

AMERICAN BAR ASSOCIATION  
TORT TRIAL & INSURANCE PRACTICE SECTION  
AVIATION & SPACE LAW COMMITTEE  
PRESENTS

# AVIATION AND SPACE LAW LITIGATION

October 21–22, 2010  
Ritz-Carlton Hotel  
Washington, D.C.

*UNITING PLAINTIFF,  
DEFENSE, INSURANCE,  
AND CORPORATE  
COUNSEL TO ADVANCE  
THE CIVIL JUSTICE  
SYSTEM*



**ABA**  
Defending Liberty  
Pursuing Justice





**WELCOME**

Greetings,

We are looking forward to seeing old friends and welcoming new ones at our annual Fall gathering on October 21-22, 2010 in Washington, D.C. We are once again meeting at the beautiful downtown Ritz-Carlton Hotel which is conveniently located to our Capitol's landmarks, museums and attractions. We have assembled a faculty of experienced aviation litigators who have agreed to share their knowledge and experience obtained over the course of many years of practice. Because all of the presenters are highly regarded by their peers, every one of us, old-timers as well as newcomers, will benefit from this program with its practical "how it's done" subjects.

Our program will focus on preparing for and conducting the aviation trial. Our seasoned presenters will provide insightful techniques and discussions regarding issues including:

- Methods for retrieving electronically stored information (ESI) and complying with court orders regarding same
- Pursuing and Defending Punitive Damages
- Opening and Closing Arguments and Presentation of Evidence at Trial

Also included is the annual presentation on Recent Developments in Aviation Law. Additionally, we will hear from in-house counsel at airlines and manufacturers, and lawyers from insurers and government regarding continuing challenges facing the aviation and insurance industry.

This program always presents an opportunity for long time practitioners and those lawyers new to the field of aviation law to meet, interact and compare notes. So, see you all in our beautiful nation's Capitol for two interesting days of learning and socializing.

**Kevin P. Hilliard**  
Committee Chair  
*Global Aerospace*  
Short Hills, NJ

**Tracey Campbell**  
Program Chair  
*Global Aerospace*  
Short Hills, NJ

**Richard A. Lazenby**  
Planning Committee  
*Condon & Forsyth, LLP*  
Los Angeles, CA

**Daniel O. Rose**  
Planning Committee  
*Kreindler & Kreindler LLP*  
New York, NY

**Christina Schoen**  
Planning Committee  
*USAU*  
New York, NY



# FACULTY & SPEAKERS

## Faculty

**Kevin P. Hilliard**  
Committee Chair  
*Global Aerospace*  
Short Hills, NJ

**Barry Benson**  
Chair Elect  
*U.S. Department of Justice*  
Washington, D.C.

**Tracey Campbell**  
Program Chair  
*Global Aerospace*  
Short Hills, NJ

**Richard A. Lazenby**  
Planning Committee  
*Condon & Forsyth LLP*  
Los Angeles, CA

**Daniel O. Rose**  
Planning Committee  
*Kreindler & Kreindler LLP*  
New York, NY

**Christina Schoen**  
Planning Committee  
*USAU*  
New York, NY

## Speakers

**Angela Abel, M.A.**  
*DecisionQuest*  
Atlanta, GA

**Frederick P. Alimonti**  
*Alimonti Law Offices P.C.*  
New York, NY

**Gary W. Allen**  
Former Director  
*Aviation and Admiralty Sections*  
*U.S. Department of Justice*  
Washington, D.C.

