jauregui, Esq.**  
Sedgwick, Detert Moran & Arnold, Los Angeles, CA
- 11:45 **Class Certification**  
When, Where and How to Seek and Challenge?  
*Plaintiff Perspective*  
**James E. Miller, Esq., Program Co-Chair**  
*Defense Perspective*  
**Luanne Sacks, Esq., Program Co-Chair**
- 12:45 Lunch Break
- 2:00 **Jury Selection**  
Strategic Considerations in Exercising Challenges; Use and Role of Jury Consultants; Inquiring into Money Damages and Liability  
**Karen Jo Koonan, Senior Trial Consultant**  
National Jury Project, Oakland, CA
- 2:45 Afternoon Break
- 3:00 **Trials**  
Yes, Virginia, There Really Are Trials of Class Actions!  
*Plaintiff Perspective*  
**Kevin P. Roddy, Esq.**  
Wilentz, Goldman & Spitzer, Woodbridge, NJ  
*Defense Perspective*  
**Robert "Bo" D. Phillips Jr., Esq.**  
Reed Smith, San Francisco, CA
- 4:00 **Settlements**  
Practical and Strategic Issues—Both Before and After Certification  
*Plaintiff Perspective*  
**Francis O. Scarpulla, Esq.**  
Zelle Hofmann Voelbel Mason & Gette, San Francisco, CA  
*Defense Perspective*  
**Thomas L. Boeder, Esq.**  
Perkins Coie, Seattle, WA
- 5:00 Adjourn to Private Networking Reception  
*Sponsored by Resolution Economics*

## FRIDAY, MARCH 6

- 8:30 Continental Breakfast
- 9:00 **Welcome Back**  
Overview of Day Two  
**James E. Miller, Esq., Program Co-Chair**  
**Luanne Sacks, Esq., Program Co-Chair**
- 9:15 **Keynote Presentation: Ethics**  
Ethical Issues Involved in Mediating Class Actions  
**Mark Rudy, Esq.**  
Rudy, Exelrod & Zieff, San Francisco, CA  
**Hon. Howard B. Wiener (Retired)**  
San Diego, CA
- 10:15 Morning Break
- 10:30 **Appeals**  
Practical Considerations for Litigators  
**Ronald S. Kravitz, Esq.**  
Liner Yankelevitz Sunshine & Regenstreif, San Francisco, CA
- 11:15 **Consumer Class Actions**  
New Approaches to Class Action Notice: The Internet, Audience Fragmentation and the Rise of "Long Tail Media"  
**Cameron R. Azari, Esq., Director, Legal Notice**  
Epiq Systems, Beaverton, OR  
**Lauran Schultz, Director, Legal Notice**  
Epiq Systems, New York, NY
- 12:15 Lunch Break
- 1:30 **Securities Class Actions**  
Recent Developments in the Wake of the Financial Crisis  
**Peter Crudo, Chief Operations Officer**  
Gilardi & Co., San Rafael, CA  
**John P. Stigi III, Esq.**  
Sheppard, Mullin, Richter & Hampton, Los Angeles, CA  
**Joseph J. Tabacco Jr., Esq.**  
Berman DeValerio, San Francisco, CA
- 2:30 Afternoon Break
- 2:45 **Employment Class Actions**  
Legal and Expert Issues Regarding Certification and Liability  
**Nathan J. Oleson, Esq.**  
Akin Gump Strauss Hauer & Feld, Washington, DC  
**Ali Saad, PhD, Managing Partner**  
Resolution Economics, Beverly Hills, CA
- 3:45 **International Class Actions**  
Recent Developments at Home and Abroad  
*Plaintiff Perspective*  
**Lisa M. Mezzetti, Esq.**  
Cohen, Milstein, Sellers & Toll, Washington, DC  
*Defense Perspective*  
**Keara M. Gordon, Esq.**  
DLA Piper, New York, NY
- 4:45 Evaluations and Adjourn

### TELL US WHAT YOU WANT!

Do you have specific questions or topics you hope to see covered in this program? Would you like to see a Conference on another topic? Contact **CLE INTERNATIONAL** Program Attorney Stacie Kelly, [stacie@cle.com](mailto:stacie@cle.com).

### REACH YOUR TARGET AUDIENCE!

Would you like the opportunity to exhibit at or sponsor this or other **CLE INTERNATIONAL** conferences, and get your name out to our many prospective and actual attendees? Contact Barbara Hollingsworth, [barbara@cle.com](mailto:barbara@cle.com).

