

The National Forum for Environmental and Toxic Tort Issues

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August 2006

FETTI Thirteenth Annual Conference
Hilton Chicago -- Chicago, Illinois / October 5-6, 2006

Wednesday, October 4, 2006 **6:00 - 8:00 p.m.** **Networking Reception**

Thursday, October 5, 2006

8:30 – 8:45 a.m. Welcome and Overview [Paula Unrau, FETTI Chair]

8:45 – 9:45 a.m. Pollution 2006: What's New in the Courts
presented by Michael Aylward; Morrison, Mahoney & Miller, Boston, MA

- Allocation, bad faith, absolute (or maybe not) pollution exclusions and lots and lots of “occurrences.” What are the cutting edge issues now confronting insurers and policyholders in the third decade of pollution and mass tort coverage litigation. Plus the ever popular state by state survey of case law on key coverage issues.

9:45 – 10:30 a.m. Toxic Goulash: The Latest Ingredients Of Toxic Tort Soup
presented by Kurt Reeg; Reeg & Nowogrocki, LLC, St. Louis, MO

- Review the latest and evolving trends in toxic tort litigation
- Product and industry targets and government initiatives
- Learn the new types of claims you will be seeing next year

10:30 – 10:45 a.m. Break

10:45 – 11:45 p.m. Cutting Defense Costs Without Cutting Defense Quality
Co-presented by James F. Murphy; Adler, Murphy, McQuillen, LLP, Chicago, IL

- Practical Cost Saving Approaches to Mass Tort Litigation:
- Identify and Focus Early on Potentially Dispositive Issues
- Streamline Discovery
- Simplify and Narrow Issues via Creative Use of Case Management Order

Co-presented by Ronald D. Gots, M.D., Ph.D.
CEO, International Center for Toxicology and Medicine, Rockville, MD

- Cost Effective, Provable Science in Causation Assessment for Mass Toxic Torts
- Automate Managing of Scientific Literature, Medical Information, Exposure Data
- Prioritize Claimants by Causal Likelihood and Damage Potential
- Provide Cost Effective, Usable, Focused Information for Counsel

11:45 – 1:00 p.m. Lunch

1:00 – 2:00 p.m. Do You Know “Jack” and What It Gets You?
Panel discussion including William Brauer and Karen Dabek, Swiss Re

2:00 – 2:45 p.m. Reinsurance Perspective On Emerging Torts
presented by Joanne McMahon; GE Reinsurance

- 2:45 - 3:00 p.m.** **Break**
- 3:00 – 4:00 p.m.** Hurricanes: The Environmental Aftermath
presented by Phillip Waters; Rimkus Consulting Group; Houston, TX
Constantino Suriano; Mound, Cotton, Wollan & Greengrass; New York, NY
- Learn about the extensive environmental damage and claims from “toxic sludge,” cleanup of petroleum and chemical releases and remediation of mold “blooms”
 - Explore policy provisions regarding product recovery versus remediation of contaminants, storm surge versus wind damage, mold exclusions, and failure to mitigate losses
 - Hear about technical investigations needed for proper claims handling
- 4:00 - 4:45 p.m.** Identifying Technical Costs
presented by George Cartwright; SECOR International
- Overview of several methods and common assumptions consultants use to develop environmental cleanup cost estimates
 - Learn why cost estimates need to be placed in context with the remediation process, evolving risk-based cleanup strategies and regulations to more fully understand the value of environmental claims.
- Friday, October 6, 2006**
- 8:30-9:30 a.m.** What’s Hot About Welding Rods
presented by Patrick Gloor
- Alchemy: the plaintiff’s attempt to change PD into manganism
 - PD: still idiopathic after all these years
- 9:30 – 10:30 a.m.** What’s Hot About Asbestos
presented by Bill Baron and Paul Killion; Duane Morris, San Francisco, CA
- Asbestos Operations Issues: Application of the Completed Operations and Products Hazards to asbestos installation claims, including the Wallace and Gale decision, policyholder arguments, and developments around the country
 - Number of Occurrences: Current theories on determining the number of occurrences in pollution and asbestos claims, the most common forms of wording, and how the law is developing
 - Bankruptcy Issues: Coverage issues arising under Section 524(g) of the Bankruptcy Code, including the California Fuller-Austin decision
- 10:30 – 11:30 a.m.** Tort Reform Update: Federal and Grassroots
presented by Mark Behrens; Shook, Hardy & Bacon, Washington, D.C.
- Take away an update of federal & state civil justice reform efforts, including recent successes at the state level for asbestos and silica claims
 - Hear a discussion of innovative approaches to legal reform, including ways to achieve it through both the judiciary and public opinion in addition to legislation
- 11:30 -11:45 a.m.** **Business Meeting**

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Registration Form

Hilton Chicago
720 South Michigan Avenue, Chicago, IL 60605

October 4-October 6, 2006

Conference Cost: \$250 per attendee

**Group Discount : 3 or more attendees from the same company or firm are
\$225 each**

Name(s): _____

Company: _____

Address: _____

Phone: _____

Fax: _____

E-mail(s): _____

Please mail FETTI Registration Form, with your check, made out to "FETTI" to:

FETTI
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For hotel information, special rates (\$189 per night) and reservations,
call the Hilton Chicago at 877-865-5320 and use "FTT" group code.