

The American Bar Association
Section of Litigation and the
Center for Continuing Legal Education
Present

The 11th Annual National Institute on

Class Actions

October 19, 2007

The Fairmont Chicago
Chicago, IL



Register Online at www.abanet.org/cle/programs/n07cac1.html

6.33 hours of MCLE credit, including 1.0 hour of ethics credit, have been requested in 60-minute states, and 7.6 hours of MCLE credit, including 1.2 hours of ethics credit, have been requested in 50-minute states.

ABA
Defending Liberty
Pursuing Justice

Highlights of This Program

Come to This Program if You Want to...

- Stay up-to-date on the hot class action issues and the latest developments in class action case law
- Hear about implementation of the Class Action Fairness Act from leading experts
- Learn what to do if your class action is referred to arbitration
- Hear what the future has in store for multistate class actions
- Learn how developments in securities class actions will affect certification decisions in other cases

Who Should Attend?

- **All attorneys** who will litigate a class action
- Sophisticated **in-house counsel** and **litigators** interested in learning about the Class Action Fairness Act
- **Seasoned practitioners** needing an update on recent decisions in this active area
- **Litigators** who handle cases involving arbitration agreements

Check out these ABA Web Store products, perfect for litigators!

Punitive Damages after *Philip Morris USA v. Williams*

On February 20, 2007, the Supreme Court issued a 5-4 decision in *Philip Morris USA v. Williams* (No. 05-1256), vacating a \$79.5 million punitive damages award and holding that it violates due process for a jury to award punitive damages in part because of harm to individuals who were not parties to the suit. This case is likely to be considered one of the most important of the term. If you represent parties in cases with a potential for punitive damages, you need to understand how this decision will affect your clients.

CET07PDAC Audio CD Package (Includes two audio CDs and printed course materials)

\$125 for Section of Litigation Members; **\$135** for ABA Members; **\$150** for General Public

After the *IPO* Decision: What You Need to Know Now about Class Certification Requirements

The Second Circuit's *Initial Public Offering* securities opinion addresses the issue of what a plaintiff must present in order to obtain certification of a class under FRCP Rule 23. The court described it as "surprisingly unsettled in this Circuit." Our distinguished panel of plaintiff and defense attorneys discusses the impact of IPOs on class action practitioners. After listening to the program, you will be able to discuss the Second Circuit's *IPO* decision; to compare opinions of plaintiff and defense attorneys; and to plan new strategies.

CEL07AITC Audio CD Package (Includes one audio CD and printed course materials)

\$55 for Section of Litigation Members; **\$75** for ABA Members; **\$100** for General Public

Apple® iPod® nano—CLE Litigation Edition Preloaded with the CLE program *McElhaney's Deposition Notebook*

This iPod® is preloaded with the 140-minute audio CLE program *McElhaney's Deposition Notebook*. Professor James McElhaney, one of the most sought-after speakers in trial practice today, brings his wealth of insight and his signature wit to a critical area of litigation.

CEPDLIT04FS (Contains one handbook in PDF, which includes checklists and potential deposition questions)

\$249 for Section of Litigation Members; **\$259** for ABA Members; **\$269** for General Public

To order or for more information on these and other products, visit and shop our online catalog in a secured credit card environment at www.abacle.catalog.org or call **800.285.2221**.

