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in your firm?

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area of practice?

15 - 16 January 2004

Tort Law Reform in Australia and the United States

Advance Registration Deadline: 26 December 2003

Canada only: \$6.50; international shipping billed at cost. Course materials will

Illinois residents, please add 8.75% sales tax.

*Approximate rates based on 29 July 2003 exchange rates

Payment Method

ship 4 to 6 weeks after the seminar.)

Shipping charges for U.S. and

Non-member: \$95

Member: \$75

CD-ROM only

joining DRI to get the member rate, complete the form on the reverse side.)

Non-member: \$830 (AUD)

Member: \$680 (AUD)

Special discount price: \$400 (USD) (see brochure for eligibility) Special discount price: \$572 (AUD) (see brochure for eligibility)

Non-member: \$550 (USD)

Member: \$450 (USD)

Registration Fees

3400-0011-94

Australian

(USD) is enclosed.

American Express

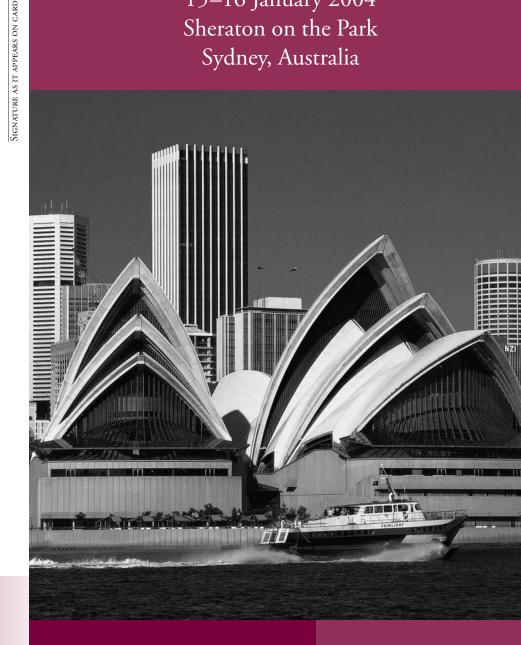
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Tort Law Reform in Australia and the United States

2004-0011B

15–16 January 2004 Sheraton on the Park Sydney, Australia





Who Should Attend

- Lawyers
- Insurance Companies
- Product Manufacturers
- Self-Insureds
- Risk Managers

Experise SUPISORT networking ADVANZIAGE





About the Program

- Tort reform
- Public liability issues
- What's the latest in the United States?
- What's the latest in Australia?
- What are the newest torts?
- What cases are plaintiffs' lawyers pursuing in America?
- Class actions
- Asbestos
- Mold
- Spoliation of evidence
- Product liability
- Bad faith in insurance and commercial contracts
- Where are the biggest verdicts and exposures coming from?
- What are the courtroom and legislative trends in North America?
- What should be expected here in Australia?
- What are the similarities and differences between Australian and American law?
- Is it true that punitive damages have been dealt two big blows by the United States Supreme Court in *Cooper v. Leatherman* and *State Farm v. Campbell?*
- How does this news impact Australian manufacturers or exporters doing business in the U.S.?

Douglas G. Houser Bullivant Houser Bailey PC, Portland, Oregon Program Chair

SHERYL J. WILLERT, *DRI Immediate Past President*Williams Kastner & Gibbs PLLC, Seattle, Washington
Keynote Speaker

WEDNESDAY, 14 JANUARY 2004

5:00 p.m. REGISTRATION/RECEPTION

6:00 p.m. Welcome Reception

Hosted by CLAYTON UTZ

1 O'Connell Street Sydney, New South Wales

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7:30 a.m. REGISTRATION

7:30 a.m. CONTINENTAL BREAKFAST

Sponsored by Ebsworth&

Ebsworth LAWYERS

8:55 a.m. Welcome and Introductions

9:00 a.m. What's Hot and What's Not in the U.S.