**Desmond T. Barry, Jr.**  
*Condon & Forsyth LLP*  
New York, NY

**Michel F. Baumeister**  
*Baumeister & Samuels, P.C.*  
New York, NY

**Bruce Campbell**  
*Perkins Cole LLP*  
Seattle, WA

**Tony Cassese**  
*USAIG*  
New York, NY

**William J. Conroy**  
*Campbell Campbell  
Edwards & Conroy PC*  
Philadelphia, PA

**R. Robert Craft, Jr.**  
*Holland & Knight LLP*  
New York, NY

**Thad T. Dameris**  
*Hogan & Hartson LLP*  
Houston, TX

**Jonathan E. DeMay**  
*Condon & Forsyth LLP*  
New York, NY

**Mark A. Dombroff**  
*Dombroff, Gilmore,  
Jaques & French*  
McLean, VA

**Richard M. Dunn**  
*Cozen O'Connor*  
Miami, FL

**Susan J. Ellis**  
*Global Aerospace*  
Short Hills, NJ

**Ricks Frasier**  
*United Airlines*  
Chicago, IL

**Susan Friery, M.D.**  
*Kreindler & Kreindler LLP*  
Boston, MA

**Richard E. Genter**  
*Richard E. Genter  
Law Offices*  
Jenkintown, PA

**Hank Goddard**  
*Civil Division*  
*U.S. Department of Justice*  
Washington D.C.

**Neil A. Goldberg**  
*Goldberg Segalla LLP*  
Buffalo, NY

**Frank H. Granito III**  
*Speiser Krause Nolan &  
Granito, PC*  
New York, NY

**Douglas Hensley**  
*General Electric*  
Evandale, IL

**Kathryn J. Humphrey**  
*Dykema Gossett, PLLC*  
Detroit, MI

**Kelli Jones**  
*Continental Airlines*  
Houston, TX

**William J. Katt**  
*Leib & Katt, LLC*  
Milwaukee, WI

**Monica R. Kelly**  
*Ribbeck Law Chartered*  
Chicago, IL

**Mark Larson**  
*Honeywell*  
Phoenix, AZ

**Douglas A. Latto**  
*Baumeister & Samuels,  
P.C.*  
New York, NY

**Richard A. Lazenby**  
*Condon & Forsyth LLP*  
Los Angeles, CA

**Alvin F. Lindsey**  
*Hogan & Hartson LLP*  
Miami, FL

**Ricardo M. Martinez-Cid**  
*Podhurst, Orseck, PA*  
Miami, FL

**Eugene Massamillo**  
*Kaplan, Massamillo &  
Andrews, LLC*  
New York, NY

**W. Timothy McSwain**  
*Allianz*  
New York, NY

**Marc S. Moller**  
*Kreindler & Kreindler LLP*  
New York, NY

**Jeffrey W. Moryan**  
*Connell Foley LLP*  
Roseland, NJ

**Tara E. Nicola**  
*Reed Smith LLP*  
Princeton, NJ

**Kenneth P. Nolan**  
*Speiser Krause Nolan &  
Granito, PC*  
New York, NY

**Brian Panish**  
*Panish, Shea & Boyle, LLP*  
Los Angeles, CA

**Gary C. Robb**  
*Robb & Robb LLC*  
Kansas City, MO

**Jackie Robinson**  
*Thompson & Knight LLP*  
Dallas, TX

**Daniel O. Rose**  
*Kreindler & Kreindler LLP*  
New York, NY

**Michael L. Slack**  
*Slack & Davis, LLP*  
Austin, TX

**Gerald C. Sterns**  
*Sterns & Walker*  
Oakland, CA

**Timothy S. Tomasik**  
*Clifford Law Offices*  
Chicago, IL

**Paula L. Wegman**  
*Adler Murphy &  
McQuillen LLP*  
Chicago, IL

**Hoyt Zia**  
*Hawaiian Airlines*  
Honolulu, HI

**Jonathan S. Ziss**  
*Margolis Edelstein*  
Philadelphia, PA

# PROGRAM AGENDA

## DAY ONE—THURSDAY, OCTOBER 21, 2010

8:00 a.m.

### REGISTRATION AND CONTINENTAL BREAKFAST

8:30 a.m. – 8:35 a.m.

### WELCOME REMARKS AND INTRODUCTIONS

**Kevin Hilliard**  
Committee Chair  
*Global Aerospace*  
Short Hills, NJ

**Tracey Campbell**  
Program Chair  
*Global Aerospace*  
Short Hills, NJ

**Jennifer “Ginger” Busby**  
Tort Trial & Insurance  
Practice Section Chair  
*Burr & Forman LLP*  
Birmingham, AL

Morning Session Moderator: **Richard A. Lazenby**

8:35 a.m. – 9:15 a.m.

