

The Sedona
Conference



The Sedona Conference®
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S P R I N G C O N F E R E N C E :

APRIL 7-8, 2005: Complex Litigation VII

Litigating Mass Torts

Amara Creekside Resort
Sedona, AZ

ADVANCED LEARNING IN A PANORAMIC SETTING!

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the Sedona Conference®

Complex Litigation VII Litigating Mass Torts April 7-8, 2005

(Registration strictly limited to 45)

Our Seventh Annual Sedona Conference on
Complex Litigation
will focus exclusively on the litigation of mass torts.
Please join us as we apply our unique
dialogue-based approach to this key area
of complex litigation.

**Complete Faculty, Registration
Information & other Conference
Details Inside!**

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education & research institute

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THE Sedona Conference®

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UPDATE

The Seventh Annual Sedona Conference on Complex Litigation —focusing on—

LITIGATING MASS TORTS*

April 7-8, 2005

Amara Creekside Resort, Sedona AZ

The Seventh Annual Sedona Conference® on Complex Litigation will focus exclusively on issues that arise in connection with the litigation of mass torts. The Conference features a blue-ribbon faculty panel with five sitting and former state and federal judges (including the Chairman of the Judicial Panel for Multidistrict Litigation), in-house counsel, and nationally renowned practitioners from both the plaintiff and defense bar.

Our unique, dialogue-based approach to exploring the issues will seek new paths for best practices in the areas of: **federal/state cooperation, the impact of pretrial rulings and discovery and evidentiary issues, the impact of a defendant's bankruptcy, use of court-appointed experts on causation issues, obstacles to resolution, the "professional objector" and the role of the court in settlement, choice of venue, impact on liability in other areas, development of the law from autos to pharma, to technology in the workplace, and beyond,** and others.

It is contemplated that a Working Group in this area may be one result of this Conference. See inside for a complete listing of the faculty, as well as a description of the Working Group Series (WGSSM) and our efforts to move the law forward in a reasoned and just way.

*** For the complete agenda, faculty bios, and to REGISTER, go to www.thesedonaconference.org, or call toll free: 1-866-860-6600.**

**—REGISTRATION IS STRICTLY LIMITED TO 45 PARTICIPANTS—
IN ADDITION TO THE FACULTY**

◆ **Complex Litigation VII** ◆
Litigating Mass Torts
April 7-8, 2005

— **FACULTY** —

Don Barrett, Barrett Law Offices P.A., Lexington, MS

Stephen J. Brogan, Jones Day, Washington, DC

**Elizabeth Cabraser, Loeff Cabraser Heinmann &
Bernstein LLP, San Francisco, CA**

**Richard P. Campbell, Campbell Campbell Edwards &
Conroy, Boston, MA**

**Michael H. Carpenter, Carpenter & Lipps LLP,
Columbus, OH**

Robert C. Clifford, Clifford Law Offices, Chicago, IL
**Hon. Marina Corodemus (ret.),
Metuchen, NJ**

**Hon. William Terrell Hodges, Chairman, Judicial Panel
for Multidistrict Litigation, Ocala, FL**

**R. Eric Kennedy, Weisman, Kennedy & Berris Co. LPA,
Cleveland, OH**

Jeffrey Kindler, Pfizer, Inc., New York, NY

**Hon. Kathleen O'Malley, U.S. District Judge,
Cleveland, OH**

**Hon. Barbara Rothstein, Executive Director, Federal
Judicial Center, Washington, D.C.**

**Richard F. Scruggs, Scruggs Law Firm P.A.,
Oxford, MS**

**Hon. V. Sue Shields, U.S. Magistrate Judge,
Indianapolis, IN**

Dan K. Webb, Winston & Strawn, Chicago, IL

◆ **Registration Details** ◆
Litigating Mass Torts
April 7-8, 2005
Amara Creekside Resort, Sedona, AZ

REGISTRATION. The registration fee is \$1095; \$995 if 2 or more people register at the same time (no more than three people per firm, please). Registration includes the Notebook, two continental breakfasts, two luncheons, Thursday's champagne reception with the faculty and a list of Conference participants. Academic and government discounts available. Full refund, less a \$75 administrative fee, for cancellations received at least 45 (forty-five) days prior to the Conference. Refunds cannot be given after that time, but you will receive a credit for another Regular Season Conference of choice for cancellations received at least 72 hours before the Conference (credit good for 3 years). Substitutions permitted at anytime. If you have any questions call toll free: 1-866-860-6600, or 928-284-2698.

PLEASE NOTE:

To ensure the maximum opportunity for meaningful dialogue, registration is limited to 45 persons on a first-come, first-served basis, based on date of receipt of paid registration(s).

WRITTEN MATERIALS/DIALOGUE. Conference materials are made available to participants through our website *before* each Conference, allowing us to rapidly focus our dialogue on the leading-edge issues *at* the Conference. Conference Notebooks are also provided at Registration at the Conference, and are separately available for those who cannot attend for \$95 (postage included).

PARTICIPANT EXPERIENCE LEVEL. We look for an experienced group of participants to facilitate an enlightening dialogue for all.

MANDATORY CONTINUING LEGAL EDUCATION. Advance accreditation will be applied for, seeking approximately 11.50 Mandatory Continuing Legal Education credits in 60-minute credit-hour states, and approximately 13.80 credits in 50-minute credit-hour states, pursuant to each state's rules. Certificates of Accreditation and Attendance are provided at the end of each Conference. For further MCLE details call us at 1-866-860-6600.

