

JUDICIAL EDUCATION PROGRAM

# Civil Justice Fest

Monday, November 9 – Monday, November 23, 2020 | VIRTUALLY

GEORGE MASON UNIVERSITY ANTONIN SCALIA LAW SCHOOL

LAW &  
ECONOMICS  
CENTER

## MONDAY, NOVEMBER 9

*All sessions held VIRTUALLY*

**12:00 - 1:15 pm**

### **Managing Dockets and Judicial Resources During COVID-19 While Preserving Standards of Fairness and Justice**

**John M. Barkett**, Partner, Shook, Hardy & Bacon LLP  
**Caitlin G. Coslett**, Shareholder, Berger Montague  
**Leslie M. Kroeger**, Partner, Cohen Milstein Sellers & Toll PLLC  
**Nicholas P. Vari**, Partner, K&L Gates LLP

**Moderator: Donald J. Kochan**, Professor of Law and Deputy Executive Director, Law & Economics Center, George Mason University Antonin Scalia Law School

## WEDNESDAY, NOVEMBER 11

*All sessions held VIRTUALLY*

**12:00 - 1:15 pm**

### **Looking Forward: Civil Justice Issues in the Next Administration and New Congress**

**Drew LaFramboise**, Partner, Ashcraft & Gerel, LLP  
**Victor E. Schwartz**, Co-Chair, Public Policy Practice Group, Shook, Hardy & Bacon LLP

**Moderator: William C. Mims**, Justice, Supreme Court of Virginia

## THURSDAY, NOVEMBER 12

*All sessions held VIRTUALLY*

**1:30 - 2:45 pm**

### **The Expanding Scope of Public Nuisance and Locality Litigation: The Role of Precedent, Consistency, and the Rule of Law**

**Trevor S. Cox**, Counsel, Hunton Andrews Kurth LLP  
**John Culhane**, Professor of Law and H. Albert Young Fellow in Constitutional Law, Widener University Delaware Law School  
**Walter Olson**, Senior Fellow, Robert A. Levy Center for Constitutional Studies, Cato Institute

**Moderator: David J. Porter**, Judge, US Court of Appeals for the Third Circuit

## FRIDAY, NOVEMBER 13

*All sessions held VIRTUALLY*

**12:00 - 1:15 pm**

### **Tort Liability for Businesses During COVID-19: How to Determine the Duty of Care During a Pandemic While Incentivizing Safe Commercial Activity**

**Betsy Grey**, Jack E. Brown Chair of Law, Arizona State University Sandra Day O'Connor College of Law

**Timothy D. Lytton**, Associate Dean for Research & Faculty Development; Distinguished University Professor & Professor of Law, Georgia State University College of Law

**Daniel B. Rodriguez**, Harold Washington Professor of Law, Northwestern University Pritzker School of Law

**Cary Silverman**, Partner, Shook, Hardy & Bacon LLP

**Moderator: Chad Readler**, Judge, US Court of Appeals for the Sixth Circuit

## MONDAY, NOVEMBER 16

*All sessions held VIRTUALLY*

**12:00 - 1:15 pm**

### **Developments in Products and Other Liability for E-Commerce Marketplaces and Other Platforms**

**Eric Goldman**, Professor of Law, Santa Clara University School of Law

**Jeremy K. Robinson**, Partner, Casey Gerry Schenk Francavilla Blatt & Penfield LLP

**Jamie Susskind**, Vice President of Policy and Regulatory Affairs, Consumer Technology Association

**Rachel Weintraub**, Legislative Director and General Counsel, Consumer Federation of America

**Moderator: J. Campbell ("Cam") Barker**, Judge, US District Court for the Eastern District of Texas

**1:30 - 2:45 pm**

### **The Role of Courts in Managing New Theories of Remedies: The Debates on Medical Financing, Social Inflation, Phantom Damages, and Other Emerging Trends**