### RECENT DEVELOPMENTS IN AVIATION LAW

This discussion includes a review of recent aviation cases which may affect your practice.

**Paula L. Wegman**  
*Adler Murphy & McQuillen LLP*  
Chicago, IL

9:15 a.m. – 10:00 a.m.

### RESEARCH TECHNIQUES AND SOURCES IN AVIATION LITIGATION

Learn the best and latest ways to develop information regarding both the liability and damages aspects of your cases.

Moderator:  
**Alvin F. Lindsey**  
*Hogan & Hartson LLP*  
Miami, FL

Plaintiffs’ Counsel:  
**Susan Friery M.D.**  
*Kreindler & Kreindler*  
Boston, MA

Defense Counsel:  
**Jonathan E. DeMay**  
*Condon & Forsyth LLP*  
New York, NY

Insurer:  
**Susan J. Ellis**  
*Global Aerospace*  
Short Hills, NJ

10:00 a.m. – 10:15 a.m.

### BREAK

10:15 a.m. – 11:00 a.m.

### LOCATING, VETTING AND SELECTING EFFECTIVE EXPERT WITNESSES

Panelists examine practices and techniques to locate and select the best experts to advance the theories of your case.

Moderator:  
**Jeffrey W. Moryan**  
*Connell Foley LLP*  
Roseland, NJ

Plaintiffs’ Counsel:  
**Michael L. Slack**  
*Slack & Davis, LLP*  
Austin, TX

Defense Counsel:  
**Jackie Robinson**  
*Thompson & Knight LLP*  
Dallas, TX

Government:  
**Hank Goddard**  
*U.S. Department of Justice Civil Division*  
Washington D.C.

Insurer:  
**W. Timothy McSwain**  
*Allianz*  
New York, NY

11:00 a.m. – 11:45 a.m.

### **TAKING AND DEFENDING DEPOSITIONS IN AVIATION CASES: TRICKS OF THE TRADE**

Seasoned aviation attorneys will share and discuss their time-tested strategies for successfully taking and defending depositions in aviation cases.

Moderator:

**Gerald C. Sterns**  
*Sterns & Walker*  
Oakland, CA

Plaintiffs' Counsel:  
**Douglas A. Latto**  
*Baumeister & Samuels, P.C.*  
New York, NY

Defense Counsel:  
**Richard M. Dunn**  
*Cozen O'Connor*  
Miami, FL

11:45 a.m. – 12:30 p.m.

### **PRACTICALITIES OF ESI**

Panelists will discuss the tactics for managing discovery requests pertaining to electronically stored information.

Moderator:

**Jonathan Ziss**  
*Margolis Edelstein*  
Philadelphia, PA

Plaintiffs' Counsel:  
**Richard E. Genter**  
*Richard E. Genter*  
Jenkintown, PA

Defense Counsel:  
**Tara E. Nicola**  
*Reed Smith LLP*  
Princeton, NJ

Corporate Reps:  
**Ricks Frasier**  
*United Airlines*  
Chicago, IL

**Kelli Jones**  
*Continental Airlines*  
Houston, TX

12:30 p.m. – 1:45 p.m.

### **LUNCHEON**

**Hon. Christopher A. Hart**

Vice Chairman, *National Transportation Safety Board*

Afternoon Session Moderator: **Christina Schoen**

1:45 p.m. – 2:30 p.m.

### **CONDUCTING EFFECTIVE FOCUS GROUPS**

This panel will provide insight into what can be learned from focus group studies and how to effectively use information that is developed during focus group sessions.

Moderator:

**Kenneth P. Nolan**  
*Speiser Krause Nolan & Granito, PC*  
New York, NY

Defense Counsel:  
**William J. Katt**  
*Leib & Katt, LLC*  
Milwaukee, WI

Plaintiffs' Counsel:  
**Timothy S. Tomasik**  
*Clifford Law Offices*  
Chicago, IL

Insurer:  
**Tony Cassese**  
*USAIG*  
New York, NY

Consultant:  
**Angela Abel, M.A.**  
*DecisionQuest*  
Atlanta, GA

2:30 p.m. – 3:15 p.m.

