

1st Annual Asbestos Litigation Strategies ExecuSummit



A Comprehensive Day and a Half Asbestos Litigation Strategies Conference That Will Bring You a Wealth of Strategic Intelligence



December 2 & 3, 2014

Uncasville, CT

www.AsbestosLitigationConference.com

Practical Advice & Tips * Latest Developments & Trends * Case Studies
Networking * Industry Insight * Essential Business Intelligence

Featured Presenters From:

- Bates White
- Belluck & Fox
- Carlock Copeland & Stair
- Cetrulo LLP
- Dinsmore & Shohl LLP
- Duane Morris LLP
- Goldberg Segalla
- Gordon & Rees LLP
- Hinshaw & Culbertson LLP
- K&L Gates LLP
- Morris Polich & Purdy LLP
- Obermayer Rebmann Maxwell & Hippel LLP
- RiverStone Claims Management LLC
- Shook, Hardy & Bacon L.L.P.
- Towers Watson
- Tucker Ellis LLP
- Wheeler Trigg O'Donnell LLP



Join us at the Mohegan Sun Resort & Convention Center in Uncasville, CT, December 2 & 3, 2014 for the day & a half, high-impact 1st Annual Asbestos Litigation Strategies ExecuSummit.

ExecuSummit producers are in the forefront of asbestos litigation strategies, monitoring & researching emerging issues and trends and bringing this strategic intelligence to you as it is developing.

Our distinguished presenters have pooled their expertise to provide you with the essential asbestos litigation strategy intelligence you need to know.

Have a specific question? Our Q&A sessions will provide numerous opportunities to ask the experts.

An ExecuSummit is not a trade show. This educational event was specifically designed for asbestos litigation focused insurance professionals. This summit is a unique opportunity to get the information you need to succeed in this rapidly changing environment.

Register Today! The 1st Annual Asbestos Litigation Strategies ExecuSummit will provoke strategic thinking, give you new insight, open new channels of information & provide you with opportunities to meet & exchange ideas with your peers, key industry executives & leaders.

Don't Forget the Networking!
Expand Your Rolodex with ExecuSummit's
Unprecedented Networking Opportunities.

1st Annual Asbestos Litigation Strategies
ExecuSummit Chair:

Joseph J. Welter, Esq.
Partner
Goldberg Segalla

**PROGRAM AGENDA – Day 1
Tuesday, December 3, 2014**

8:30 AM – 9:25 AM

Registration Opens & Networking Breakfast Buffet

9:25 AM – Welcome and Opening Remarks

9:35 AM

Emerging Issues in Asbestos Claims

Sandra C. Santomenno, ACAS, MAAA
Senior Consultant
Towers Watson

Listen, Learn & Discuss:

- Asbestos claim statistics:
 - Filings trends by disease
 - Driver of filings
- U.S. P&C insurance industry loss experience:
 - Patterns of reserve strengthening
 - Future Outlook
- Key considerations in evaluating asbestos liabilities:
 - Disease incidence and claiming rates
 - Asbestos bankruptcies and trusts
 - Other legal developments

10:25 AM – Presentation Ends

10:25 AM

The Future of Mesothelioma in the US and the Increasing Portion of Diagnoses Not Related to Asbestos Exposure: Estimation and Forecasting

Jorge R. Gallardo-Garcia, PhD
Principal
Bates White

The presentation will cover an introduction to the models that have been developed to estimate and forecast the number of mesothelioma diagnoses and those models' evolution over time.

Listen, Learn & Discuss:

- Brief overview of the forecasting of mesothelioma diagnoses and how models have evolved over time.
- Presentation of the Bates White Incidence Model, which identifies the portion of diagnoses that are not caused by exposure to asbestos-containing products.
- The results of the model suggest that, 10 years ago, about 30% of mesothelioma diagnoses was not related to asbestos exposure. Nowadays, that percentage is about 40% and the model predicts that it will be more than 50% by the year 2020.

- The results of this research raise several questions with respect of the future of the asbestos litigation of mesothelioma claims:
 - How causation in mesothelioma cases will play a role in future trials?
 - How will this affect the way in which mesothelioma claims are pursued by plaintiff firms and defended?
 - How will the asbestos litigation system react to the growing portion of mesothelioma cases with tenuous or no linkage to asbestos-containing products' exposure?
 - How will this issue affect the number of mesothelioma claims filed, the number of claims settled, and settlement amounts?

11:15 AM – Presentation Ends

11:15 AM - 10 Minute Stretching Break

11:25 AM

Claims Against Equipment Manufacturers for Defective Products Made and Sold by Third-Parties

Nicholas P. Vari
Partner
K&L Gates LLP

Traditional concepts of product liability law dictate that a product manufacturer is legally responsible only for those products that the manufacturer made, sold, or otherwise placed into the stream of commerce.

Recently, numerous courts across the country have confirmed that this legal standard precludes liability when individuals and entities beyond the control of a defendant equipment supplier chose to use asbestos-containing materials with or near the defendant's industrial and maritime equipment products.

