

Northeast Judicial Forum on Asbestos

Featuring Delaware, New Jersey, New York & Pennsylvania Jurisdictions

Thursday, December 3, 2009

Location: Conference Concierge Center, 780 Third Avenue, New York



CONFERENCE CHAIRS:

Judy Yavitz, Esq., Reed Smith LLP, New York

Perry Weitz, Esq., Weitz & Luxenberg, New York

<p>8:00 Registration and Continental Breakfast</p> <p>9:00 Opening Remarks</p> <p>9:15 New Medicare/Medicaid Regulations</p> <ul style="list-style-type: none"> •What are plaintiff and defendant obligations? •Are all awards subject to reporting? •Does the Court have any role in this? <p>Jason Wolf, Director of Operations, The Garretson Firm Resolution Group, Inc., Charlotte, NC</p> <p>Christopher Placitella, Esq., Cohen, Placitella & Roth, Red Bank, NJ</p> <p>Beth Valocchi, Esq., Swartz Campbell LLC, Wilmington, DE</p> <p>10:15 Discovery/Pretrial Preparation</p> <ul style="list-style-type: none"> •Depositions: rules and guidelines in the various jurisdictions •Various standards for summary judgment: proximity, regularity •He said, she said--at what point is there an actual issue of fact? •Should SJ be used as a settlement tool and how? <p>James Long, Esq., Weitz & Luxenberg, New York</p> <p>Craig Blau, Esq., Reed Smith LLP, New York</p> <p>Hon. Sherry Klein Heitler, New York State Supreme Court</p> <p>Hon. Mary Miller Johnston, Superior Court of Delaware</p> <p>Hon. Joan Madden, New York State Supreme Court</p> <p>Hon. Sandra Mazer Moss, Philadelphia Court of Common Pleas</p> <p>Hon. Martin Shulman, New York Supreme Court</p> <p>Hon. Ann G. McCormick, Superior Court of New Jersey</p> <p>11:15 Morning Break</p> <p>11:30 Bankruptcy Trusts/How Claims Are Processed and How they Affect the Tort System</p> <ul style="list-style-type: none"> •Claims criteria: how to process a claim in a bankruptcy - exposure and medical criteria •What claimants need to do to get paid by the trusts •NY requirement that POCs be filed before trial? •Discoverability and Admissibility of POCs <p>Paul Scudato, Esq., Schiff Hardin LLP, New York</p> <p>Perry Weitz, Esq., Weitz & Luxenberg, New York</p> <p>Hon. Sherry Klein Heitler, New York State Supreme Court</p> <p>Hon. Mary Miller Johnston, Superior Court of Delaware</p> <p>Hon. Joan Madden, New York State Supreme Court</p> <p>Hon. Sandra Mazer Moss, Philadelphia Court of Common Pleas</p> <p>Hon. Martin Shulman, New York Supreme Court</p> <p>Hon. Ann G. McCormick, Superior Court of New Jersey</p> <p>12:30 Networking Luncheon</p>	<p>1:30 Liability of Equipment Manufacturers for External/Component Parts(Merrill, Taylor, O'Neill, Wallace, Pokorney)</p> <ul style="list-style-type: none"> •Status of the law in various states •Should liability be extended? •Pokorney appeal <p>Terry Budd, Esq., K&L Gates, Pittsburgh, PA</p> <p>Alani Golanski, Esq., Weitz & Luxenberg, New York</p> <p>2:30 Which Trial Methods Have Are Fair and Successful at Moving and Resolving Cases?</p> <ul style="list-style-type: none"> • Motions in limine • Factors to consider re Consolidations--is Malcolm alive and well? • Utility and size of consolidation? • Trials on single issues; bifurcation, reverse bifurcation, single defendant? <p>Bruce Bishop, Esq., Willcox & Savage, P.C., Norfolk, VA</p> <p>Robert Gordon, Esq., Weitz & Luxenberg, P.C., New York</p> <p>Hon. Sherry Klein Heitler, New York State Supreme Court</p> <p>Hon. Mary Miller Johnston, Superior Court of Delaware</p> <p>Hon. Joan Madden, New York State Supreme Court</p> <p>Hon. Sandra Mazer Moss, Philadelphia Court of Common Pleas</p> <p>Hon. Martin Shulman, New York Supreme Court</p> <p>Hon. Ann G. McCormick, Superior Court of New Jersey</p> <p>3:30 Afternoon Break</p> <p>3:45 Use of Special Masters, JHOs, Arbitrators and Mediators</p> <ul style="list-style-type: none"> • Who uses what? • For what purposes--settlement, discovery? • What jurisdictions have special masters and how can they be more useful? <p>Joseph Belluck, Belluck & Fox LLP, New York</p> <p>Anthony Caruso, Esq., Caruso Pope Edell Picini, P.C., Fairfield, NJ</p> <p>Hon. Sherry Klein Heitler, New York State Supreme Court</p> <p>Hon. Mary Miller Johnston, Superior Court of Delaware</p> <p>Hon. Joan Madden, New York State Supreme Court</p> <p>Hon. Sandra Mazer Moss, Philadelphia Court of Common Pleas</p> <p>Hon. Martin Shulman, New York Supreme Court</p> <p>Hon. Ann G. McCormick, Superior Court of New Jersey</p> <p>4:45 Technology in the Courtroom</p> <ul style="list-style-type: none"> •Email communication and other technology in the various courtrooms <p>Hon. Mary Miller Johnston, Superior Court of Delaware</p> <p>Hon. Joan Madden, New York State Supreme Court</p> <p>Hon. Sandra Mazer Moss, Philadelphia Court of Common Pleas</p> <p>Hon. Martin Shulman, New York Supreme Court</p> <p>Hon. Ann G. McCormick, Superior Court of New Jersey</p> <p>5:30 Adjourn and Cocktail Reception</p>
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