**FORUM NON CONVENIENS MOTIONS: WHAT'S THE LATEST?**

A panel of experts will engage attendees with practical and thoughtful discussion regarding issues to consider when filing forum non conveniens motions.

Moderator:

**Monica R. Kelly**  
*Ribbeck Law Chartered*  
Chicago, IL

Defense Counsel:

**Bruce Campbell**  
*Perkins Cole LLP*  
Seattle, WA

Plaintiffs' Counsel:

**Ricardo M. Martinez-Cid**  
*Podhurst, Orseck, PA*  
Miami, FL

Manufacturer:

**Mark Larson**  
*Honeywell*  
Phoenix, AZ

3:15 p.m. – 3:30 p.m.

**BREAK**

3:30 p.m. – 4:15 p.m.

**CONTINUING CHALLENGES FACING AIRLINES AND MANUFACTURERS**

In-house counsel and practitioners will examine the emerging issues facing airlines, manufacturers and aviation industry advocates in today's business climate.

Moderator:

**Eugene Massamillo**  
*Kaplan, Massamillo & Andrews, LLC*  
New York, NY

Plaintiffs' Counsel:

**Frank H. Granito III**  
*Speiser Krause Nolan & Granito, PC*  
New York, NY

Defense Counsel:

**Kathryn J. Humphrey**  
*Dykema Gossett, PLLC*  
Detroit, MI

Airline:

**Hoyt Zia**  
*Hawaiian Airlines*  
Honolulu, HI

Manufacturer:

**Douglas Hensley**  
*General Electric*  
Evan Dale, IL

4:15 p.m. – 5:15 p.m.

**ETHICS**

Panelists will examine the ethical issues that we all confront and will share their "best practices" on how to deal with the ethical considerations unique to aviation law and litigation.

Moderator:

**Gary W. Allen**, former Director  
*Aviation and Admiralty Sections*  
*U.S. Department of Justice*  
Washington, D.C.

Defense Counsel:

**Frederick P. Alimonti**  
*Alimonti Law Offices, P.C.*  
New York, NY

Plaintiffs' Counsel:

**Michel F. Baumeister**  
*Baumeister & Samuels, P.C.*  
New York, NY

5:30 p.m.

**RECEPTION**

## DAY TWO—FRIDAY, OCTOBER 22, 2010

Session Moderator: **Daniel Rose**

9:00 a.m. – 9:45 a.m.

### **PURSUING AND DEFENDING PUNITIVE DAMAGES**

A panel of litigators will discuss recent case law pertaining to punitive damages and actions that should be taken to preserve your arguments.

Moderator:

**R. Robert Craft, Jr.**  
*Holland & Knight LLP*  
New York, NY

Defense Counsel:

**Neil A. Goldberg**  
*Goldberg Segalla LLP*  
Buffalo, NY

Plaintiffs' Counsel:

**Brian Panish**  
*Panish, Shea & Boyle, LLP*  
Los Angeles, CA

9:45 a.m. – 10:30 a.m.

### **THE TRIAL: OPENING AND CLOSINGS IN COMPLEX HIGH EXPOSURE CASES**

Experienced attorneys will discuss effective ways to artfully advance the theories of your case while following the applicable court rules.

Moderator:

**Thad T. Dameris**  
*Hogan & Hartson LLP*  
Houston, TX

Defense Counsel:

**William J. Conroy**  
*Campbell Campbell  
Edwards & Conroy PC*  
Philadelphia, PA

Plaintiffs' Counsel:

**Marc S. Moller**  
*Kreindler & Kreindler LLP*  
New York, NY

10:30 a.m. – 10:45 a.m.

### **BREAK**

10:45 a.m. – 11:45 a.m.

### **CONSIDERATIONS IN PRESENTING THE CASE AT TRIAL**

Veteran attorneys share key strategies in the decision making process. Learn how to effectively present witnesses, evidence and motions at trial.

Moderator:

**Desmond T. Barry, Jr.**  
*Condon & Forsyth, LLP*  
New York, NY

Defense Counsel:

**Mark A. Dombroff**  
*Dombroff, Gilmore, Jaques  
& French*  
McLean, VA

Plaintiff's Counsel:

**Gary C. Robb**  
*Robb & Robb LLC*  
Kansas City, MO

11:45 a.m. – 12:00 p.m.

