

33RD ANNUAL PAGE KEETON
CIVIL LITIGATION

Practice Opportunities, Advocacy Tools, and Updates for Litigation Attorneys



October 29 – 30, 2009
Four Seasons Hotel ▪ Austin, Texas

Earn up to 12.50 Hours of Credit including 2.00 Hours of Ethics Credit

Specialization Credit Approved for Civil Appellate Law, Civil Trial Law, and Personal Injury Trial Law

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THURSDAY MORNING, OCT. 29, 2009

Presiding Officer:
Don L. Davis, 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. .75 hr

Follow the Money: Pleading and Pursuing Qui Tam and Whistle Blower Cases

This topic includes identifying, evaluating and prosecuting claims on behalf of whistle blowers for violations of state and federal law.

Joel M. Fineberg, Dallas, TX

10:15 a.m. Break

10:30 a.m. .50 hr

Evaluating and Litigating Fiduciary Duty Claims

Evaluating the merits of a potential fiduciary duty claim, overview of applicable case law and procedures, and typical issues that arise in litigating fiduciary duty claims.

Stephen E. McConnico, Austin, TX

Co-Author:

Robyn Bigelow Hargrove, Austin, TX

11:00 a.m. .75 hr including .25 hr ethics

Effective Trial Strategies: The Story Starts With You

Cases are almost always won, or lost, by how you approach your client, as well as the story that brought your client to you. This session gives you a seldom used but very effective approach. One that brings power to you as the voice and soul of your client. Its foundations have been developed and taught at the Gerry Spence Trial Lawyer's College and used by Bob Hilliard for the last 14 years.

Robert Carl Hilliard, Corpus Christi, TX

11:45 a.m. Lunch On Your Own

THURSDAY AFTERNOON

Presiding Officer:
Thomas H. Cook Jr., Dallas, TX

1:00 p.m. 1.00 hr

Managing Electronic Discovery in Small Cases: Tools, Tips and Best Practices

The twin hurdles of ESI volume and complexity loom large in every case. Smaller cases don't get a free pass from meeting e-discovery obligations, but smaller budgets and trial teams demand that counsel learn to do more with less. This session looks at ways to trim the cost of e-discovery using off-the-shelf tools and smarter approaches to get your arms around the volume and complexity of electronic evidence.

Craig D. Ball, Austin, TX

2:00 p.m. .50 hr ethics

Lawyer-Client Confidentiality: The Attorney-Client Privilege and Beyond

Confidentiality issues relating to the attorney-client privilege, work product, and a lawyer's ethical obligations.

Steven Goode, Austin, TX

2:30 p.m. .75 hr including .50 hr ethics

Professionalism and Business Development in the Electronic Age

Law firm client development is all about relationships and word of mouth referrals. Nothing has changed with the advent of technology and social media. It's not about the tools. It's about how you use the tools to engage your target audience and build meaningful relationships.

Kevin O'Keefe, Seattle, WA

3:15 p.m. Break

3:30 p.m. .50 hr

Knowledge, Understanding, Judgment: The Road to Precision in Legal Writing

Most litigators spend far more time drafting and responding to briefs and motions than they do trying cases. Cases are often won (or lost) on critical motions and appellate briefs. This session helps you craft those critical arguments with greater precision and clarity. Can an alternative refer

to more than two things? What's the difference between refer and allude? What is the valuable distinction between persuade and convince? How can "only" be the most problematic word in legal writing? Why is it important to maintain the distinction between: unanticipated and unexpected; rebut and refute; connive and contrive; and many other frequently confused and misused words?

Michael W. Adams, Austin, TX

Prosecuting and Defending Subprime Securities and Fair Debt Issues

4:00 p.m. .75 hr

Anatomy of a Financial Fraud: Madoff, Stanford, and the \$100 Billion Shell Game

This presentation focuses on the methods utilized by Madoff and Stanford in structuring their organizations and promoting their services, and the lack of oversight which allowed the largest financial fraud in U.S. history. Included are discussions of the role of the SEC and its failure to properly time-exercise its authority.

Stephen F. Malouf, Dallas, TX

4:45 p.m. .50 hr

Litigation Opportunities in the Downturn: Wrongful Foreclosures

Wrongful foreclosures and related debt collection issues: how to effectively evaluate and plead cases. Practical considerations in turning bad fortune into potential good fortune for clients, utilizing the DTPA Fair Debt Collection Act and other statutes to capitalize on creditor mistakes.