The presentation will trace the history of the third-party product liability doctrine, and analyze various exceptions to the general rule that have arisen over time. The audience will be left with guiding principles, which should apply to all types of products and situations going forward.

Listen, Learn & Discuss:

- The history of third-party products liability doctrines.
- Examination of various “combined use” scenarios to illustrate the operation of the generally accepted legal doctrines.
- A review of the generally accepted legal principles to be applied going forward.

12:15 PM – Presentation Ends

12:15 PM
ExecuSummit Networking Luncheon

1:00 PM

Garlock Bankruptcy Update

Mark A. Behrens, Esq.
Partner
Shook, Hardy & Bacon L.L.P.

Alice Sacks Johnston
Partner
Obermayer Rebmann Maxwell & Hippel LLP

1:50 PM – Presentation Ends

1:50 PM

Defense of Lung Cancer Cases –
Is Asbestos really a cause regardless of smoking history?

John M. Fitzpatrick
Partner
Wheeler Trigg O'Donnell LLP

There has been a dramatic increase in lung cancer claims being filed over the last few years. Lung cancer is the leading cause of death in men – and the leading cause of lung cancer is smoking. That has been no secret for the last 50 years. Yet Plaintiff attorneys are on a mission to drive up settlement numbers by filing thousands of new claims while defendants seem reluctant to fight back.

Well in excess of 90% of all cases have one cause for the disease – cigarettes. These cases are winnable. If the plaintiff smoked, the story is easy – smoking caused lung cancer and asbestos had absolutely nothing to do with it. If plaintiff did not smoke but has lung cancer – then unless he

had massive exposures to asbestos products other than gaskets and packing and has been diagnosed with underlying asbestosis – there is no link to your product. Smoking and addiction DOES NOT excuse a failure to follow package instructions and warnings that have been on cigarettes for 50 years; in the newspapers or TV; , or warnings given by friends, medical personnel and parents since the 1960s.

Your company is being sued for failing to warn – know the history on cigarettes, asbestos and warnings.

Listen, Learn & Discuss:

- Medical causation – need underlying asbestosis before any possible link to asbestos and your product.
- Failure to Warn – Really? After cigarettes began waning in 1965/66 – there is nothing a warning on your product that would have changed what the worker did.
- State of the Art: Lung cancer and Asbestos from 1930 to 2012.

2:40 PM – Presentation Ends

2:40 PM - ExecuSummit Afternoon Networking Break

3:00 PM

Trial Strategies for Apportionment

Laura Hong
Partner
Tucker Ellis LLP

Ryan Wilhelm
Partner
Carlock Copeland & Stair, LLP

3:50 PM – Presentation Ends.



3:50 PM

Daubert and Frye Challenges to Causation Experts

Lawrence G. Cetrulo
Founding and Managing Partner
Cetrulo LLP

Sharon L. Caffrey
Partner
Duane Morris LLP

4:40 PM – Presentation Ends.

4:45 PM

**ExecuSummit
Networking Cocktail Reception**

5:45 PM – Day One Concludes.

**PROGRAM AGENDA – Day 2
Wednesday, December 3, 2014**

8:00 AM – 8:55 AM

Networking Full American Breakfast Buffet

8:55 AM – Welcome and Opening Remarks

9:00 AM

**Problem Childs:
California - Chicago - Philadelphia - Baltimore**

Craig T. Liljestrand
Partner
Hinshaw & Culbertson LLP

Anne D. Harman
Partner
Dinsmore & Shohl LLP

Stewart S. Richmond, Jr.
Manager, Claims
RiverStone Claims Management LLC

Dean A. Olson
Partner
Morris Polich & Purdy LLP

9:50 PM – Presentation Ends.

9:50 AM

NYCAL Updates/Developments

William Ruskin
Partner
Gordon & Rees LLP

Joseph J. Welter, Esq.
Partner
Goldberg Segalla

10:40 AM – Presentation Ends**10:40 AM**

ExecuSummit Morning Networking Break

11:00 AMView from the Plaintiffs' Bar on
Litigating Asbestos Claims

Joseph W. Belluck
Founding Partner
Belluck & Fox

11:50 AM – Presentation Ends**11:50 AM** – Closing Remarks**12:00 PM** – ExecuSummit Concludes.**About ExecuSummit:**

- **ExecuSummit:** Fresh, high-impact, interactive, informative events & workshops, designed with what's important to you and your industry.
- Designed to provide you with maximum information without keeping you away from the office for a long period of time.
- Industry outlooks, informative speakers, timely and strategic intelligence, what works, what does not, case studies, think-tanks, Q&A's, Plus, unprecedented formal and informal networking opportunities.

Summit Website:www.AsbestosLitigationConference.com**We Now Offer Secure On-Line Registration**

Please visit:

www.ExecuSummit-Registration.com

Our secure, easy-to-use site lets you
register online 24/7.