### **CLOSING REMARKS**

12:00 p.m.

### **ADJOURN**



# GENERAL INFORMATION

## REGISTRATION DEADLINE: OCTOBER 1, 2010

### ADVANCE REGISTRATION

Visit the TIPS Aviation and Space Law Litigation Program website to register at [www.abanet.org/tips](http://www.abanet.org/tips) or complete the registration form included in this brochure and fax it to us at (312) 988-6230. The registration fee includes admission to the program, course materials, continental breakfast, breaks, and reception. If you wish to have your name appear on the pre-registration list distributed at the program, we must receive your meeting reservation no later than **October 1, 2010**. Registration reservations will be confirmed in writing within 10 business days.

### ON-SITE REGISTRATION

On-site registrations will be accepted if space is available. Call Donald Quarles at (312) 988-5708 or email [dquarles@staff.abanet.org](mailto:dquarles@staff.abanet.org), 72 hours prior to the program to confirm that space is available. On-site registrants must pay the program fee by credit card or check made payable to the American Bar Association. A \$25 fee will be charged to individuals registering on-site.

### CANCELLATION POLICY

No registration fee refunds will be granted for cancellations received after **October 1, 2010**. In order to receive a refund (less a \$100 administrative fee), the ABA must receive written cancellation by October 1, 2010. Registrants who are unable to attend may send a substitute or receive course materials in lieu of a refund.

### HOTEL INFORMATION

Ritz-Carlton Hotel  
Reservations can be made by calling (202) 835-0500 or (800) 558-9994.

A limited number of rooms have been blocked for program registrants of the ABA Tort Trial & Insurance Practice Section Aviation and Space Law Litigation Meeting at the Ritz-Carlton Washington D.C., 1150 22nd Street NW, Washington, DC 20037. The ABA negotiated hotel room rate is **\$299 S/D plus 14.5% tax. For reservations, please call the hotel directly at (202) 835-0500. The room block will be held until exhausted or until Wednesday, September 29, 2010 at 5:00 p.m. (CST)**. After the meeting specified hotel deadline, reservations will be confirmed based on availability. Please refer to the ABA Tort Trial & Insurance Practice Section Aviation and Space Law Litigation Meeting when calling the hotel to make reservations. Hotel check-in is 3:00 p.m. and checkout is 12:00 p.m. (Noon). All reservations must be guaranteed by credit card or deposit check. Individuals with guaranteed reservations must cancel their reservations no later than 24 hours before the scheduled day of arrival to avoid a one-night cancellation charge.

### AIRLINE INFORMATION

Discounted airfares are available from ABA Orbitz For Business including ABA negotiated discounts on American and United Airlines. To book online, go to [www.abanet.org/travel](http://www.abanet.org/travel) > click under the Orbitz For Business logo at the top of the page > click on the appropriate link in the Self Paid Travel box. For assistance with online or offline reservations, call toll free (877) 222-4185.

## HOTEL DEADLINE: SEPTEMBER 29, 2010

Following is the ABA discount code for American and United Airlines under which your reservations need to be purchased in order to receive either the ABA percentage discount or zone fare.

**AMERICAN AIRLINES (800) 433-1790 Code A1210SS**

**UNITED AIRLINES (800) 521-4041 Code 578IG**

### CLE INFORMATION

Accreditation will be requested for this program from every state with mandatory continuing legal education (MCLE) requirements for its lawyers. Please be aware that each state has its own rules and regulations, including its definition of "CLE". Check with your state agency for confirmation of this program's approval. Attorneys seeking to obtain MCLE credit in Pennsylvania are required to pay state accreditation fees directly to that state. Certificates of attendance will be available at the conclusion of the program. In order to receive CLE credit, all attorneys will be required to sign in on the sign-in sheets and obtain a Uniform Certificate of Attendance. Registration fees must be paid in full before registrants can receive credit. You may contact the ABA Service Center toll free at (800) 285-2221 or Donald Quarles at (312) 988-5708 two weeks prior to the conference for confirmation of the number of CLE credit hours requested by the ABA or credit approved by any particular state.

