AGENDA

DAY 1 – FRIDAY
9:00-9:10 Welcome from Lewis & Clark and Pound Civil Justice Institute
   Dean Jennifer Johnson & Prof. Robert Klonoff, Lewis & Clark Law School
   Jennie Anderson, President, Pound Civil Justice Institute

9:15-10:30 STATE MDLs, STATE CLASS ACTIONS
   Moderator: Lori Andrus of Andrus Anderson, LLP
   Paper: The State of State MDLs: Texas’s Story
   By Prof. Theodore Rave, University of Houston Law Center and Prof. Zachary Clopton,
   Northwestern Law School
   Commentators: Sarah Crooks, Esq.; Hon. Robert B. Freedman (ret.); Danielle Ward Mason, Esq.;
   David Sugerman, Esq.
   Q&A

10:30-10:45 – break

10:45-11:45 SOCIAL JUSTICE CLASS ACTIONS
   Moderator: Prof. Judith Resnik, Yale Law School
   Paper: The Tenuous Persistence of the Public Interest Class Action
   By Prof. David Marcus, UCLA School of Law
   Commentators: Jocelyn Larkin, Impact Fund; Dean Alan Morrison, George Washington Law;
   Prof. Elizabeth Thornburg, SMU School of Law
   Q&A

12:00-1:00 LUNCH
   The Next 50 Years of Aggregate Litigation – A Conversation
   Prof. Arthur Miller, NYU School of Law & Prof. Robert Klonoff

1:15-3:00 FEDERAL MDLs, FEDERAL CLASS ACTIONS
   Moderator: Prof. Samuel Issacharoff, NYU School of Law
   Papers/Authors:
   What Do MDL Leaders Do?: Evidence From Leadership Appointment Orders
   By Prof. David Noll, Rutgers Law School
   Layers of Lawyers: Parsing the Complexities of Claimant Representation in Mass Tort MDLs
   By Prof. Lynn Baker, University of Texas Law School; and Steve Herman of Herman, Herman
   & Katz, New Orleans
   Procedural Self-Inflicted Wounds? Appellate Issues in Complex Civil Litigation
   Prof. Joshua Davis, Univ. of San Francisco School of Law; and Brian Devine of Seeger Salvas
   & Devine LLP, San Francisco
FEDERAL MDLs, FEDERAL CLASS ACTIONS panel (cont.)

Commentators: Sindhu Daniel, Esq.; Judge Robert Dow, Jr.; Steve Herman, Esq.; Judge David Herndon (ret.); Anne Talcott, Esq.; Prof. Elizabeth Thornburg

Q&A

3:15-4:45 CLASS ACTION SETTLEMENT

Moderators: Judge Robert Dow, Jr. and Jennie Lee Anderson, Esq.

Papers/Authors:

Class Action Objectors/2018 Rule 23 Amendments
By Prof. Adam Steinman, University of Alabama Law School; and Elizabeth Cabraser, Lieff Cabraser Heimann & Bernstein, LLP, San Francisco

The Cy Pres-Only Class Action and Adjudicative Legitimacy
By Prof. Robert Bone, University of Texas Law School

The Importance of Cy Pres in Modern Class Action Jurisprudence and the Myths Regarding its Use
By Gerson Smoger of Smoger & Associates, Dallas, TX

Commentators: Jennifer Bennett, Esq.; Prof. Briana Rosenbaum, University of Tennessee College of Law; David Sugerman, Esq.

Q&A

4:45-5:30 Reception

DAY 2 – SATURDAY

9:00-9:10 am Discussion of Aggregate Litigation in Oregon
Justice Thomas A. Balmer, Oregon Supreme Court

9:15-12:15 pm PROGNOSIS
Moderator: Prof. Robert Klonoff, Lewis & Clark Law School
Collective Preclusion and Inaccessible Arbitration: Data, Non-Disclosure and Public Knowledge
By Prof. Judith Resnik, Yale Law School; Stephanie Garlock, Yale Law School (2020); Annie Wang, Yale Law School (2020)

Deregulation and Private Enforcement
By Prof. Brian Fitzpatrick, Vanderbilt Law School
Commentators: Jennifer Bennett, Public Justice; Elizabeth Cabraser, Esq.; Prof. Briana Rosenbaum; Anne Talcott, Esq.

10-minute break

Moderator: Prof. Arthur Miller, NYU School of Law
Paper: Mass Tort: Endgame
By Prof. Alexandra Lahav, University of Connecticut School of Law
Commentators: Lori Andrus, Esq.; Prof. Lynn Baker; Judge David Herndon (ret.); Prof. Samuel Issacharoff

PROGRAM END