



**PLAC 2018 FALL CONFERENCE**  
*October 31 – November 2, 2018*

**Wednesday, October 31**

- 8:00 am – 1:00 pm **Board of Directors Meeting**
- 8:00 am – 2:00 pm **Golf Event**
- Noon – 5:00 pm **Registration**
- 4:30 pm – 5:30 pm **Women’s Networking Reception**
- 5:30 pm – 7:00 pm **Welcome Reception**
- 7:00 pm **Dine-Arounds**

**Thursday, November 1**

- 7:00 am – 8:00 am **Continental Breakfast**
- 8:00 am – 8:30 am **Welcome & Introduction**

**Annual Meeting of the Corporate Membership**

**Philip Quaranta, Esq.**  
*Mazak Corporation, represented by Wilson, Elser,  
Moskowitz, Edelman & Dicker LLP*  
**PLAC Vice Chair – Corporate**

**Angela A. Meyer, Ph.D., P.E.**  
**President & CEO**  
**PLAC**

**Program Introduction - Conference Co-Chairs**

**Patrick G. Seyferth, Esq.**  
**Bush Seyferth & Paige PLLC**

**Dara D. Mann, Esq.**  
**Squire Patton Boggs (US) LLP**

8:30 am – 9:30 am **Preview of the 2018-2019 U.S. Supreme Court Term**

It's a new day for a new Court. Learn what cases are on the docket and how the new alignment of Justices is likely to affect their outcome. What should we expect from Justice Kavanaugh?

**Paul W. Hughes, Esq.**  
**Mayer Brown LLP**

**M.C. Sungaila, Esq.**  
**Haynes and Boone, LLP**

9:30 am – 9:45 am **SCOTUS takes on Asbestos Causation – *Air and Liquid v. DeVries***

The Supreme Court rarely decides product liability issues, but is influential when it does. This term, the Court granted cert. to decide whether asbestos liability can extend to a manufacturer that did not make any asbestos-containing product to which the plaintiff was exposed. The stakes in so-called “bare-metal” cases are huge, and the implications extend beyond asbestos. PLAC has fought this issue for years in the lower courts. PLAC's thought leader in this area will discuss the case, the oral argument, possible outcomes, and potential repercussions.

**James M. Beck, Esq.**  
**Reed Smith LLP**

9:45 am – 10:00 am **Break**

10:00 am – 10:30 am **The Trend Toward Monster Verdicts—What Is Happening and What To Do About It**

Eight and nine figure verdicts are coming down with increasing frequency. If the trend continues, it will dramatically change the product liability landscape. We will discuss what is happening, why it is happening, what the plaintiffs are doing to perpetuate the trend and what we can do to stop it.

**Christopher C. Spencer, Esq.**  
**Spencer Shuford LLP**

## **Developing Issues in Product Litigation**

10:30 am – 11:00 am **Risk Implications of Artificial Intelligence in the Health Sciences**

Artificial Intelligence is finding its way into nearly every product, but nowhere is that risk more immediate, and personal, than in the health sciences. Find out how the industry is planning for the future, today.

**Mildred Segura, Esq.**  
**Reed Smith LLP**

**Stacy Scott**  
**Managing Director for Cyber Risk**  
**Kroll On-Track**

11:00 am – Noon **How Block Chain Technology Will Disrupt Product Litigation**

Block Chain technology is much more than cryptocurrencies. Find out what lawyers need to know about this technology, how it may affect product risk management, including the ability of manufacturers to track the distribution and health of component parts during the manufacturing and user lifecycle.

**Justin S. Wales, Esq.**  
**Carlton Fields**

Noon – 1:15 pm **Lunch**

## **Defending the Smart/Highly Technical Product**

1:15 pm – 2:00 pm **What is the Product? *Risk Management Considerations for the Smart/Technical Product***

Every products case is complex, but those involving software, embedded code, and highly complex technology are the increasing norm. Risk management for these products requires new thinking about product ID, design, warnings, and post-sale responsibilities.

Moderator  
**Patrick G. Seyferth, Esq.**  
**Bush Seyferth & Paige PLLC**

Corporate Panel

**Erinn D. DePorre, Esq.**  
**General Motors LLC**

**Erica Keller, Esq.**  
**Aptiv Plc**

**Rita McConnell, Esq.**  
**Medtronic, Inc.**

**Brian Mendonca, Esq.**  
**Google, Inc.**

**Kenneth Murata, Esq.**  
**Samsung Electronics America, Inc.**

2:00 pm – 3:00 pm    **Defense Strategies -- Discovery, Early Resolution, Trial, and Beyond**

Protecting trade secrets has never been more important than in litigation involving smart/highly technical products where the code is the product. Avoiding overbroad discovery, challenging jurisdiction and forum abuse, and driving early dismissal decisions can be the best path to protecting the company.