- Trends Latest Cases Newest Developments
- Which states are the most dangerous?
- Big verdicts and then some!
- A Funny Thing Happened to Punitive Damages in the Appellate Courts

Douglas G. Houser, *Bullivant Houser Bailey PC*, Portland, Oregon

9:50 a.m. Questions and Answers

10:00 a.m. MORNING TEA

10:15 a.m. Tort Reform in the United States

- Why is it important?
- What progress is being made?
- What are the reform issues most and least likely to pass?

JEAN M. LAWLER, Murchison & Cumming, Los Angeles, California

11:00 a.m. Questions and Answers

11:10 a.m. Panel Discussion: Tort Reform in Australia

- Why is it important?
- What progress is being made?
- What are the reform issues most and least likely to pass?

ROBERT BEATON, CGU Professional Risks Insurance, Sydney

ROBERT CAMERON, Abbott Tout, Sydney

STUART CLARK, Clayton Utz, Sydney

Moderator: Jean M. Lawler, Murchison & Cumming,

Los Angeles, California

11:50 a.m. Questions and Answers

12:15 p.m. Lunch and Keynote Speaker (Included in Registration)

SHERYL J. WILLERT, DRI Immediate Past President
Williams Kastner & Gibbs PLLC, Seattle, Washington

1:45 p.m. Class Actions

- Friend or foe?
- Biggest exposures
- Latest cases

JANET L. BROWN, Boehm Brown Fischer & Harwood PA,

Orlando, Florida

2:30 p.m. Questions and Answers

2:40 p.m. Corporate Governance Issues

- Sarbanes-Oxley Act
- What is an "independent" director?

D. Dudley Oldham, Fulbright & Jaworski LLP, Houston, Texas

3:30 p.m. Afternoon Tea

3:45 p.m. Panel Discussion: Corporate Governance Issues

- How do Sarbanes-Oxley issues play out in Australia?
- What lessons can we learn from Corporate America's excesses and scandals?

Frank Hoffman, Hoffman Consulting, Northbridge

Maryjane Crabtree, Allens Arthur Robinson, Melbourne

Moderator: D. Dudley Oldham, Fulbright & Jaworski LLP,

Houston, Texas

4:30 p.m.	Free-for-all questions and answers with all speakers
5:00 p.m.	Cocktail Reception

	FRIDAY, 16 JANUARY 2004
7:30 a.m.	Continental Breakfast
8:55 a.m.	Introduction and Announcements
9:00 a.m.	Public Liability and Product Liability Issues
	• Recent developments in U.S. product liability exposure
	• The latest and greatest theories of liability
	• American standards and mandates: The role of expert witnesses
	Why won't asbestos go away?
	Who's afraid of jury trials?
	Міснаец А. Роре, <i>McDermott Will & Emery,</i> Chicago, Illinois
9:50 a.m.	Questions and Answers
10:00 a.m.	Morning Tea
10:15 a.m.	Panel Discussion: Public Liability and Product
	Liability Issues
	Peter Nash, Sportscover Australia Pty Ltd, Victoria
	Dr. Paul Nisselle, Independent Health-Law Consultant, Sydney
	Рніцір J. Rowell, Ebsworth & Ebsworth, Melbourne
	Andrew Morrison, National Product Liability Association,
	Melbourne
	Moderator: MICHAEL A. POPE, McDermott Will & Emery,
	Chicago, Illinois
11:00 a.m.	Questions and Answers
11:10 a.m.	Free-for-all questions and answers on topics of special
	INTEREST WITH ALL SPEAKERS AND PANEL PARTICIPANTS
11:45 a.m.	Wrap-up of Seminar
	SHERYL J. WILLERT, DRI Immediate Past President
	Williams Kastner & Gibbs PLLC, Seattle, Washington

GENERAL INFORMATION

Registration

The registration fee is \$680 (AUD)/\$450 (USD)* for members and \$830 (AUD)/\$550 (USD)* for non-members. The registration fee includes CD-ROM course materials, continental breakfasts, refreshment breaks and teas, networking receptions and a lunch on Thursday. If you wish to have your name appear in the registration list distributed at the conference and receive the CD-ROM course materials in advance, DRI must receive your registration by 26 December 2003. Registrations received after 26 December will be processed on-site based on availability. Registrants will be charged an additional \$10, if they wish to receive printed materials on-site.