SCHEDULE/ATTIRE. The Conference begins with Continental Breakfast at 8:00 am Thursday, and ends Friday at 2:30 pm. A reception with the faculty follows Thursday's session, and lunch is provided on both days (complete agenda on the website). Casual attire is recommended.

LODGING. We have reserved a block of discounted rooms (\$159-\$179/nite) at the *Amara Creekside Resort* where the Conference is being held. The block is for the nites of April 6 & 7, and will be held **until March 5, 2005** (see photo & link on our website under "Litigating Mass Torts;" rates are higher Friday & Saturday nites, April 8 & 9). Call the *Amara* reservation line (1-866-455-6610) to reserve your room; identify yourself as a Sedona Conference participant for the group rate. This is a new, small resort—reserve your room early for best selection.

—Go to www.thesedonaconference.org or call 1-866-860-6600 to Register or for further information—

◆ Working Group Series ◆ (WGSSM) UPDATE “Moving the Law Forward in a Reasoned & Just Way”

WORKING GROUP 1:

ELECTRONIC DOCUMENT RETENTION & PRODUCTION

WG1 is currently launching a series of Special Project teams, emerging from the dialogue at the Working Group's Third Annual Meeting in October 2004. In addition, a Speaker's Bureau of those experienced with the development of *The Sedona Principles* and *The Sedona Guidelines* is being formed to make presentations and lead discussions at related conferences and programs. See our website (www.thesedonaconference.org) for further details as they are developed. See also the Audio Update Phone conferences below.

WORKING GROUPS 2-5:

WG2 (*Protective Orders, Confidentiality and Public Access*), **WG3** (*The Role of Economics in Antitrust*), and **WG4** (*The Intersection of the Patent and Antitrust Laws*) are all currently finishing up their initial work product; look for “public comment” drafts from each Group to be posted on our website during the first quarter of 2005. The comments we receive during the peer review periods are key to the balance and quality of the final output. **WG5** (*Markman Hearings; Best Practices and Guidelines*) is currently in the formation stage.

WGSSM MEMBERSHIP PROGRAM

We established the WGSSM Membership Program during the summer of 2003 to provide a vehicle for interested jurists, attorneys, academics, experts and others to provide early input to Working Group output, and to enjoy access to the “Member's Only” area of the Working Group's website where drafts are posted, and interactive Bulletin Boards allow for comment on the Group's work and recent cases and events. For further details on the WGSSM Membership Program and how to join one or more Working Groups, go to our website and click on “Working Group Series.”

WGSSM AUDIO UPDATE PHONE CONFERENCES

The Sedona Conference® WGSSM will be initiating a set of Audio Update Conference Calls to discuss recent cases and difficult issues within each Group's area of expertise. We will begin with a series of three update calls presented by Working Group 1, dealing with e-discovery issues, in late February, April, and June 2005. Check our website in late January 2005 for further details on these programs.

I N M E M O R I A M

Hon. Richard S. Arnold, 8th Circuit Court of Appeals (Advisory Board Member)

Hon. Brent McKnight, W.D.NC (Steering Committee Member, WG2)

“Thoughtful, provocative, probing.”

Bob Hubbard,
New York Office of the Attorney General, NYC

“Dialogue drilled down to the cutting-edge of evolving issues.”

James L. McGinnis,
Sheppard Mullin, San Francisco, CA

*“Excellent. Superlative. What the word
“conference” is supposed to mean.”*

Kevin D. McDonald,
Jones Day, Washington, DC

About Us

The Sedona Conference® was founded in 1997 as a nonprofit, 501(c)(3) research and educational institute dedicated to the advancement of law and policy in the areas of complex litigation, antitrust law and intellectual property rights. Initially focused on advanced, dialogue-based, restricted attendance seminars, The Sedona Conference® has successfully developed into a multi-faceted, open and neutral think-tank generating important and authoritative contributions on significant and timely legal issues. Already our Conferences and Working Groups have attracted participants from 47 states and the District of Columbia in the U.S., and from six other countries around the world.

Our **Regular Season Conferences** provide a stimulating forum for ongoing dialogue among leaders of the bench and bar through intense, restricted-size conferences in private, retreat-like settings, our Spring Complex Litigation Conference is focusing on Litigating Mass Torts. Check the “Raves” section of our website to see comments from past Conference attendees about how our dialogue-based Conferences are different, and far more intellectually stimulating, than any other CLE or legal program.

The Sedona Conference® Working Group Series (WGSSM) proposes solutions—principles, guidelines and best practices recommendations—that are designed to help harmonize disparate policies, decisions, regulations and viewpoints and to provide considered and fair guideposts for the just and reasoned evolution of the law. Our website and the WGSSM Update to the left describes our current Working Groups and how you can get involved through the **WGSSM Membership Program**.

TSC News

2004 was a busy and productive year for The Sedona Conference®, as the efforts of the Working Group on Electronic Document Retention and Production expanded, and we launched 3 new Working Groups, in addition to holding three, dynamic Regular Season conferences, and publication of the fifth annual *Sedona Conference Journal* in August 2004.

We also began our “Mini-Sedona” series, presenting a half-day program on e-discovery at the FJC's National Workshop for U.S. Magistrate Judges in July. We intend to use that successful program as a model for future judicial education efforts in cooperation with judicial education programs developed and sponsored by other nonprofit organizations. We are currently developing a Mini-Sedona for the American Judge's Association 2005 fall meeting in Anchorage, Alaska. Check our website for further details on our judicial education and related efforts, and contact us at tsc@sedona.net if you are planning a judicial education program and wish to discuss the possibility of a Mini-Sedona in the area(s) of one or more of our Working Groups.