### MEMBERSHIP INFORMATION

For more information about membership in the ABA or the Tort Trial & Insurance Practice Section (TIPS), please visit us online at [www.abanet.org/tips/about](http://www.abanet.org/tips/about) or call (800) 285-2221. Membership in TIPS includes three industry leading periodicals, discounts of up to 20% on many TIPS CLE programs, and other career and practice-enhancing benefits. Join TIPS today!

### PERSONS WITH DISABILITIES

Services for persons with disabilities are available. If special arrangements are required for an individual to attend this program, please notify Donald Quarles at the ABA promptly at (312) 988-5708. Reasonable advance notice is requested.

### GET CONNECTED WITH TIPS!

Information on this and other TIPS CLE programs is available online at [www.abanet.org/tips](http://www.abanet.org/tips). Visit us and get connected!

### SCHOLARSHIPS AVAILABLE!

ATTENTION TIPS MEMBERS: Scholarships are available for all Section activities, courtesy of the TIPS Scholarship Fund. The Fund, established with the International Risk Management Institute ("IRMI") and supported by subscriptions to the IRMI CGL Reporter, is intended to increase membership involvement in TIPS' activities among minorities, solo and small firm practitioners, government attorneys, women, and young lawyers by providing financial support to those who would otherwise be unable to participate. To request an application or receive additional information, visit [www.abanet.org/tips/scholarship.html](http://www.abanet.org/tips/scholarship.html) or contact Linda Wiley at (312) 988-5673.



# REGISTRATION FORM

ABA Tort Trial & Insurance Practice Section (TIPS)  
Aviation and Space Law Litigation  
Ritz-Carlton Hotel • Washington D.C. • October 21-22, 2010

REGISTRATION DEADLINE: OCTOBER 1, 2010 HOTEL DEADLINE: SEPTEMBER 29, 2010

1. REGISTRANT: (Please print or type one form per person; photocopy this form for additional registrants)

LAST NAME FIRST NAME MI

NAME AS YOU WISH IT TO APPEAR ON YOUR BADGE

FIRM/COMPANY

WHAT STATE(S) ARE YOU LICENSED IN?

ADDRESS

CITY STATE ZIP

(AREA CODE) BUSINESS TELEPHONE FACSIMILE

E-MAIL ADDRESS

Are you attending your first TIPS National Program?  Yes  No

I am a member of the ABA and wish to join the Tort Trial & Insurance Practice Section. I have enclosed a separate check for \$50 made payable to the American Bar Association.

2. REGISTRATION FEES:	On or Before 10/1/10	After 10/1/10	QTY	TOTAL
TIPS Member	\$525	\$550	___	___
ABA Member	\$575	\$600	___	___
General Attendee	\$625	\$650	___	___
Government Employee	\$395	\$420	___	___
Law Student	\$150	\$175	___	___

### 3. MATERIALS

I will not be attending the meeting and wish to order program materials on CD-ROM for \$150.

4. TOTAL PAYMENT Total \_\_\_\_\_

### 5. PAYMENT INFORMATION

Check (made payable to the ABA)  American Express  MasterCard  VISA

CREDIT CARD NUMBER EXPIRATION DATE

SIGNATURE

### THREE WAYS TO REGISTER

1. **ONLINE:** [www.abanet.org/tips](http://www.abanet.org/tips)
2. **MAIL:** **Aviation and Space Law Litigation**  
American Bar Association  
321 North Clark Street  
Mail Stop 18-2  
Chicago, IL 60654
3. **FAX:** 312/988-6230

On-site registrants must pay the program fee plus an additional \$25 by check or credit card.

# AVIATION AND SPACE LAW LITIGATION

October 21–22, 2010

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Washington, D.C.

Registration Deadline:  
October 1, 2010

Hotel Deadline:  
September 29, 2010

Register online at  
[www.abanet.org/tips](http://www.abanet.org/tips)



American Bar Association  
Tort Trial & Insurance Practice Section  
321 North Clark Street  
Chicago, Illinois 60654



Defending Liberty  
Pursuing Justice

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