Course Materials

In order to better serve and satisfy the numerous requests from our membership, DRI will mail the course materials to all registrants in CD-ROM format twelve days in advance of the seminar. You may still purchase printed materials separately at or after the seminar.

Special Discounts

The first and second registrations from the same firm or company are subject to the fees outlined above. The registration fee for additional registrants from the same firm or company is \$572 (AUD)/\$400 (USD)*, regardless of membership status. All registrations must be received at the same time to receive the discount.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **26 December 2003.** Cancellations received after **26 December** and on or before **2 January 2004** will receive a refund less a \$50 processing fee.

Cancellations made after **2 January** will not receive a refund, but the course materials on CD-ROM and a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. All refunds will be mailed within four weeks after the date of the conference. Substitutions may be made at any time without charge.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at the Sheraton on the Park, 161 Elizabeth Street, Sydney, New South Wales 2000, Australia. For reservations, contact the hotel directly at (61) (2) 9286.8000. Please mention the DRI seminar to take advantage of the group rate of \$305 (AUD)/\$214 (USD)*. The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by 14 December 2003 to be eligible for the group rate. Requests for reservations made after 14 December are subject to room and rate availability.

^{*} Approximate rates based on 29 July 2003 exchange rates.

Travel Discounts

United Airlines is the official carrier for **DRI's Australian Seminar.** They are offering discounted meeting fares for attendees. To receive the discounts please contact Travel Technology Group (TTG), DRI's official travel provider, at 800.793.2357 or contact United directly at 800.521.4041. When calling please reference I.D. Number 513II to receive the discount.

Car rental discounts are also available through TTG.

CLE Accreditation

This seminar has been approved for MCLE credit by the State Bar of California in the amount of **8.0** hours.

Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please call DRI at 312.795.1101 for credit information for your state.

The taping or recording of DRI seminars is prohibited without the written permission of DRI.

Speakers and times may be subject to last-minute changes.

DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

PAST ATTENDEE TESTIMONIALS

Here's what attendees have to say about DRI seminars:

- Candid comments from in-house counsel on panels
- Meeting with the best defense lawyers in the country
- Networking and chance to meet insurance professionals
- Good topics (relevant to my job)
- Well-organized, great location and good amenities
- Written materials were of excellent quality
- Sense of reinvigoration to the cause of the defense lawyer
- I feel bolstered in my practice by what I have learned here.

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DRI delivers resources to build your practice.

Return To: Reservations 161 Elizabeth Street, Sydney, NSW 2000 Ph: (61) (2) 9286.6000 Fax: (61) (2) 9286.6565

HOTEL RESERVATION FORM TORT REFORM LAW IN AUSTRALIA AND THE UNITED STATES 15 – 16 January 2004

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Address						
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Telephone	(h) (w)	(m)			
Fax		Starwood Preferred Gues	st Number:			
Frequent Flyer	Airline:	Number	··			
Arrival Date	/ / Tim	ne am / pm	Flight #			
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All Room Types are s	subject to availability and are for the exc	usive use of this conference only	y for stays during the above dates only.			
When	n making reservations by t	elephone, please quo	ote rate code DRI			
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Credit Card	Number		Exp /			
Cardholders	Name					
Cardholders	Signature					

FACULTY

ROBERT BEATON is the National Professional Indemnity Underwriting Manager, CGU Professional Risks Insurance, a division of Insurance Australia Group Limited of Sydney. He has tertiary qualifications in law and architecture as well as in insurance, and has worked in the insurance industry specializing in professional indemnity insurance since 1976. Mr. Beaton is National Professional Indemnity Underwriting Manager as well as the Northern Region Manager of CGU Professional Risks Insurance. He is also currently chairman of the Professional Indemnity Committee of the Insurance Council of Australia (ICA) and, in this role, has been involved in various capacities with the legislative reform process over the past 18 months.

