

**34<sup>th</sup> Annual Page Keeton Civil Litigation Conference**  
**October 28-29, 2010 • Four Seasons Hotel • Austin, TX**

**Thursday Morning, Oct. 28, 2010**

**Presiding Officer:**

**John Francis Sullivan III**, Watt Beckworth Thompson & Henneman, LLP - Houston, TX

8:00 am	<b>Registration Opens</b>  Includes continental breakfast.
8:50 am	<b>Welcoming Remarks</b>
9:00 am 0.50 hr	<b>Supreme Court Update</b>  A review of Texas Supreme Court opinions handed down during the past year.  Hon. Dale Wainwright, Supreme Court of Texas - Austin, TX
9:30 am 0.50 hr	<b>Texas Civil Procedure Update: Top Ten Tricks and Traps That Can Help You or Hurt You</b>  A focus on some of the procedural tricks and traps that can sandbag the uninformed. The course paper include a comprehensive review of case law affecting Texas Civil Procedure.  Elaine Grafton Carlson, South Texas College of Law - Houston, TX
10:00 am 0.50 hr	<b>The Increasing Role of Mandamus in Texas Litigation</b>  The Texas Supreme Court has adopted an expansive, non-categorical approach to when mandamus will issue to correct an erroneous trial court ruling. An appellate attorney examines the standard and how to use it effectively in your litigation practice.  Pamela Stanton Baron, Attorney at Law - Austin, TX
10:30 am	<b>Break</b>
10:45 am 0.75 hr	<b>An Update and Refresher on Constructing and Proving Damages</b>  This session covers both the substantive law of damages from a plaintiff's and defendant's perspective, including theories and proof of damages.  Commentator: Shannon Marie O'Malley, Zelle Hofmann Voelbel & Mason LLP - Dallas, TX Paul Denton Trahan, Fulbright & Jaworski, L.L.P. - Austin, TX Co-Author: Christopher Mark Weimer, Fulbright & Jaworski LLP - Austin, TX

11:30 am 0.50 hr	<p><b>Effective Advocacy: Maximizing the Value of Your Case</b></p> <p>Working a case "by the book" results in ordinary results. A successful trial lawyer uses these "outside-the-box" tips and strategies to achieve extraordinary results with a jury.</p> <p><i>This session will be presented on Friday, October 29 at 9:50 a.m.</i></p> <p>Charla G. Aldous, Aldous Law Firm - Dallas, TX</p>
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## Thursday Afternoon, Oct. 28, 2010

### Presiding Officer:

**R. Jo C. Reser**, Davidson & Troilo, P.C. - San Antonio, TX

12:00 pm	<b>Lunch on your Own</b>
1:15 pm 0.75 hr	<p><b>Health Care Reform: New Opportunities?</b></p> <p>Health care reform is the most significant social legislation in the last 50 years. This session considers what legal remedies and causes of action may develop from this bill and these monumental changes to the health care industry.</p> <p>David W. Hilgers, Brown McCarroll, L.L.P. - Austin, TX</p>
2:00 pm 0.75 hr	<p><b>Litigation Opportunities in Light of New Financial Reform Laws</b></p> <p>Litigation opportunities for the seasoned litigator in light of new financial legislation.</p> <p>Roger B. Greenberg, Schwartz, Junell, Greenberg &amp; Oathout, LLP - Houston, TX</p>
2:45 pm 0.50 hr	<p><b>Pursuing and Defending Actions for Brand Disparagement and Business Interference</b></p> <p>Theories of liability and damages as well as practice tips involving brand disparagement, business interference and related copyright and trademark issues.</p> <p><i>This session will be presented on Friday, October 29 at 9:00 a.m.</i></p> <p>Andy Wade Tindel, Provost &amp; Umphrey Law Firm, L.L.P. - Tyler, TX</p>
3:15 pm	<b>Break</b>
3:30 pm 0.67 hr 0.50 hr ethics	<p><b>Arbitration: The New Litigation?</b></p> <p>With the jury trial vanishing and the "A" being dropped from "ADR," where are we in the public pursuit of the truth, the whole truth and nothing but the truth?</p> <p>Karl Bayer, Dispute Resolution Expert - Austin, TX Tracy Walters McCormack, The University of Texas School of Law - Austin, TX</p>
4:10 pm 0.50 hr	<p><b>Effective Cross-Examination</b></p> <p>Tips, practice advice, dos and don'ts on effective cross-examination from a renowned trial lawyer.</p> <p>Russell Hardin Jr., Rusty Hardin &amp; Associates, P.C. - Houston, TX</p>

4:40 pm 1.00 hr	<b>60 Tips in 60 Minutes</b>  Three experienced litigators take turns outlining their fun tips involving civil litigation from plaintiff and defendant perspectives, including effective use of technology, website resources and discovery.  Craig D. Ball, Attorney and Forensic Technologist, Certified Computer Forensic Examiner - Austin, TX Joe K. Longley, Law Offices of Joe K. Longley - Austin, TX Thomas L. Mighell, Dallas, TX
5:40 pm	<b>Adjourn</b>

