

“Bet the Company” Litigation 2011: *Best Practices for Complex Cases*

New York City and Live Webcast, www.pli.edu, November 8, 2011

Cleveland, Columbus, Mechanicsburg, New Brunswick, Philadelphia and Pittsburgh Groupcast Locations, November 8, 2011

Why You Should Attend

What is “Bet the Company” litigation? This fast-paced, high-stakes, complex litigation can involve securities law, intellectual property, mass torts, products liability, antitrust and other substantive areas of law. When overlapping cases are filed in multiple state and federal jurisdictions around the country, matters can become even more complicated. The very existence of your client’s company and livelihood can be at stake.

The presence of multi-jurisdictional legal, business and technology issues requires sophisticated case management skills and techniques. This program brings together the experienced practitioners who litigate these cases and the judges who rule on them to provide you with the most up-to-date intelligence on proven strategies and tools. Panelists will include both defense and plaintiffs’ counsel experienced in multi-jurisdictional litigation, distinguished judges and in-house counsel.

What You Will Learn

- Anatomy of a Case: Study a real life “Bet the Company” case from start to finish
- Nuts and bolts of complex litigation, including important strategic and procedural considerations
- View from the Bench: experienced judges share their insights on the intricacies of “Bet the Company” cases
- Creative solutions and innovative approaches to successfully approach the obstacles inherent in high-stakes litigation

Special Feature

- How to approach the thorny ethical issues involved in complex litigation, including litigation funding

Who Should Attend

This program is directed toward litigators, in-house counsel and other professionals who handle complex litigation.

New York City #28264; Program Fee: \$1,595

**Reserve your place today,
call (800) 260-4PLI
or visit www.pli.edu.**

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**Program Attorney:
Laurie B. Gilbertson**

Program Schedule

Please plan to arrive with enough time to register before the conference begins. A networking breakfast will be available upon your arrival.

Morning Session: 9:00 a.m. – 12:30 p.m.

9:00

Opening Remarks and Introduction

Richard W. Clary

9:15

Anatomy of a Case: The Enron Saga

- Case Study on the *Enron* litigation from start to finish
- Challenges of parallel proceedings against multiple parties in multiple jurisdictions
- Advocacy in the pleadings stage
- Addressing the challenges of coordinated discovery
- Issues regarding motion practice, including class certification and summary judgment

Richard W. Clary, Robert L. Palmer

10:15

Methods for Streamlining Complex Litigation

- Utilizing technology to manage complex discovery
- The use of electronic service and dedicated websites
- Challenges of streamlining coordinated document discovery
- The use of protocols for depositions, exhibits, motions, etc.
- Streamlining questions and objections at depositions

Moderator: Herbert S. Washer

Richard W. Clary, Elaine H. Mandelbaum, Robert L. Palmer, Sung-Hee Suh

11:15 *Networking Break*

11:30

Basic Jurisdictional Issues

- Evaluating and choosing the best forum for your client
- The mechanics of moving from one court to another, including removal and remand
- Current developments in jurisdictional issues
- Utilizing the judicial panel on multidistrict litigation
- Recent developments in class action removal, including the Class Action Fairness Act and SLUSA

Moderator: Karin A. DeMasi

Owen L. Cyrulnik, Sherrie R. Savett, Ronit Setton, Jonathan K. Youngwood

12:30 *Lunch*

Afternoon Session 1:45 p.m. – 5:00 p.m.

1:45

View from the Bench

- Coordinating among courts in different jurisdictions (state, federal, bankruptcy)
- Utilizing court rules to maximize efficiency
- Evaluating which courts are best equipped to handle complex litigation
- Practical advice for litigators from members of the bench
- Identifying skills litigators can use to maximize their effectiveness in complex litigation

Moderator: Owen C. Pell

Hon. Eileen Bransten, Hon. Fred E. Edwards, Hon. Richard Holwell, Hon. Elizabeth S. Stong

2:45

Settlement Strategies

- Achieving global peace in complex litigation
- Plaintiffs' and defendants' perspective on effective settlement strategies
- Views of in-house counsel on achieving settlement goals
- Impact of multiple parties on successful settlement
- The effective use of mediation in complex litigation

Moderator: Mei Lin Kwan-Gett

William C. Fredericks, Pierre M. Gentin, Marilyn C. Kunstler

3:45 *Networking Break*

4:00

Ethical Issues in Complex Litigation

- Challenges in oversight of foreign document review
- Recent developments and legal issues in the use of contract attorneys
- Understanding litigation funding
- Ethical issues to consider in litigation funding

Moderator: M. Alexander Bowie II

James L. Bernard, Karin A. DeMasi, Ronald C. Minkoff, Aviva Will

5:00 *Adjourn*