Janet L. Brown is a partner with Boehm Brown Fischer & Harwood PA in Orlando, Florida, where she concentrates her practice in the areas of insurance coverage disputes and bad faith litigation. She has authored numerous articles and lectured extensively on insurance coverage issues. She is a member of the Florida Bar, ABA, IADC and DRI. Ms. Brown is certified as an arbitrator through the American Arbitration Association and as a civil mediator through the Florida Supreme Court.

ROBERT CAMERON is a partner in Abbott Tout's Insurance Services Group in the Sydney office. Mr. Cameron's specialization is insurance-based contract advice and litigation encompassing product, professional and public liability issues as well as coverage questions. Mr. Cameron has drafted or advised on the drafting of several widely-used insurance policy wordings, together with their associated documentation, and is regularly consulted on insurance policy application and interpretation. Robert's practice in this area also encompasses cases which have developed understanding of the Insurance Contracts Act, including at High Court of Australia level. Mr. Cameron has acted for the Australian Federal Government at the Royal Commission into the collapse of HIH Insurance.

STUART CLARK is the National Head of the Clayton Utz Product Liability Practice. The firm has offices in Sydney, Melbourne, Brisbane, Perth and other cities. He led the successful defence of the quasi-class action involving the Cu-7 intrauterine contraceptive device which was described by the trial judge as "the longest running and most complex product liability litigation in Australian legal history." He also led the successful defence of the Australian Fen-Phen class action. Mr. Clark has written and spoken extensively on the development of Australian product liability and class action law and practice. He is a member of DRI and the Executive Committee of the IADC.

Maryjane Crabtree of Allens Arthur Robinson in Melbourne has been involved in some of Australia's best-known product liability cases, including litigation involving tobacco, breast implants and asbestos. She has represented manufacturing, food and pharmaceutical companies against claims for product defect, contamination, recalls and adverse reactions. She also advises companies on crisis management, accident response and investigation, and recall and complaints-handling procedures. Ms. Crabtree is the immediate past president of the National Product Liability Association and editor of its magazine, *Brief*, and a member of the Australian Insurance Law Association. She is also a member of DRI's Product Liability Committee.

Frank Hoffman is a principal partner in the consulting firm of Hoffman Consulting in Northbridge, Australia. With over forty years' experience, Mr. Hoffman is Past President and Honorary Life Member of the Insurance Institute of New South Wales and the Australian Insurance Law Association. He has been awarded a life membership by AILA for his contribution to insurance law education. He serves as an honorary consultant to the Australian Law Reform Commission in matters pertaining to general insurance underwriting and brokering practices. Mr. Hoffman is also a Commonwealth appointee to the claims panel of Insurance Enquiries & Complaints.

Douglas G. Houser is a senior partner in the firm of Bullivant Houser Bailey PC, Portland, Oregon. He is also a member of the American College of Trial Lawyers and has tried 140 cases involving punitive damage claims in 20 different states. Mr. Houser is the former Treasurer and member of the Board of Directors, DRI, and is former Chairman of the Board and President of the Federation of Defense and Corporate Counsel. He has been named as one of the outstanding defense lawyers by the *National Law Journal*. Mr. Houser is former General Counsel to NIKE, Inc. and currently on the Board of Directors of both NIKE, Inc. and RAND Institute for Civil Justice Board of Overseers.

Jean M. Lawler is a Senior Partner of Murchison & Cumming, a civil litigation defense firm with offices in California and Nevada. As Chair of the firm's Insurance Law and Risk Management Practice Group, Ms. Lawler handles complex insurance and bad faith litigation, insurance coverage matters and provides underwriting and risk management advice. She is a member of the California and Oregon Bars, DRI, PLRB and Association of Southern California Defense Counsel (Director: 1994-2000). She serves as President-Elect of the FDCC.

Andrew Morrison is a partner in the national law firm Clayton Utz in the Melbourne office. Mr. Morrison is a commercial litigator who has developed expertise in the related areas of product liability, class actions and health and medical negligence law. He now heads up the firm's Product Risk Management and Liability Group in Melbourne. Mr. Morrison is a DRI member and the current President of Australia's National Product Liability Association.

