Agenda

Sunday, April 22
Registration; No program

6:00 – 8:00 pm
Registration, Ballroom Foyer
Optional Meet & Greet Reception, Ballroom

Monday, April 23
The Mason Inn Ballroom (all program sessions)

7:00 – 7:45 am
Registration, Ballroom Foyer
Breakfast, Junior Ballroom

8:00 am – 12:00 pm
Welcome
Henry N. Butler, George Mason University Foundation Professor of Law, and Executive Director, Law & Economics Center

Daniel D. Polsby, Professor and Dean, George Mason University School of Law

D. Bruce Johnsen, Professor of Law, and Director, Mason Judicial Education Program

Opening Lectures on Scientific Methodology
James S. Trefil, Robinson Professor of Physics, George Mason University, Fairfax, Virginia

8:10 - 9:15 am
The Scientific Method
9:30 - 10:45 am
Elements of Scientific Decision Making
11:00 - 12:00 pm
The History of the Use of Expert Witnesses


12:00 – 1:45 pm
Lunch, Junior Ballroom

Luncheon Panel Discussion: Perspectives on Daubert
Richard O. Faulk, Gardere Wynne Sewell LLP, Houston, Texas
Carla Burke, Baron and Budd, Dallas, Texas

Moderator: David E. Bernstein, George Mason University Foundation Professor of Law, George Mason School of Law, Arlington, Virginia


Analytical Gaps Presentation


Video: Perspectives on Daubert (1 of 2)

Perspectives on Daubert (2 of 2)
2:00 – 3:30 pm

**Low-Dose Exposure and Causation**

**Benzene**

R. Dean Hartley, Hartley & O'Brien, Wheeling, West Virginia

Mark Fitzsimmons, Steptoe & Johnson, Washington, DC

**Asbestos**

Mark A. Behrens, Shook, Hardy & Bacon, Washington, DC

Bryan O. Blevins, Provost Umphrey, Beaumont, Texas

*Moderator: David E. Bernstein*, George Mason University Foundation Professor of Law, George Mason School of Law, Arlington, Virginia

Reading Assignments:

- *Borg-Warner Corp. v. Flores*, 232 S.W.3d 765-774 (Tex. 2007)

Video:

- Low-Dose Exposure and Causation: Benzene and Asbestos (1 of 2)
- Low-Dose Exposure and Causation: Benzene and Asbestos (2 of 2)

4:00 – 5:30 pm

**Medical Monitoring**

Robert J. Nelson, Lieff Cabraser Heimann & Bernstein, LLP, San Francisco, California

Jessica Davidson Miller, Skadden, Arps, Slate, Meagher & Flom, Washington, DC

*Neighborhood Environmental Exposure Cases*

Dennis C. Reich, Reich & Binstock, Houston, Texas

Katherine L. Rhyme, King & Spalding, Washington, DC

*Moderator: David E. Bernstein*, George Mason University Foundation Professor of Law, George Mason School of Law, Arlington, Virginia

Reading Assignments:


Video:

- Medical Monitoring and Environmental Exposure Cases (1 of 2)
- Medical Monitoring and Environmental Exposure Cases (2 of 2)
6:00 – 6:30 pm  Reception, Ballroom Foyer

6:30 – 8:30 pm  Dinner, Junior Ballroom

Keynote Dinner Address: Post-Mortem on Scientific Evidence in the Vioxx Cases
W. Mark Lanier, The Lanier Law Firm, Houston, Texas

Commentary: Joe G. Hollingsworth, Hollingsworth LLP, Washington, DC
Moderator: D. Bruce Johnsen, Director, Mason Judicial Education Program

Tuesday, April 24

7:30 – 8:15 am  Breakfast, Junior Ballroom

8:30 – 9:30 am  Case Study: Scientific Evidence in Hydraulic Fracturing Litigation
Marc Jay Bern, Napoli Bern Ripka Shkolnik LLP, New York, New York
Jennifer Quinn-Barabanov, Steptoe & Johnson LLP, Washington, DC

Moderator: Richard O. Faulk, Gardere Wynne Sewell LLP, Houston, Texas

Reading Assignments: Lore v Lone Pine Corporation, 1986 WL 637507 (N.J. 1986)
Modified Case Management Order

In re World Trade Center Disaster Site Litigation (S.D. N.Y., 2010)

Video: Case Study: Scientific Evidence in Hydraulic Fracturing Litigation

9:45 – 10:45 am  Case Study: Bisphenol A (BPA)
Lawrence G. Cetrulo, Cetrulo & Capone, LLP, Boston, Massachusetts
James L. Stengel, Orrick, New York, New York

Moderator: Richard O. Faulk, Gardere Wynne Sewell LLP, Houston, Texas


Video: Case Study: Bisphenol A (BPA)

10:45 – 11:15 am  Break, Check Out of Hotel – Check Bags

11:15 am – 12:30 pm  Regulatory Science: Politicization of Science or Scientization of Policy?
Panel Organized by the Regulatory Studies Center, George Washington University

Alan B. Morrison, Lerner Family Associate Dean for Public Interest and Public Service Law Professorial Lecturer in Law, George Washington University School of Law, Washington, DC
Dr. Richard B. Belzer, President, Regulatory Checkbook, Mt. Vernon, Virginia
David Goldston, Director, Government Affairs, Natural Resources Defense Council, Washington, DC

Moderator: Susan E. Dudley, Director, Regulatory Studies Center, and Research Professor, Trachtenberg School of Public Policy & Public Administration, George Washington University, Washington, DC

Reading Assignments: Recommendations for Science in the Administrative Process (Draft) (Feb. 2012)

Recommendations for on the Use of Science in the Administrative Process (Draft) (Feb. 2012)


Improving the Use of Science in Regulatory Policy, Science for Policy Project Final Report (August 2009)

12:30 pm  Adjourn

12:40 pm  Buses Depart for Reagan National and Dulles