National Institute Faculty

Ramzi Abadou

*Lerach Coughlin
Stoia Geller Rudman
& Robbins LLP
San Diego, CA*

John H. Beisner

*O'Melveny & Myers LLP
Washington, DC*

Vijay V. Bondada

*Pfizer Inc.
New York, NY*

Elizabeth J. Cabraser

*Lieff Cabraser Heimann
& Bernstein, LLP
San Francisco, CA*

Prof. John C. Coffee

*Adolf A. Berle
Professor of Law
Columbia University
School of Law
New York, NY*

Michael W. Davis

*Sidley Austin LLP
Chicago, IL*

Paul H. Dawes

*Latham & Watkins LLP
Menlo Park/
Silicon Valley, CA*

Karin A. DeMasi

*Cravath, Swaine
& Moore LLP
New York, NY*

Carol V. Gilden

*Cohen, Milstein,
Hausfeld & Toll, P.L.L.C.
Chicago, IL*

Steven Glickstein

*Kaye Scholer LLP
New York, NY*

Todd B. Hilsee

*Hilsoft Notifications
Philadelphia, PA*

John B. Isbister

*Tydings &
Rosenberg LLP
Baltimore, MD*

Dinita L. James

*Ford & Harrison LLP
Tampa, FL*

Daniel R. Karon

*Goldman Scarlato
& Karon, P.C.
Cleveland, OH*

Shannon Liss-Riordan

*Pyle, Rome, Lichten,
Ehrenberg &
Liss-Riordan, P.C.
Boston, MA*

Amy J. Longo

*O'Melveny & Myers LLP
Los Angeles, CA*

Prof. Francis McGovern

*Duke University
School of Law
Durham, NC*

Scott L. Nelson

*Public Citizen Litigation
Group
Washington, DC*

**Prof. William B.
Rubenstein**

*Harvard Law School
Cambridge, MA*

Mary L. Smith

*Tyco International, Ltd.
Princeton, NJ*

Stephen Tillery

*Korein Tillery
Belleville, IL/
St. Louis, MO*

Stuart M. Widman

*Miller Shakman &
Beem LLP
Chicago, IL*

**For more information about this National Institute, the ABA,
the Section of Litigation and ABA-CLE:**



Phone ABA Member Services at
800.285.2221 and **Select Option '2'**



Visit and shop our Web site in a secured
credit card environment at **www.abacle.org**

Program Agenda

MORNING SESSIONS

8:00 Registration and Continental Breakfast

9:00 Welcoming Remarks, John B. Isbister

9:10 New Developments in Class Action Law with Prof. John C. Coffee

10:15 Morning Break

**10:30 Signs of Unexpected Volatility:
Securities Class Certification Standards on the Move**

Class certification reversals in *Allegiance Telecom, Inc.*, *Enron* and *In re Initial Pub. Offering Sec. Litig.* have brought new attention to this stage of the securities class action. With the Supreme Court's *Tellabs* decision and the *Stoneridge* case as backdrops, the panel will review the new analysis of class certification issues and discuss the implications for both securities and non-securities practitioners.

Moderator: Amy J. Longo

Panelists: Ramzi Abadou
Prof. John C. Coffee
Paul H. Dawes
Karin A. DeMasi
Carol V. Gildea

Don't miss the live
teleconference/audio webcast:
10:30 AM-12:00 PM CT

**Signs of Unexpected Volatility:
Securities Class Certification Standards
on the Move**

For more information, go to www.abacle.org.

AFTERNOON SESSIONS

12:00 Lunch and Breakouts

Attendees will break out into individual discussion groups during lunch where they will have the opportunity to meet fellow practitioners and exchange ideas and information regarding various class action issues. Each discussion group will be led by an experienced moderator and will focus on one of the following topics (1) **consumer class actions**; (2) **securities litigation**; (3) **mass tort actions**; (4) **wage and hour collective actions**; (5) **employment and civil rights class actions**; (6) **antitrust and RICO**; and (7) **open table**. Attendees should indicate on the registration form their preferred discussion group.

1:15 The Nationwide Class: White Elephant, Endangered Species, or Alive and Well?

One of the principal motivations behind the Class Action Fairness Act was to restrict the certification of multistate and nationwide class actions. Nevertheless, some courts—state and federal—have continued to certify such actions. What strategies can be used to advocate or oppose multistate or nationwide certification? In which cases and jurisdictions are they most likely to succeed? What issues arise upon certification? A panel of prominent practitioners will explore these and other critical questions.

Moderator: Steven Glickstein

Panelists: John H. Beisner
Vijay V. Bondada
Elizabeth J. Cabraser
Todd B. Hilsee
Daniel R. Karon

Program Agenda

2:45 Afternoon Break

3:00 Current CAFA Consequences: Has Class Action Practice Changed?

This panel of scholars and practice group leaders will examine how the courts are interpreting the law from the perspective of two-and-a-half years since the passage of the Class Action Fairness Act. The panelists will also address whether the changes have reshaped class action practice in plaintiff and defense firms and in corporate legal departments.

Moderator: Dinita L. James

Panelists: Michael W. Davis
Prof. William B. Rubenstein
Mary L. Smith
Stephen Tillery

4:15 When Worlds Collide: Class Actions and Alternative Dispute Resolution

Increasingly, class actions are resolved through ADR. Mediated class settlements have long been with us, and class arbitration is a new and growing phenomenon. What happens when the class action enters the fluid realm of ADR? A panel of ADR neutrals and litigators draws on hands-on experience to explore practical, legal, and ethical issues that arise when class actions meet ADR.