**Tammy L. Fanning, Esq.**  
**Continental AG**

**Dara D. Mann, Esq.**  
**Squire Patton Boggs (US) LLP**

**Megan L. Pizor, Esq.**  
**Litigation Management, Inc.**

3:00 pm – 3:15 pm    **Break**

3:15 pm – 4:00 pm    **Persuasive Techniques – Evidence, Experts, and Juries**

Explaining a highly complex product to judges and juries implicates new methods of explanation and persuasion. Find out how to keep the jurors engaged and on your side.

**Lori G. Cohen, Esq.**  
**Greenberg Traurig, LLP**

**Michael W. Hogue, Esq.**  
**Nelson Mullins Riley & Scarborough LLP**

**Philip K. Anthony, Ph.D.**  
**Chief Executive Officer**  
**DecisionQuest, Inc.**  
4:00 pm – 4:45 pm **Bringing it all Together – Case Study and Lessons Learned from Ford’s UA Litigation**

Lessons learned and takeaways from the front lines of Ford’s unintended acceleration litigation. Find out what worked, and what fell short, in defending this highly technical case; and what you need to know today to apply these best practices to your product risk management

**Peter J. Fazio, Esq.**  
**Aaronson Rappaport Feinstein and Deutsch, LLP**

*Panel of afternoon presenters*

6:00 pm **Reception & Dinner**

## **Friday, November 2**

7:00 am – 8:00 am **Continental Breakfast**

7:00 am – 7:50 am **Program Committee Breakfast**

8:00 am – 9:15 am **Breakout Session I**

### **Session A – Autonomous Vehicles and Products Action Group**

Panelists will discuss two topics: a design process for autonomous vehicle decision-making frameworks, and likely attacks that will be made by plaintiffs’ trial lawyers on existing advanced driver assistance systems.

8:00 am – 8:45 am: *A design process for autonomous vehicle decision-making frameworks.*

Moderator  
**Dale G. Markland, Esq.**  
**Markland Hanley**

**Christopher D’Angelo, Esq.**  
**Montgomery, McCracken, Walker & Rhoads, LLP**

**Robert Lange**  
**Exponent**

**Dennis Ziemba**  
**Eckert Seamans Cherin & Mellott, LLC**

8:45 am – 9:15 am: *Advanced Driver Assistance Systems*

Moderator  
**Tara Hanley, Esq.**  
**Markland Hanley**

**Steven Kramer, Esq.**  
**Eckert Seamans Cherin & Mellott, LLC**

**Ryan Harrington**  
**Exponent**

### **Session B – Global Regulation: Product Safety, Regulation and Compliance in the EU**

The product regulatory regime in Europe is undergoing significant change that will have important practical effects for international businesses. This presentation will bring you right up to date with those changes, as well as a viewpoint into the future, with deep practical insights from practitioners who are on the front line on a daily basis in dealing with the evolving regime across the EU, both at a policy and at a practical level.

**Rodney J. Freeman, Esq.**  
**Cooley (UK) LLP**

9:15 am – 10:30 am **Breakout Session II**

### **Session C – Consumer Products - Communications Decency Act**

One of the newest issues on PLAC's radar, outside traditional product liability, is the interpretation of the Communications Decency Act, 47 USC 230, which effectively provides a "get out of jail free" card for e-commerce retailers, thereby placing traditional PLAC retailers at a significant disadvantage. What are the pros and cons?

**Steven A. Burkhart, Esq.**  
**BIC Corporation**

**Christopher C. Hossellman, Esq.**  
**Buchalter**

### **Session D – Health Sciences - Innovator Liability**

No legal theory turns traditional product litigation more upside down than innovator liability. Hear two seasoned pharmaceutical lawyers debate the issues surrounding policies for and against innovator liability and learn about several recent and significant decisions on this topic.

**Randall L. Christian, Esq.**  
**Bowman and Brooke LLP**

**Marc E. Fishman, Esq.**  
**Novo Nordisk, Inc.**

10:30 am – 10:45 am **Break**

10:45 am – Noon **Ethics Presentation** (*separate roll taken*)

**BIG E....little e: Ethics and the Trial Lawyer**

This is an interactive Legal Ethics Program that explores the collision of our moral values with the applicable professional responsibility codes and examines what our response ought to be when there is conflict when the two “E’s” rub up against each other. Through the use of a case study and various video clips, “BIG E....little e” will challenge each of us to think critically when we are faced with these real-life issues.

**Mark S. Olson, Esq.**  
**National Institute for Trial Advocacy**

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***PLAC would like to thank the sponsors of this program for their generous support.***

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