

32nd Annual
**PAGE KEETON CIVIL
 LITIGATION CONFERENCE**

*Definitive updates, effective practice strategies and
 advocacy tools for litigation attorneys*

Earn up to 11.75 Hours of Credit Including 2.00 Hours of Ethics Credit
 Specialization Credit Expected for: Civil Trial Law, Consumer and
 Commercial Law, Personal Injury Trial Law



OCTOBER 30-31, 2008
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Definitive updates, effective practice strategies and advocacy tools for litigation attorneys

October 30-31, 2008 • Four Seasons Hotel, Austin • Austin, Texas

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THURSDAY MORNING, OCT. 30, 2008

Presiding Officer:

Philip K. Maxwell, Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

9:00 a.m. .50 hr**Supreme Court Update**

A review of Texas Supreme Court opinions handed down during the past year.

Hon. Paul W. Green, Austin, TX

9:30 a.m. 1.00 hr**A Practical Guide to Effective Use of E-Discovery on a Budget**

In smaller cases with smaller budgets, counsel's responsibility to identify, process and produce ESI still looms large. Don't let your client's best case be a legal malpractice action for botched e-discovery! This session addresses practical, productive e-discovery strategies at a scale and cost that lets you meet your digital duties in every matter.

Craig D. Ball, Austin, TX
Laurie Weiss, San Antonio, TX

10:30 a.m. Break**10:45 a.m. .75 hr****Tools and Tips for the Commercial Litigator: ConTort, DTPA and Cap-Busting**

As the assault on tort claims in Texas continues, it may be past time to reexamine (and update) your tool drawer. This three-part presentation will stimulate creative thinking about approaches to commercial disputes in the current legal climate.

Richard M. Alderman, Houston, TX
Thomas H. Cook Jr., Dallas, TX
George Parker Young, Fort Worth, TX

11:30 a.m. .33 hr**Arbitration and the Judicial System**

Trends, tips, and the changing relationship between arbitration and the courts.

David E. Keltner, Fort Worth, TX
Matthew D. Stayton, Fort Worth, TX

11:50 a.m. .50 hr**Breach of Fiduciary Duty Litigation**

A discussion of key case law developments and practice tips involving fiduciary duty litigation.

Mark S. Werbner, Dallas, TX

THURSDAY AFTERNOON

Presiding Officer:

James Holmes, Dallas, TX

12:20 p.m. Pick up Box Lunch

Included in conference registration fee.

12:35 p.m. .75 hr**Effective Strategies for Growing and Adapting Your Practice**

Panel discussion of plaintiff's counsel, defendant's counsel, and a nationally known business consultant on developing and growing business in a troubled economy.

Moderator: Rachel Giesber Clingman, Houston, TX
Milton C. Colia, El Paso, TX
David H. Freeman, Boulder, CO
Mark D. Pierce, Austin, TX

1:20 p.m. Break**1:35 p.m. .50 hr ethics****Sandbags Against the Tide**

Can you protect yourself against conflicts and malpractice with good engagement letters?

Thomas H. Watkins, Austin, TX

2:05 p.m. .50 hr**Admissibility of Electronic Evidence**

A guide to the admissibility of web pages, emails, text messages, and digital images.

Steven Goode, Austin, TX

2:35 p.m. .33 hr**Presenting Evidence to Win**

Learn how to organize your evidence and present your facts and themes in a way that will stick with the jury.

Trey Cox, Dallas, TX

2:55 p.m. .50 hr including .25 hr ethics**The Noble Lawyer and the Brave New World: How to be Ready for the Trial Practice of the Future**

Trials are becoming rare, while the rate of summary judgments has quadrupled. Arbitration, globalization, and other factors support this trend away from traditional trials and toward summary dispositions. Superimposed on this landscape is tort reform. Bottom line: The "trial lawyer" is dying. But the "complex litigator" is alive and well. These threads and others are brought together in this presentation to paint a picture of the litigator in the year 2010 or 2015, the opportunities and the challenges, ethical, economic and otherwise.

William J. Chriss, Austin, TX

3:25 p.m. Break**3:40 p.m. .33 hr****The Down and Dirty on the Prompt Payment of Insurance Claims**

What does the prompt pay statute apply to? First party insurance payments; costs of defense of third party claims; anything more? What defenses are there, and is the statute unconstitutional? How does the prompt pay statute relate to statutory bad faith?

Philip K. Maxwell, Austin, TX

4:00 p.m. .50 hr**Where's the Fire, and What's Burning?**

A guide to the obtaining and avoiding of TROs and injunctions.