## Friday Morning, Oct. 29, 2010

### Presiding Officer:

**Jim M. Perdue Jr.**, Perdue & Kidd LLP - Houston, TX

8:00 am	<b>Conference Room Opens</b>  Includes continental breakfast.
8:30 am 0.50 hr 0.33 hr ethics	<b>Fashioning and Implementing the Litigation Hold</b>  When does duty to preserve arise?  John J. Jablonski, Goldberg Segalla LLP - Buffalo, NY
9:00 am 0.50 hr	<b>The Admissibility of Electronic Evidence: The Definitive Guide</b>  How to offer and how to object to electronic evidence.  This session will be presented on Thursday, October 28 at 2:45 p.m.  Steven Goode, The University of Texas School of Law - Austin, TX
9:30 am 0.33 hr	<b>Preparing and Cross-Examining Expert Witnesses</b>  Practical advice on preparing your expert witnesses and cross examining adverse experts in depositions and at trial.  Robert C. Alden, Byrd Davis Furman - Austin, TX
9:50 am 0.33 hr	<b>Opening Statements</b>  Incorporating modern marketing and neuroscience concepts into framing an effective opening lens for the jury.  This session will be presented on Thursday, October 28 at 11:30 a.m.  Jim M. Perdue Jr., Perdue & Kidd LLP - Houston, TX
10:10 am	<b>Break</b>

10:25 am 0.50 hr	<p><b>The Criminal Side of Civil Litigation: How I Became a White-Collar Criminal Lawyer</b></p> <p>The interface between handling a dispute and dealing with the criminal law process. What every litigator needs to know about criminal law, and negotiating the boundaries.</p> <p>Charles R. Parker, Locke Lord Bissell &amp; Liddell LLP - Houston, TX</p>
10:55 am 0.33 hr	<p><b>Final Argument: Arming for Victory</b></p> <p>Final argument is the last, best opportunity to provide your jurors with the tools they need to justify your client's verdict.</p> <p>Kathryn Ann Snapka, The Snapka Law Firm - Corpus Christi, TX</p>
11:15 am 0.83 hr	<p><b>Growing up Digital: Beyond Bullet Points</b></p> <p>How do you cut through the clutter and simplify your case to make it understandable to a jury suffering from information overload? Trial consultant Cliff Atkinson shares the secrets from his bestselling book Beyond Bullet Points, which describes how he helped craft the presentations that persuaded a jury to award the plaintiff a \$253 million verdict in the nation's first Vioxx trial.</p> <p>Cliff Atkinson, Beyond Bullet Points - Los Angeles, CA</p>

## Friday Afternoon, Oct. 29, 2010

### Presiding Officer:

**Don L. Davis**, Byrd Davis Furman, LLP - Austin, TX

12:05 pm	<p><b>LUNCHEON PRESENTATION</b></p> <p>Pick up Box Lunch</p> <p>Included in conference registration fee.</p>
12:20 pm 0.67 hr	<p><b>Depositions, Experts and Trial Practice: Seven Things Mark Lanier Does Differently</b></p> <p>Michael Holley of the Lanier Law Firm describes seven different approaches to trial practice, e.g., discovery, litigation, depositions, and more, that he has learned from Mark Lanier.</p> <p>Michael Ray Holley, The Lanier Law Firm - Houston, TX</p>
1:00 pm	<p><b>Break</b></p>
1:15 pm 0.50 hr 0.25 hr ethics	<p><b>I Saw It On Facebook. Now, How Do I Use It At Trial?</b></p> <p>The tricks and traps of using social networking sites in litigation practice. The session provides a working knowledge of current sites, and examines case law and rules regarding their use during discovery and trial as well as ethical considerations for collecting data from and using social networking sites.</p> <p>Michael George Sawicki, Sawicki &amp; Lauten LLP - Dallas, TX</p>

1:45 pm 0.75 hr ethics	<b>New Disciplinary Rules: Point and Counterpoint</b>  A panel discussion of the issues involved in the proposed new disciplinary rules.  W. Amon Burton Jr., Law Office of Amon Burton - Austin, TX James M. McCormack, The Law Office of James M. McCormack - Austin, TX Thomas H. Watkins, Brown McCarroll, L.L.P. - Austin, TX
2:30 pm 0.33 hr ethics	<b>Recusal and Disqualification of Arbitrators and Judges</b>  What is it and how do you prosecute or defend the motion to recuse or disqualify?  Hon. Craig T. Enoch, Winstead PC - Austin, TX
2:50 pm 0.33 hr ethics	<b>Issues and Problems Following Disqualification of Counsel</b>  Issues and problems for disqualified counsel and successor counsel arising out of disqualification of counsel because of conflict of interest.  W. Amon Burton Jr., Law Office of Amon Burton - Austin, TX
3:10 pm 0.00 hr ethics	<b>Bonus Paper</b>  <i>The Careful Fee Agreement, and Proving Your Attorney Fees in Litigation: Controlling Case Law and Ethics Rules</i> James Holmes, The Schmidt Firm, Dallas, TX
3:10 pm	<b>Adjourn</b>