**Lee Mickus**, Partner, Evan Fears & Schutttert LLP

**Caitlin F. Saladrigas**, Associate, Holland & Knight LLP

**Meghan R. McMeel**, Partner, Riley Safer Holmes & Cancila LLP

**Moderator: Sabrina S. McKenna**, Justice, Supreme Court of Hawaii

## WEDNESDAY, NOVEMBER 18

*All sessions held VIRTUALLY*

**12:00 - 1:15 pm**

**Behind the Curtain at the American Law Institute (ALI): Drafting and Approving Restatements of Law at the ALI and Their Proper Weight in Judicial Decisionmaking**

**Terry L. Anderson**, John and Jean De Nault Senior Fellow, Hoover Institution, Stanford University

**Christopher E. Appel**, Of Counsel, Shook, Hardy & Bacon LLP

**Matthew L.M. Fletcher**, Professor of Law & Director of Indigenous Law & Policy Center, Michigan State University College of Law

**Carolyn Kuhl**, Judge, Los Angeles County Superior Court

**Moderator: Trevor N. McFadden**, Judge, US District Court for the District of Columbia

## THURSDAY, NOVEMBER 19

*All sessions held VIRTUALLY*

**12:00 - 1:15 pm**

**Dissecting the Development of Claims: Trends in Lawyer Advertising and Third Party Litigation Financing**

**Ashley Keller**, Partner, Keller Lenkner LLC

**Gretchen Lowe**, Partner, Westfleet Advisors

**Rustin Silverstein**, President & Founder, X Ante

**Quentin F. Urquhart Jr.**, Partner, Irwin Fritchie Urquhart & Moore LLC

**Moderator: Maryellen Noreika**, Judge, US District Court for the District of Delaware

**1:30 - 2:45 pm**

**The Proper Judicial Standards for Evaluating and Ensuring Quality in Expert Testimony**

**Alex Dahl**, Founder & CEO, Strategic Policy Counsel, PLLC

**David Faigman**, Chancellor & Dean; John F. Digardi Distinguished Professor of Law, University of California Hastings College of Law, San Francisco

**Mark Spottswood**, Associate Professor, Florida State University College of Law

**Melissa Whitney**, Of Counsel, DLA Piper

**Moderator: Wendy Williams Berger**, Judge, US District Court for the Middle District of Florida

**FRIDAY, NOVEMBER 20***All sessions held VIRTUALLY***12:00 - 1:15 pm****The Interplay Between Medical Device Regulatory Reviews and Civil Liability Standards: A Case Study of Issues Surrounding FDA 510(k) Clearance****Phil Goldberg**, Managing Partner, Shook, Hardy & Bacon LLP**Jonathan D. Orent**, Partner, Motley Rice LLC**Aimee H. Wagstaff**, Partner, Andrus Wagstaff PC**Rebecca K. Wood**, Partner, Sidley Austin LLP**Moderator: Robert J. Colville**, Judge, US District Court for the Western District of Pennsylvania**1:30 - 2:45 pm****The New California Privacy Act and Other Emerging Issues in Privacy Litigation****James C. Cooper**, Associate Professor of Law and Director, Program on Economics & Privacy, George Mason University Antonin Scalia Law School**Katherine E. Charonko**, Partner, Bailey & Glasser LLP**William C. MacLeod**, Partner, Kelley Drye & Warren LLP**Alastair Mactaggart**, Board Chair and Founder, Californians for Consumer Privacy**Moderator: Jennifer Choe-Groves**, Judge, US Court of International Trade**MONDAY, NOVEMBER 23***All sessions held VIRTUALLY***12:00 - 1:15 pm****A Survey of Emerging Issues in Civil Justice****John H. Beisner**, Partner, Skadden, Arps, Slate, Meagher & Flom LLP**Robert S. Peck**, Founder and President, Center for Constitutional Litigation**Kalpana Srinivasan**, Managing Partner, Susman Godfrey LLP**Moderator: Sarah E. Pitlyk**, Judge, US District Court for the Eastern District of Missouri**1:15 pm****Symposium Adjourns**