Peter Nash is the Managing Director and founder of Australia's leading sports insurance underwriter, Sportscover Australia Pty Ltd in Victoria. Mr. Nash's interest in sports goes back to his early days as a North Melbourne footballer. He also serves as the Marketing Director of Table Tennis Australia and President of Forte Knox Cycling Club. He is the former national President of AMP Agents Association and has set up Sportscover UK Ltd. Currently, Mr. Nash is the Chairman of the UAC, a group that provides representation for underwriters' interests at government and industry levels.

DR. PAUL NISSELLE of Sydney is now an independent health-law consultant but for 15 years was Chief Executive of the Medical Indemnity Protection Society. He has served on the Councils of the RACGP, NAGPA, AMA (Federal) and AMA Victoria, and is a Past-President and Past-Chairman of AMA Victoria. He currently holds two Ministerial appointments, one as a member of the Health Services Review Council and the other as Convenor of Medical Panels in Victoria's WorkCover scheme.

D. Dudley Oldham is a senior partner in the law firm of Fulbright & Jaworski LLP in Houston, Texas. He is a member of his firm's Litigation Management Committee and Policy Committee. Mr. Oldham is a Fellow of the American College of Trial Lawyers. He is the Chair of the ABA Special Standing Committee on Independence of the Judiciary, former Chair of the Board and past President of the FDCC and former Chair of the Tort and Insurance Practice Section of the ABA.

MICHAEL A. POPE is a member of the firm of McDermott Will & Emery, Chicago, Illinois. He is a Fellow of the American College of Trial Lawyers, International Academy of Trial Lawyers, and International Society of Barristers. Mr. Pope is also Past President of IADC and Lawyers for Civil Justice, Chair of the DRI Task Force on Mass Torts, and a member of PLAC, ALI, and other professional organizations.

PHILIP J. ROWELL is a partner at Ebsworth & Ebsworth in Melbourne, a specialist insurance litigation firm. His practice areas include professional indemnity, public liability, product liability, and directors' and officers' liability. He also has special expertise in asbestos litigation. He is a Life Member of the Australian Insurance Law Association and a member of the National Insurance Lawyers Association of the General Practice Section of the Law Council of Australia. He is also a member of the FDCC and DRI.

GREG SKEHAN is a Senior Partner in the firm of Colin Biggers & Paisley in Sydney. He is partner in charge of the Insurance Division. He specializes in insurance law, including professional indemnity, directors and officers, construction risk, general liability, errors and omissions, marine, property and reinsurance. He has written extensively on various topics associated with insurance and has acted as an arbitrator/expert in insurance disputes.

SHERYL J. WILLERT is a member and past Managing Director of the Seattle firm of Williams Kastner & Gibbs PLLC. Ms. Willert concentrates her practice on counseling, investigations and litigation. She has litigated cases involving professional negligence, contracts, personal injury and civil rights. She also has experience resolving employment-related disputes through arbitration and mediation and has been named as a Top Lawyer for Labor Law in 2003 by *Seattle Magazine*. Ms. Willert is the Immediate Past President of DRI and a member of the American and National Bar Associations.



DRI is the international membership organization of all lawyers involved in the defense of civil litigation. As such, DRI wishes to express its strong commitment to the goal of diversity in its member-

ship. Our member attorneys conduct business throughout the United States and around the world, and DRI values highly the perspectives and varied experiences that are found only in a diverse membership. The promotion and retention of a diverse membership is essential to the success of our organization as a whole as well as our respective professional pursuits. Diversity brings to our organization a broader and richer environment, which produces creative thinking and solutions. As such, DRI embraces and encourages diversity in all aspects of its activities. DRI is committed to creating and maintaining a culture that supports and promotes diversity in its organization.