Moderator: Scott L. Nelson

Panelists: Shannon Liss-Riordan
Prof. Francis McGovern
Stuart M. Widman

5:15 Adjourn

SPONSORS

This National Institute is presented by the ABA Section of Litigation Class Actions and Derivative Suits Committee, the Mass Torts Committee, and the Products Liability Committee.

If you are a member of the Section of Litigation, you may join these committees online by visiting

<http://www.abanet.org/litigation/committees/>

The Section of Litigation and the ABA Center for CLE join in thanking **Epiq Systems** and its **Class Action & Claims team** for their generous support of this National Institute.



National Institute Information

PROGRAM TUITION

Attend the entire program, including breakfast, lunch, networking with other registrants and faculty, and receive the written course materials, as well as the 2007 Survey of State Class Action Law (a \$52 value) and pay *only* . . .

- **\$625** for the General Public
- **\$500** for ABA Members (*Save \$125*)
- **\$375** for Section of Litigation Members (*Save \$250*)

ABA SECTION OF LITIGATION

Become an ABA Member, and join this dynamic section when registering for this program at the cost of only **\$55**. Save up to **\$250** on this program tuition!

GROUP AND OTHER DISCOUNTS

Register three or more people at the same time to receive an additional \$50 reduction on each program tuition! Larger group discounts and special rates for full-time law students, academics, and government employees are also available. For more information, contact Nolan Bailey at 312.988.6209.

MCLE

Mandatory continuing legal education (MCLE) accreditation has been requested from all states that require continuing legal education. Each registrant will also be eligible for MCLE accreditation in those states that require continuing legal education. **6.33** hours of MCLE credit, including **1.0** hour of ethics credit, have been requested from states that recognize a 60-minute credit hour and **7.6** hours, including **1.2** hours of ethics credit, from those states granting credit hours on a 50-minute basis.

For NY-licensed attorneys: This transitional CLE program has been approved for all NY-licensed attorneys in accordance with the requirements of the New York State CLE Board for New York MCLE (**7.5** total NY MCLE credits).

SCHOLARSHIPS

Scholarships to defray tuition expense for national institutes are available upon application. Preference will be given to public interest lawyers, government lawyers, and law professors. For more information, contact Nolan Bailey at 312.988.6209. Scholarship applications must be received in the ABA offices at least 30 days prior to the program date.

SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required, please contact Darren Baylor at 312.988.6198. Reasonable advance notice is requested.

IN-PERSON REGISTRATION

If you plan to register in person, please call the ABA at least 24 hours in advance to confirm that the program is being held as scheduled and that space is available. Cash payments will **not** be accepted.

CANCELLATIONS

Refund requests for National Institute presentations will be honored on the following basis:

<i>Day of Cancellation*</i>	<i>Amount of Refund</i>
8 business days or more	100% Refund
4 to 7 business days	100% Refund <i>minus \$50 administrative fee</i>
**3 business days or less	No Refund

****Day of Cancellation** is the day the cancellation is received, by telephone or in writing, by the ABA. It is calculated based on ABA business days remaining before the National Institute presentation.

** No refund will be made for cancellations received after this time; written confirmation of refund requests must be received within 14 days following the National Institute presentation. Substitute registrants are welcome.

PROGRAM CONFIRMATION

Confirmation of your registration will be sent to you upon receipt. Please bring it with you to the National Institute as proof of registration. If you do not receive the confirmation notice prior to the presentation, please call the ABA at 800.285.2221 at least 24 hours in advance to confirm that your registration was received and that the program is being held as scheduled.

HOTEL INFORMATION

Chicago, IL

The Fairmont Chicago
200 N. Columbus Dr.
Chicago, IL 60601
P 312.565.8000 or 800.526.2008
F 312.856.1032

Rate: \$289 Single/ \$314 Double

All room rates are subject to city occupancy and sales tax. One night's deposit is required for reservation. Unclaimed rooms will be released 21 days before the program, after which the hotel will accept reservations on a space-available basis. **Mention this ABA meeting to receive the special discounted rate.**

AIRLINE INFORMATION

Airfare discounts are available through ABA Online Travel, Travelocity Business, or directly from the airline. To access ABA Online Travel, go to www.abanet.org/travel. The 24/7 toll-free number for Travelocity Business is 866.321.8403.