Moderator: Dulcie Green Wink, Houston, TX
Hon. Martha Hill Jamison, Houston, TX
Hon. Randall W. Wilson, Houston, TX

**Litigation Involving the Movement of
Employees, Trade Secrets, and
Confidential Information**

4:30 p.m. .50 hr

**Update on Trade Secrets, Confidentiality
Agreements and Fiduciary Duties of
Employees**

Part one will give a short review and update of case law and issues involving trade secrets and confidentiality and a second update on covenants not to compete.

Christopher H. Hahn, Austin, TX
Thomas A. Nesbitt, Austin, TX

5:00 p.m. .50 hr

**Panel Discussion: Trade Secrets,
Confidentiality Agreements and
Fiduciary Duties of Employees**

Part two involves a panel discussion highlighting how such issues as well as initial procedural issues play out in practice.

Moderator: John F. Sullivan III, Houston, TX
Christopher H. Hahn, Austin, TX
Thomas A. Nesbitt, Austin, TX
Hon. Emily G. Tobolowsky, Dallas, TX

5:30 p.m. Adjourn

FRIDAY MORNING, OCT. 31, 2008

Presiding Officer:

Elaine A. Carlson, Houston, TX

8:00 a.m. Conference Opens

Includes continental breakfast.

8:30 a.m. .50 hr

**Finally, Some Direction on Defamation Jury
Charges**

Two members of the Pattern Jury Charge Committee review the new, soon to be published Pattern Jury Charges for the torts of defamation and trade disparagement, including a review of the substantive law applicable to both and nuances arising from the constitutional limitations imposed by the Texas and United States Supreme Courts.

David H. Donaldson Jr., Austin, TX
Richard G. Munzinger, El Paso, TX

9:00 a.m. .33 hr

No Evidence Summary Judgment

A discussion and outline of the latest case law developments on no evidence summary judgment, with practice tips.

Elaine A. Carlson, Houston, TX

9:20 a.m. 1.00 hr

**Case Selection, Strategies, Advocacy and
Venues in Today's Litigation Environment**

The current litigation environment at the State and Federal level makes it increasingly difficult to win—and keep—big awards. Hear what's possible and how to do it from one of the most successful plaintiff's lawyers in the country.

W. Mark Lanier, Houston, TX

10:20 a.m. Break

10:35 a.m. .50 hr ethics

**Prove and Keep Your Attorney's Fees:
Revisiting the Always Relevant Topic of
How Attorneys Receive Fees Awards from
Texas Courts Under Controlling Case Law
Precedents**

Recent Texas Supreme Court precedents have changed the landscape for attorney's fees awards. Learn the background law by studying the precedents and how lower courts have grappled with them. Equip yourself for accurately proving and skillfully holding on to your fees awards.

James Holmes, Dallas, TX

11:05 a.m. .75 hr ethics

**Attacking and Defending the Attorney-
Client Privilege in a Global Electronic
World**

Karl Bayer, Austin, TX

**Preemption Developments Including
Products Liability**

11:50 a.m. .34 hr

Part 1: Preemption Generally

An overview of the current state of preemption: key issues and case law developments.

Thomas O. McGarity, Austin, TX

12:10 p.m. .67 hr

**Part 2: Preemption and Products Liability
Update**

Products liability causes of action retain vitality under Texas law, but find out how recent and pending state and federal preemption cases may significantly impact specialized areas of products liability practice.

Michael R. Klatt, Austin, TX
Thomas O. McGarity, Austin, TX
Lana K. Varney, Austin, TX

12:50 p.m. Adjourn

**Bonus Materials: Comprehensive Texas
Civil Procedure Update**

Elaine Carlson, Houston, TX

**COMMENTS FROM
PAST CONFERENCES**

*"Well-planned and organized
program with a good variety
of topics and speakers."*

"Outstanding speakers!"

*"Very much like the format
of many subjects and the
ability to informally speak
later with the speakers. Good
information and thoughts to
pass on
to my son, just graduating
from law school."*

*"I like the shorter, focused
sessions. Good relevant topics
and well-experienced
speakers."*

*"Excellent program—I like
the mix of short and longer
time for speakers."*

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KEY DATES

Registration & Cancellation

October 22, 2008—5 p.m.

last day for early registration
add \$50 for registrations
received after this time

October 24, 2008—5 p.m.

last day for full refund

October 27, 2008—5 p.m.

last day for partial refunds
\$50 processing fee applied

October 30, 2008—9 a.m.

conference begins

M
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E

This course has been approved for MCLE credit by the State Bar of Texas Committee on MCLE in the amount of 11.75 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility. The UT School of Law is a State Bar of CA approved MCLE provider (#1944).

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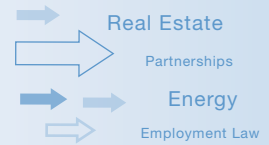
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