	DRI CLE SCHEDULE
2003	
November 13-14	Complex Medicine For Trial Lawyers
	Loews Miami Beach Hotel, Miami, FL
November 13-14	Sexual Torts
	Chicago Marriott Downtown, Chicago, IL
November 20-21	Fire and Casualty
	Pointe Hilton Squaw Peak, Phoenix, AZ
December 4-5	Insurance Coverage and Practice Symposium
	Sheraton New York Hotel and Towers, New York, NY
2004	
January 15-16	Tort Law Reform in Australia and the United States
	Sheraton on the Park, Sydney, Australia
January 29-30	Civil Rights and Governmental Tort Liability
	Hotel Del Coronado, San Diego, CA
February 11-13	Product Liability Conference
	New Orleans Marriott, New Orleans, LA
March 4-5	Medical Liability and Health Care Law
	Venetian Las Vegas, Las Vegas, NV
March 18-19	Damages
	Caesars Palace, Las Vegas, NV
March 18-19	Toxic Torts and Environmental Law
	Wyndham New Orleans, New Orleans, LA
April 1-2	Trucking Law
	Chase Park Plaza, St. Louis, MO

April 15-16	Insurance Coverage and Claims Institute
	Westin Chicago River North, Chicago, IL
April 15-16	Life, Health, Disability and ERISA Claims
	Renaissance Mayflower Hotel, Washington, DC
April 29-30	Electronic Discovery
	The Westin New York at Times Square, New York, NY
April 29-30	Employment Law
	Westin Chicago River North, Chicago, IL
May 6-7	Drug and Medical Device Litigation
	San Francisco Marriott, San Francisco, CA
May 10-11	Joint International Conference
	Hotel Arts Barcelona, Barcelona, Spain
June 10-11	Young Lawyers
	Loews Portofino Bay, Orlando, FL
September 9-10	Nursing Home Litigation
	Westin Copley Plaza, Boston, MA
October 6-10	DRI Annual Meeting
	New Orleans Marriott, New Orleans, LA
October 28-29	Intellectual Property
	Hotel del Coronado, San Diego, CA
November 18-19	Fire and Casualty
	Hotel del Coronado, San Diego, CA
December 2-3	Insurance Coverage and Practice Symposium
	Sheraton New York Hotel & Towers, New York, NY

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2004 JOINT INTERNATIONAL CONFERENCE

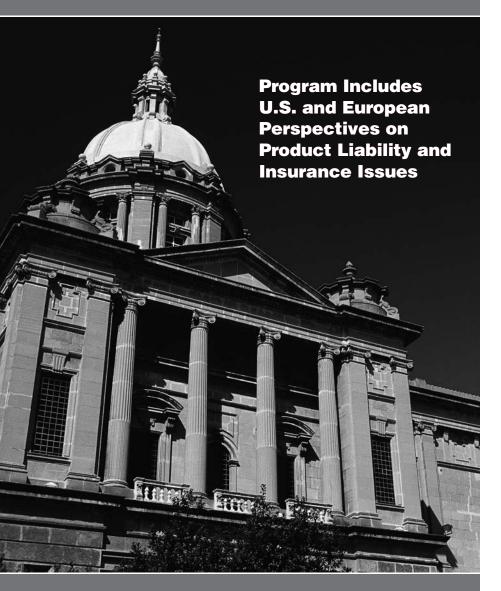
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10 – 11 MAY 2004

HOTEL ARTS BARCELONA BARCELONA, SPAIN

Join DRI now and register at the member rate—a \$100 savings!

IIII DIXI MEMBERSHIP APPLICATION
This application/registration form for first time members only—all other registrants please use reverse side.

reverse side.
Member Category □ Defense Attorney—\$195 USD/year □ Government Attorney—\$160 USD/year □ Young Lawyer—\$125 USD/year [in practice five or less years]
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Name as you would like it to appear on badge
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Are you a first-time attendee at this DRI seminar?
Number of attorneys in your firm
Admitted to the Bar in State/Province Month/Year
Referred by
DRI is committed to the principle of diversity in its membership and leadership. Accordingly, applicants are invited, at their option, to indicate which one of the following may best describe them: African American Asian American Other
I am a member of a state or local defense organization. Yes No
Name of organization
To the extent that I engage in personal injury litigation, I DO NOT, for the most part, represent plaintiffs. I have read the above and hereby make application for individual membership.
Signature Date
All applications must be signed and dated.
Registration/Application Fees3400-0011-94Seminar Registration:\$450 [Member Rate]Australian
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