STANDING COMMITTEE ON CONTINUING LEGAL EDUCATION

Under the guidance of the Standing Committee on Continuing Legal Education, the Center for Continuing Legal Education administers and produces national institutes, videolaw seminars, teleconferences, other technology-based products, and written course materials to assist lawyers' continuing legal education efforts.

Steve Weise, *Chair*, Los Angeles, CA

ABA CENTER FOR CONTINUING LEGAL EDUCATION

Peter Glowacki, *Director*

Darren Baylor, *Associate Director, CLE Courses*

Katherine Tresley, *Marketing Manager*

Nolan Bailey, *Administrative Support*

Registration and Order Form

Class Actions

October 19, 2007 | The Fairmont Chicago | Chicago, IL

- \$625 General Public
- \$500 ABA Member
- ABA # _____
- \$375 Section of Litigation Member
- ABA # _____

Please select one preferred discussion group for the lunch session:

- consumer class actions
- securities litigation
- mass tort actions
- wage and hour collective actions
- employment and civil rights class actions
- antitrust and RICO
- open table

PRODUCT ORDER FORM

- Send me the **Class Actions Audio CD Package, CEN07CAC** (CDs and course materials), available approximately three weeks following the program (**General Public, \$425, ABA Member, \$385, Section Member, \$360**). Domestic shipping and handling cost is \$29.95.

Send me the **Class Actions Course Materials, CEN07CACB (General Public, \$150; ABA Member, \$135; Section Member, \$125)**. Domestic shipping and handling cost is \$17.95.

Illinois residents add 9% sales tax; District of Columbia residents add 5.75% use tax before including domestic shipping and handling charges. Price is subject to change after 10/19/2007.

ABA MEMBERSHIP

- I am interested in becoming a member of the American Bar Association. Please send me information and membership forms.
- I am an ABA member but want a further reduction on my tuition for this program. Please enroll me in the Section of Litigation. I've enclosed a separate check for **\$55**.

Don't miss the live teleconference/audio webcast:
10:30 AM-12:00 PM CT
Signs of Unexpected Volatility: Securities Class Certification Standards on the Move
 For more information, go to www.abadele.org.

TO REGISTER AND ORDER:

Phone 800.285.2221 Select Option 2 or 312.988.5522 *(credit card only)*

FAX 312.988.5850 *(credit card only)*

Online: Visit our secured Web site at www.abanet.org/cle/programs/n07cac1 *(credit card only)*

must include MasterCard VISA American Express

Card No. _____ Exp. Date _____

Signature _____

(Contributor Signature Required)

or Mail form and payment

(with your check payable to the **American Bar Association** or with VISA, MasterCard or American Express information) to:

The American Bar Association
Financial Services, Dept. CEN7CAC
P.O. Box 109078, Chicago, IL 60610-9078

Name _____

Organization _____

Address _____

City _____ State _____ ZIP _____

Phone _____ (for 2 lines please)

Fax _____

E-mail _____

If you would prefer not to receive information about ABA-CLE programs via fax, call 866.322.3158 and enter 38160 followed by your fax number. Or check the box to your left, write your name and fax number and fax this page to 800.208.0584.

FOR OFFICE USE ONLY: ID CEN7CAC ACK _____ SR _____

Please refer to this **SOURCE CODE** when placing your order (if blank, refer to the code above your mailing address): **NCE7MCAC 1 2 3 4**

The 11th Annual National Institute on Class Actions

Do not miss out on this annual favorite. Listen to what past participants have said:

"Well-organized and top-flight panelists . . . excellent materials"

"This CLE is the best one available. Great job!"

"Very useful, good thought-provoking discussions. [It was] an excellent program!"

"I look forward to attending next year!"

For additional information and registration details, please visit www.abanet.org/cle/programs/n07cac1.html.

The Section of Litigation and the Center for CLE would like to extend their appreciation to Epiq Systems and its Class Action & Claims team for their ongoing support of this program.



62719

FOR OFFICE USE ONLY: ID CEN7CAC ACK _____ SR _____
Please refer to this **SOURCE CODE** when placing your order (if blank, refer to the code above your mailing address): **NCE7MCAC 1 2 3 4**



American Bar Association
Center for Continuing Legal Education
321 N. Clark, Suite 1900
Chicago, Illinois 60610



Non-Profit Org.
U.S. Postage
PAID
Documentation

Register Online at www.abanet.org/cle/programs/n07cac1.html