Daniel O. Kustoff, San Antonio, TX

5:15 p.m. Adjourn



FRIDAY MORNING, OCT. 30, 2009

Presiding Officer:
William J. Chriss, Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .50 hr

Maximizing Contractual Damages: The Lessons from Oil and Gas Trial Work

Learn to use the general and specialized principles of contract law, which dominate Texas oil and gas litigation, to your advantage in oil and gas cases or other commercial cases. Discover contract-based damages, quantify them with precision, and then prepare a damages model that a jury will understand and that weathers potential appeals.

James Holmes, Dallas, TX

9:00 a.m. .50 hr

Expert Witnesses and Damages: How to Get the Most and Spend the Least

Whether seeking or contesting damages, the damages issue is best addressed early rather than late. The panel discusses thorough but cost-effective discovery for damages, including best practices for disclosures, expert reports, depositions and trial preparation.

Carmen R. Eggleston, Houston, TX
Lee L. Kaplan, Houston, TX

9:30 a.m. .50 hr

Reality TV: Video Depositions That Get Real Results

How to plan a video deposition to obtain key admissions, and how to use trial presentation tools in your video depositions (including examination of deponent websites and recording of dual video/document screens) in order to maximize the impact of the admissions.

Jason Easter, Waco, TX
James E. Wren, Waco, TX

10:00 a.m. Break

10:15 a.m. .50 hr

Suing and Defending Financial and Legal Professionals

Such lawsuits are increasingly common. A practical guide to pleading, pursuing, and defending such cases.

Coyt Randal Johnston, Dallas, TX

10:45 a.m. .75 hr

Effective Advocacy in Arbitration

Arbitration: do you know when you should ask for it and what to do if you get it? Concrete instruction on advocacy in arbitration, using actual survey results from arbitrators. Analysis of the ethical issues of your skills versus your client's needs.

Karl Bayer, Austin, TX
Tracy Walters McCormack, Austin, TX

11:30 a.m. .50 hr

Privacy, Defamation and Business Disparagement

Litigation opportunities in the age of email, texting and Twittering.

William J. Chriss, Austin, TX

FRIDAY AFTERNOON

Presiding Officer:
James Holmes, Dallas, TX

LUNCHEON PRESENTATION

12:00 p.m. Pick up Box Lunch

Included in conference registration fee.

12:15 p.m. 1.00 hr

Litigating Outside of Texas: How, When and Why

What are the opportunities, challenges and pitfalls of Texas lawyers litigating outside of Texas?

W. Mark Lanier, Houston, TX

1:15 p.m. Break

1:30 p.m. .75 hr ethics

Engagement Letters

Blueprints for litigation between you and your client.

Thomas H. Watkins, Austin, TX

2:15 p.m. .50 hr

Extraordinary Remedies Every Litigator Needs to Know

When bad things happen to good people, sometimes damages aren't enough. Here is a must-have review of extraordinary remedies for the trial lawyer's trial notebook.

Mark C. Walker, El Paso, TX

2:45 p.m. .50 hr

Preemption

Federal preemption after *Wyeth v. Levine*.

Claudia Wilson Frost, Houston, TX

3:15 p.m. Adjourn

REASONS TO ATTEND THE CIVIL LITIGATION CONFERENCE

- Mark Lanier on "Litigating Outside of Texas"
- "Effective Trial Strategies"
- "Anatomy of a Financial Fraud: Madoff, Stanford, and the \$100 Billion Shell Game"
- Great papers, updates and practice aids for real-world litigators
- Four Seasons Hotel on the shores of Austin's Lady Bird Lake



"Very impressive speakers."

"Very well done overall."

"I liked the variety of the topics."

"Very good content and speakers."

"Great venue, food and A/V."

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Includes Course Binder and Friday Box Lunch Presentation

☐ Early Registration Fee due by October 21, 2009\$495.00

☐ Registration Fee after October 21, 2009.....\$545.00

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Allow 3-5 weeks from the conference date for delivery.

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AUSTIN

October 29 – 30, 2009

CONFERENCE LOCATION



Four Seasons Hotel
98 San Jacinto
Austin, TX 78701
512-685-8100

Special Room Rate: \$240
good through October 7, 2009
(subject to availability)

Valet Parking Only
\$13 per day; \$26 overnight
(subject to change)

KEY DATES

October 21, 2009
last day for early registration

October 23, 2009
last day for full refund

October 26, 2009
last day for partial refunds

October 29, 2009, 9 a.m.
conference begins

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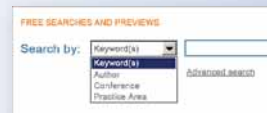
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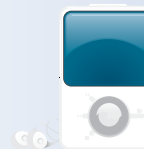
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