



# CLASS ACTIONS

## The US Supreme Court Speaks

October 3-4, 2013 • Loews Madison • Washington, DC

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### Dear Colleague:

We are delighted that CLE International's 9th Annual Class Action Conference is coming to Washington, DC, the home of the US Supreme Court. Over the past two Terms, the Supreme Court has taken a strong (perhaps unprecedented) interest in class actions. It has issued opinions in many significant cases, including *Wal-Mart Stores v. Dukes*, *AT&T Mobility v. Concepcion*, *Comcast Corp. v. Behrend*, *American Express v. Italian Colors Restaurant*, *Standard Fire Insurance v. Knowles* and *Oxford Health Plans v. Sutter*. This year's conference will be organized around these and other major decisions. Our panelists will include many of the Supreme Court practitioners who argued or litigated these cases. Those advocates, along with a number of academics, will be analyzing the decisions and their practical impact for lawyers who bring and defend against class actions.

One of the highlights of the conference will be a Supreme Court Roundup that will assess the Court's decisions of this past Term as a whole and in the broader context of class action litigation.

With these and other timely topics, this Conference will allow you to become familiar with the latest developments, addressed by panels that are well-balanced, providing both plaintiffs'- and defense-side views on the issues. It will also provide valuable face-to-face networking opportunities.

We are pleased to invite you to join us at this important time for class actions.



**Lisa M. Mezzetti, Esq.**  
**Program Co-Chair**

Cohen Milstein Sellers & Toll, Washington, DC



**Archis A. Parasharami, Esq.**  
**Program Co-Chair**

Mayer Brown, Washington, DC

### Conference Exhibitors:



### Please join us for two great networking opportunities:

**New This Year!**  
**Wednesday Welcome Reception**  
**Co-Sponsored By:**



**Thursday Private Networking**  
**Happy Hour Sponsored By:**



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**Schedule and Information INSIDE**

## Wednesday, October 2

5:00-7:00 pm – Welcome Reception Co-Sponsored By: **Gilardi & Co.** and **Bank of the West**

## Thursday, October 3

- 8:30 Registration and Continental Breakfast
- 9:00 **Welcome**  
Overview of Day One  
**Lisa M. Mezzetti, Esq., Program Co-Chair**  
Cohen Milstein Sellers & Toll, Washington, DC  
**Archis A. Parasharami, Esq., Program Co-Chair**  
Mayer Brown, Washington, DC
- 9:15 **The Class Standing Doctrine**  
How Close Must Putative Class Claims Be to Those of the Class Representatives?  
*Plaintiff:* **Julie Goldsmith Reiser, Esq.**  
Cohen Milstein Sellers & Toll, Washington, DC  
*Defense:* **Sascha Henry, Esq.**  
Sheppard Mullin, Los Angeles, CA
- 10:15 Networking Break
- 10:30 **Privacy and Social Media Litigation**  
A New Frontier For Class Actions?  
*Plaintiff:* **Scott A. Kamber, Esq.**  
KamberLaw, New York, NY  
*Defense:* **Jeffrey S. Jacobson, Esq.**  
Debevoise & Plimpton, New York, NY
- 11:30 **Genesis HealthCare Corp. v. Symczyk**  
Can Rule 68 Offers Be Used to Moot Collective and/or Class Actions?  
*Plaintiff:* **Adina H. Rosenbaum, Esq.**  
Public Citizen, Washington, DC  
*Defense:* **Ronald Mann, Esq.**  
**Albert E. Cinelli Enterprise Prof. of Law**  
Columbia Law School, New York, NY
- 12:30 Lunch Break
- 1:45 **Comcast Corp. v. Behrend and Wal-Mart Stores v. Dukes**  
Major Developments in Class Certification Under Rule 23  
*Plaintiff:* **Michael D. Donovan, Esq.**  
Donovan Axler, Philadelphia, PA  
*Defense:* **Mark A. Perry, Esq.**  
Gibson Dunn, Washington, DC
- 2:45 Networking Break
- 3:00 **Trying a Class Action Case**  
Lessons from the Trenches  
*Plaintiff:* **Richard M. Heimann, Esq.**  
Lief Cabraser Heimann & Bernstein, San Francisco, CA  
*Defense:* **James Donato, Esq.**  
Shearman & Sterling, San Francisco, CA
- 4:15 **Class Action Notice, Reach & Administration**  
New Issues & Considerations  
**Alan Vasquez, Director of Notice**  
Gilardi & Co., San Rafael, CA  
**Shannon R. Wheatman, PhD, Senior Vice President**  
Kinsella Media, Washington, DC  
**Diane Zilka, Esq.**  
Grant & Eisenhofer, Wilmington, DE
- 5:30 Adjourn to Private Networking Happy Hour Sponsored By:



## Friday, October 4

- 8:30 Continental Breakfast
- 9:00 **Welcome Back**  
Overview of Day Two  
**Lisa M. Mezzetti, Esq., Program Co-Chair**  
**Archis A. Parasharami, Esq., Program Co-Chair**
- 9:05 **Collective Proceedings Abroad**  
Evolving Approaches & Attitudes  
*Plaintiff:* **Marc Schiefer, Esq.**  
TILP, Kirchentellinsfurt, Germany  
*Defense:* **Jonathan E. Richman, Esq.**  
Proskauer, New York, NY
- 10:05 Networking Break
- 10:20 **Arbitration Provisions and Class Actions**  
The Impact of *American Express v. Italian Colors Restaurant* and *Oxford Health Plans v. Sutter*  
*Plaintiff:* **F. Paul Bland, Esq., Senior Attorney**  
Public Justice, Washington, DC  
*Defense:* **Derek T. Ho, Esq.**  
Kellogg, Huber, Hansen, Todd, Evans & Figel  
Washington, DC
- 11:20 **The Class Action Fairness Act and Federal Jurisdiction**  
*Standard Fire Insurance v. Knowles* and *Mississippi ex rel. Hood v. AU Optronics*  
*Plaintiff:* **Lauren Guth Barnes, Esq.**  
Hagens Berman Sobol Shapiro, Boston, MA  
*Defense:* **Wystan M. Ackerman, Esq.**  
Robinson & Cole, Hartford, CT
- 12:20 Lunch Break
- 1:30 **Featured Panel Presentation**  
Supreme Court Roundup: What The Court's Latest Opinions Mean for the World of Class Actions  
**Deepak Gupta, Esq.**  
Gupta Beck, Washington, DC  
**Suzette M. Malveaux, Esq., Associate Dean for Academic Affairs and Professor of Law**  
Columbus School of Law at The Catholic University of America  
Washington, DC  
**Andrew J. Pincus, Esq.**  
Mayer Brown, Washington, DC
- 2:45 **Settlement of Class Actions**  
Negotiating Settlements Through Mediation and Securing Judicial Approval  
**Glen L. Abramson, Esq.**  
Berger & Montague, Philadelphia, PA  
**Linda R. Singer, Esq.**  
JAMS, Washington, DC  
**Andrew J. Trask, Esq.**  
McGuire Woods, London, UK
- 3:45 Networking Break
- 4:00 **The Ethics of Using Litigation Financing**  
How Is the Debate Evolving?  
**John Tremain May, Esq.**  
Jordan Coyne & Savits, Washington, DC  
**Gretchen M. Nelson, Esq.**  
Kreindler & Kreindler, Los Angeles, CA  
**Geoffrey M. Wyatt, Esq.**  
Skadden, Arps, Slate, Meagher & Flom, Washington, DC
- 5:00 Evaluations and Adjourn

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## MEET YOUR DISTINGUISHED FACULTY

### PROGRAM CO-CHAIRS

**Lisa M. Mezzetti** is a senior partner of her firm and a member of both its Securities Fraud/Litigation and Consumer Protection and Unsafe Products practice groups. She has litigated class and collective actions and private securities cases for more than 30 years. In more than 150 class actions, she has managed every phase of the cases – from investigations, complaints and motions through trial, appeals and settlements – against a variety of defendants and across a broad assortment of industries.

**Archis A. Parasharami**, a litigation partner in his firm's Washington, DC office, is a co-chair of his firm's Consumer Litigation & Class Actions practice and a member of the firm's Supreme Court & Appellate practice. Archis routinely defends businesses in class action litigation in federal and state courts around the country. He frequently speaks on developments in the class action arena, and has been quoted on a number of occasions in publications such as *The National Law Journal*, *Corporate Counsel* and *The Wall Street Journal*.