## PROGRAM CO-CHAIRS

**James E. Miller** focuses his practice on the prosecution of significant employment and defamation cases, securities class actions and consumer class actions. He also has significant experience handling antitrust and other complex commercial matters.

**Luanne Sacks** concentrates on class action defense, including antitrust, unfair competition, warranty, employment, insurance and product defect claims. She is a skilled trial lawyer who handles diverse complex commercial litigation.

## KEYNOTE PRESENTERS

**Mark Rudy** has served for over 20 years as a mediator in employment and business-related matters. He also litigates wrongful termination and employment discrimination cases.

**Howard B. Wiener** has been engaged in private dispute resolution since 1994, serving in more than 2,300 cases as a mediator, arbitrator and private judge. He previously served as an Associate Justice of the California Court of Appeal.

## FACULTY

**Cameron R. Azari** has more than eight years of experience in the design and implementation of legal notification and claims administration programs.

**Thomas L. Boeder** has more than 25 years of experience as a commercial litigator. His practice areas include antitrust, intellectual property litigation, class actions and consumer product liability and consumer protection litigation.

**Peter Crudo** oversees the business aspects of the company, which has been an industry leader in class action claims administration for nearly a quarter-century.

**Keara M. Gordon** focuses her practice on securities, financial and corporate litigation and counseling, internal investigations and class action litigation.

**Jacqueline M. Jauregui** primarily focuses on the defense of class actions and unfair competition cases. She has particular expertise in the insurance and financial services industry.

**Karen Jo Koonan** has been a trial consultant since 1987 and has worked on over 1,000 cases. She specializes in mock jury research, jury selection and preparing witnesses for testimony.

**Ronald S. Kravitz** has more than 20 years of experience as legal counsel in complex business litigation matters. His practice has been focused primarily on ERISA, employment, intellectual property, and securities-related matters.

**Browning E. Marean III** is co-chair of his firm's Electronic Discovery Readiness and Response Group. He specializes in complex business litigation, technology matters, professional responsibility, and knowledge management.

**Lisa M. Mezzetti** joined her firm in 1984, and is a member of the Securities Fraud/Investor Protection and the Consumer Protection practice groups. She has extensive experience in securities and consumer cases.

**Gretchen M. Nelson** focuses on the litigation of complex class action cases involving securities, antitrust, employment and consumer claims.

**Nathan J. Oleson** focuses his practice on complex and class action labor and employment litigation. He also counsels employers on compliance with a broad range of labor and employment statutory and regulatory regimes.

**John W. Phillips** has over 26 years of experience as a trial and appellate lawyer. He has significant expertise in mass tort product liability, consumer class actions and environmental exposure cases.

**Robert "Bo" D. Phillips Jr.** has extensive experience in class action defense, defense of claims of unfair competition, unfair business practices, and false advertising, as well as labor and employment, product liability and trade secret litigation.

**Kevin P. Roddy** concentrates his practice on complex litigation, including class actions alleging violations of federal and state antitrust, consumer protection, unfair trade practices, anti-racketeering, and securities fraud statutes.

**Ali Saad** is a labor economist and statistician. He has extensive experience in providing analyses related to certification, liability and damages in discrimination and wage and hour class action matters.

**Francis O. Scarpulla** specializes in complex civil cases, primarily antitrust lawsuits, many of which are class actions. He has represented plaintiffs in many federal antitrust class actions and has acted as lead counsel in many class actions in California.

**Lauran Schultz** specializes in innovative approaches to class action notice that utilize emerging trends in mass media and consumer behavior to balance judicial adequacy and cost.

**Scott R. Shepherd** concentrates his practice on the prosecution of consumer and securities class actions and False Claims Act cases. He is also experienced in handling complex commercial matters.

**John P. Stigi III** focuses his practice on securities class action and shareholder derivative action defense, SEC investigation defense, internal corporate investigations, mergers and acquisitions, and corporate governance litigation.

**Joseph J. Tabacco Jr.** actively litigates antitrust, securities fraud, commercial high tech, and intellectual property matters. He has served as trial or lead counsel in numerous antitrust and securities cases and has been involved in all aspects of state and federal litigation.

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## Cancellation

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Plaintiff and Defense Perspectives

March 5-6, 2009 • Fairmont • San Francisco

**Keynote Presentation: Ethical Issues Involved in Mediating Class Actions**



**Hon. Howard B. Wiener (Retired)**  
San Diego, CA



**Mark Rudy, Esq.**  
Rudy, Excelrod & Zieff  
San Francisco, CA

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