



## **Hot Topics in Product Liability Law: What Medical Device Companies Need to Know To Help Protect Themselves from Litigation Risks in 2010**

Offices of Sidley Austin LLP  
Chicago, IL  
June 22 - 23, 2010

### **Tuesday, June 22<sup>nd</sup>**

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| <b>12:00</b>        | <b>REGISTRATION</b>  |
| <b>12:30 – 1:30</b> | <b>Welcome Luncheon and Keynote Address: Product Liability Challenges Facing Medical Device Companies in 2010 and Strategies to Reduce Risk</b><br><i>Kyle Kappes, Vice President &amp; Chief Counsel—Litigation, Kimberly-Clark</i>   |
| <b>1:30 – 1:45</b>  | <b>BREAK</b>   |
| <b>1:45 – 2:00</b>  | <b>Introduction</b><br><i>Michael W. Davis, Partner and Global Coordinator of Sidley Austin LLP's Products Liability Practice</i>  |
| <b>2:00 – 3:00</b>  | <b>Theories of Product Liability Against Medical Device Manufacturers: Basic and Emerging Theories in Private Civil Litigation</b><br><i>Panel Discussion Speakers:</i><br><i>Moderator: Sara J. Gourley, Partner and Global Coordinator of Sidley Austin LLP's Products Liability Practice</i><br><i>Sherry A. Knutson, Partner, Sidley Austin LLP's Products Liability Practice</i><br><i>Kara L. McCall, Partner, Sidley Austin LLP's Products Liability Practice</i><br><i>James R.M. Hemmings, Associate, Sidley Austin LLP's Products Liability Practice</i> |
| <b>3:00 – 3:30</b>  | <b>Litigation Management Strategies: Special Issues Arising Out Of Training Medical Providers And Company Personnel Being Present During Medical Device Procedures</b><br><i>Prentice H. Marshall Jr., Partner, Sidley Austin LLP's Products Liability Practice</i>  |

- 3:30 – 3:45**                    **BREAK**
- 3:45 – 4:30**                    **Missing Medical Devices: Defending Medical Device Cases When The Product Is Not Available**  
*Maja J. Eaton, Partner, Sidley Austin LLP's Products Liability Practice*
- 4:30 – 5:15**                    **Medical Device Preemption After The Supreme Court's Decision In Riegel v. Medtronic, Inc.**  
*Coleen Klasmeier, Partner and Global Coordinator of Sidley Austin LLP's Food, Drug and Medical Device Regulatory Practice*  
*Rebecca K. Wood, Partner, Sidley Austin LLP's Appellate and Products Liability Practices*  
*Eamon P. Joyce, Associate, Sidley Austin LLP's Appellate and Products Liability Practices*
- 5:15**                                **RECEPTION and DINNER**

**Wednesday, June 23<sup>rd</sup>**

- 8:00 – 8:30**                    **REGISTRATION AND CONTINENTAL BREAKFAST**
- 8:30 – 9:15**                    **Direct-To-Consumer Advertising And Social Media Issues**  
*Thomas P. Hanrahan, Partner and Global Coordinator of Sidley Austin LLP's Los Angeles Litigation Practice*  
*Alan Charles Raul, Partner and Global Coordinator of Sidley Austin LLP's Privacy, Data Security and Information Law Practice*
- 9:15 – 10:00**                    **Product Liability And Off-Label Government Enforcement: Enforcement Trends And Strategies For Engaging With The Department Of Justice**  
*Paul E. Kalb, M.D., Partner and Global Coordinator of Sidley Austin LLP's Healthcare Practice*  
*Peter D. Keisler, Partner and Global Coordinator of Sidley Austin LLP's Appellate Practice, Former Acting Attorney General of the United States*  
*C. Frederick Beckner III, Partner, Sidley Austin LLP's Appellate Practice, Former Deputy Assistant Attorney General, Torts Branch and Office of Consumer Litigation*
- 10:00 – 10:30**                    **Strategies For Addressing Class Action Lawsuits And Multidistrict Litigation**  
*Eugene A. Schoon, Partner, Sidley Austin LLP's Products Liability and Healthcare Practices*  
*Susan A. Weber, Partner, Sidley Austin LLP's Products Liability and Appellate Practices*
- 10:30 – 10:45**                    **BREAK**
- 10:45 – 11:15**                    **Recent Corporate Disclosure Issues For Medical Device Companies**

*Pran Jha, Partner, Sidley Austin LLP's Corporate and Securities Practice*  
*Lisa J. Reátegui, Partner, Sidley Austin LLP's Corporate and Securities Practice*

**11:15 – 11:45**

**Litigation Management Strategies: The Role Of “Human Factors” Experts In Medical Device Litigation**

*Tamar B. Kelber, Partner, Sidley Austin LLP's Products Liability Practice*  
*James W. Mizgala, Partner, Sidley Austin LLP's Products Liability Practice*  
*Gavin Huntley-Fenner, Ph.D., Human Factors Expert, Irvine, California*

**11:45 – 12:45**

**Ethical and Privilege Issues For Medical Device Companies**

*George W. Jones, Jr., Partner, Sidley Austin LLP's Complex Commercial Litigation Practice*  
*H. Bruce Bernstein, Partner, Sidley Austin LLP's Syndicated and Leveraged Finance Practice*

**12:45**

**Casual Farewell Luncheon and Box Lunch Take Away**

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