### FEATURED SPEAKERS

**Deepak Gupta, Esq.**  
Gupta Beck, Washington, DC

**Suzette M. Malveaux, Esq., Associate Dean for Academic Affairs and Professor of Law**  
Columbus School of Law at The Catholic University of America, Washington, DC

**Andrew J. Pincus, Esq.**  
Mayer Brown, Washington, DC

### FACULTY

**Glen L. Abramson, Esq.**  
Berger & Montague, Philadelphia, PA

**Wystan M. Ackerman, Esq.**  
Robinson & Cole, Hartford, CT

**Lauren Guth Barnes, Esq.**  
Hagens Berman Sobol Shapiro, Boston, MA

**F. Paul Bland, Esq., Senior Attorney**  
Public Justice, Washington, DC

**James Donato, Esq.**  
Shearman & Sterling, San Francisco, CA

**Michael D. Donovan, Esq.**  
Donovan Axler, Philadelphia, PA

**Richard M. Heimann, Esq.**  
Lieff Cabraser Heimann & Bernstein  
San Francisco, CA

**Sascha Henry, Esq.**  
Sheppard Mullin, Los Angeles, CA

**Derek T. Ho, Esq.**  
Kellogg, Huber, Hansen, Todd, Evans & Figel  
Washington, DC

**Scott A. Kamber, Esq.**  
KamberLaw, New York, NY

**Jeffrey S. Jacobson, Esq.**  
Debevoise & Plimpton, New York, NY

**Ronald Mann, Esq., Albert E. Cinelli  
Enterprise Prof. Of Law**  
Columbia Law School, New York, NY

**John Tremain May, Esq.**  
Jordan Coyne & Savits, Washington, DC

**Gretchen M. Nelson, Esq.**  
Kreindler & Kreindler, Los Angeles, CA

**Mark A. Perry, Esq.**  
Gibson Dunn, Washington, DC

**Julie Goldsmith Reiser, Esq.**  
Cohen Milstein Sellers & Toll, Washington, DC

**Jonathan E. Richman, Esq.**  
Proskauer, New York, NY

**Adina H. Rosenbaum, Esq.**  
Public Citizen, Washington, DC

**Marc Schiefer, Esq.**  
TILP, Kirchentellinsfurt, Germany

**Linda R. Singer, Esq.**  
JAMS, Washington, DC

**Andrew J. Trask, Esq.**  
McGuire Woods, London, UK

**Alan Vasquez, Director of Notice**  
Gilardi & Co., San Rafael, CA

**Shannon R. Wheatman, PhD  
Senior Vice President**  
Kinsella Media, Washington, DC

**Geoffrey M. Wyatt, Esq.**  
Skadden, Arps, Slate, Meagher & Flom  
Washington, DC

**Diane Zilka, Esq.**  
Grant & Eisenhofer, Wilmington, DE

**PROGRAM ATTORNEY:**  
Laura Terlisner Mehew, [laura@cle.com](mailto:laura@cle.com)

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### Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 pm MST on the Friday prior to the Conference. Substitutions may be made at any time.

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- \$595 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

### Course materials available in:

- CD  Binder  Both (Extra cost: \$50/set)

### Home Study – available after the conference

- Audio transcript and course materials
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## The US Supreme Court Speaks

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## Even More Networking & Learning Opportunities

October 3-4, 2013 • Loews Madison • Washington, DC

### Featured Panel Presentation

Supreme Court Roundup: What The Court's Latest Opinions Mean for the World of Class Actions



**Deepak Gupta, Esq.**  
Gupta Beck, Washington, DC

Deepak Gupta is the founding principal of his firm, a national appellate litigation boutique based in Washington, DC. He specializes in Supreme Court and appellate litigation on behalf of plaintiffs, with an emphasis on class actions, consumers' and workers' rights, and constitutional law.



**Suzette M. Malveaux, Esq.**  
Associate Dean for  
Academic Affairs and  
Professor of Law  
Columbus School of Law at The  
Catholic University of America  
Washington, DC

Suzette M. Malveaux was appointed to serve as Associate Dean for Academic Affairs for the Columbus School of Law effective August 2012. She teaches Civil Procedure, Complex Litigation, Civil Rights Law and Fair Employment Law.



**Andrew J. Pincus, Esq.**  
Mayer Brown  
Washington, DC

Andrew J. Pincus focuses his appellate practice on briefing and arguing cases in the Supreme Court of the United States and in federal and state appellate courts, as well as on developing legal arguments in trial courts. Andy has argued 23 cases in the US Supreme Court, four of them in the 2010 and 2011 Terms.

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