The registration page will give you access to our 256-Bit SSL registration form.

Continuing Legal Education

ExecuSummit will apply for CLE credits in PA, NY and CA for 1st Annual Asbestos Litigation Strategies ExecuSummit..

Please contact CLE@ExecuSummit.com with any questions you have regarding continuing legal education credits.



Mohegan Sun You're closer than you think to *Mohegan Sun*
One of the world's top destinations.

Centrally Located between New York City and Boston.
Over 300 direct flights daily.

2014 Topics At-A-Glance:

- Emerging Issues in Asbestos Claims.
- The Future of Mesothelioma in the US and the Increasing Portion of Diagnoses Not Related to Asbestos Exposure: Estimation and Forecasting.
- Claims Against Equipment Manufacturers for Defective Products Made and Sold by Third-Parties.
- Garlock Bankruptcy Update.
- Defense of Lung Cancer Cases – Is Asbestos really a cause regardless of smoking history?
- Trial Strategies for Apportionment.
- Daubert and Frye Challenges to Causation Experts.
- Problem Childs: California - Chicago - Philadelphia - Baltimore.
- NYCAL Updates/Developments.
- View from the Plaintiffs' Bar on Litigating Asbestos Claims.

CONFERENCE LOCATION & HOTEL INFORMATION



1 Mohegan Sun Blvd, Uncasville, CT 06382

www.mohegansun.com

Located in Connecticut, the heart of scenic New England, Mohegan Sun's hotel accommodations are nothing less than extraordinary. Standing 34-stories tall with 1,200 luxury guest rooms and suites, the hotel at Mohegan Sun has been expertly designed to set a new standard of excellence. Measuring a minimum of 450 square feet, each room contains either a king or two double queen beds, relaxing lounge chairs and spacious marble bathrooms. Special needs are easily accommodated and child care services are available.

**Centrally Located between New York City and Boston.
Over 300 direct flights daily**

ExecuSummit has set up a limited number of preferred rate rooms at our host hotel. Our preferred rate is \$159.00 plus applicable taxes & fees. Single/Double occupancy.

Please call 866-708-1340 and use group code **EXSU14I** when calling in for reservations. The hotel rate is valid through Monday November 10, 2014 or when the room block is sold out, whichever comes first. – If the room block is sold out before the cut-off date, please call us at 800-905-9357 x 702 – We may be able to assist in getting you a room at the preferred rate.

Mohegan Sun is also home to a luxurious day spa as well as three major entertainment venues with seating from 300 to 10,000. People from around the globe come to see live concerts with some of today's top headliners, along with major sporting events including Mohegan Sun's very own WNBA's Connecticut Sun.

Every turn leads to a new adventure at Mohegan Sun with an indoor, 7-story waterfall, the world's largest and most spectacular planetarium dome and the awe-inspiring Wombi Rock, a glowing crystal mountain made of imported stone that serves as the focal point of the Casino of the Sky.

As a premier destination worldwide, Mohegan Sun includes:

- More than 300,000 square feet of gaming excitement, including smoke-free areas, a 34-story, 1,200 room luxury hotel tower.
- A 20,000 square-foot world-class spa by Elemis.
- The Shops at Mohegan Sun, a 130,000 square-foot retail shopping experience.
- 30 restaurants, food and beverage outlets.

Shuttle & Car Service To and From Mohegan Sun

Hotel airport shuttle, town car & limo service is available from Bradley International Airport in Hartford and T.F. Green International Airport in Warwick, RI. The fees are much less than a local taxi service.

Reservations Info: <http://mohegansun.com/getting-here/limo.html>

**Or calling Mohegan Sun's Transportation Services
reservation Center at 888-320-4577**

Getting to Mohegan Sun

You're closer than you think to one of the world's top destinations.

Info on Plane, Train, Ferry & Bus and Driving Directions:
All Options: http://www.mohegansun.com/getting_here/

T.F. Green International Airport - Warwick, RI
(approx. 60 miles)
Fee based - Shuttle Service Available
<http://www.pvdairport.com/>

Bradley International Airport - Hartford, CT - (approx. 58 miles)
Fee based - Shuttle Service Available
<http://www.bradleyairport.com/home/>

Amtrak to New London, CT - (approx. 15 minute cab ride to hotel)
<http://www.amtrak.com/servlet/ContentServer?pagename=Amtrak/HomePage>

Metro-North to New Haven, CT - Taxi Service to Hotel
<http://www.mta.info/>

**These links are also available on this event's website. You can
access the event website by visiting: ExecuSummit.com**

What Other Insurance Industry Professionals Have Said About Our Summits:

“I was impressed with the speakers. They truly are reputable in their specialties.” “The seminar was indeed very informative”
Travelers

“I really found the seminar to be both enlightening & Informative.”
Mutual Marine Office, Inc.

“I found the sessions to be informative and insightful, big thumbs-up to all of the presenters.”
GenRe

“The conferences are always very informative and coordinated.”
Monitor Liability Managers, Inc.

