

AUDIOCAST

CONFERENCE CHAIRS:

Ervin Gonzalez, Esq., Ervin Gonzalez, Esq., Colson Hicks Eidson, Coral Gables, FL
 Jan Douglas Atlas, Esq., Adorno & Yoss LLP, Ft. Lauderdale

Tuesday, July 28, 2009

Chair Biographies

8:15 Chinese Drywall Litigation Update
 •What is the difference between Chinese drywall and domestic drywall?
 •Who faces potential liability for the Chinese drywall installation?
 •Remediation costs and health related expenses
 •Where was the Chinese drywall used?
 •Status of the MDL and other class actions
 •What kind of experts you will need for your cases?
 Frederick Longer, Esq., Levin, Fishbein, Sedran & Berman, Philadelphia
 John Mullen, Esq., Nelson Levine de Luca & Horst, Blue Bell, PA
 Ervin Gonzalez, Esq., Ervin Gonzalez, Esq., Colson Hicks Eidson,
 Coral Gables, FL

9:15 Health Damages Caused By Chinese Drywall
 •What is toxicity: the dose that makes the poison, public risk vs. personal risk; and the distinction between regulatory and human toxicology
 •What needs to be proven, in order to establish toxicity and distinguishing hazard perception from toxicity
 •What is known today: the levels of hydrogen sulfide/strontium and other toxic emissions from Chinese drywall that are known concerns today
 -Does Chinese drywall pose health concerns for homeowners and to what extent?
 -Unique issues for certain class parties
 -The level of severity of the health risks
 •What is unknown about tomorrow: possible longer terms effects of these emissions, where does the medical research stand today and what is planned tomorrow?
 •How is Chinese drywall more dangerous than domestic drywall and how do you know if your case involves dangerous drywall?
 •The medical damages: the potential costs for medical care and analysis/projection of medical damages defendants face
 Barbara Manis, MD, Chief Medical Officer, Building Health Sciences, a division of The NMAS Group, Rockville, MD
 Paul Rosenfeld, Ph.D., Principal, Soil Water Air Protection Enterprise (SWAPE), Santa Monica, CA

10:15 The Property Damage Caused by Chinese Drywall
 •Identifying the problem: the confounding factors, product identification issues and the required tests
 •Building damage: what Chinese drywall is doing to the construction it was used in
 •Property damage: what Chinese drywall is doing to other home appliances
 •The detailed analysis of remediation:
 - Determining what to remove, project scope and avoiding unnecessary costs
 -The cost to remove Chinese drywall
 •Assessing the potential costs nationwide: damages projections for construction remediation and rebuilds in the 13 confirmed states
 •What other dangerous substances may be hidden in Chinese drywall that you should be aware of?
 Eric Winegar, PhD, QEP, Principal, Applied Measurement Science, Fair Oaks, CA
 Philip Watters, P.E., MBA, LEED® AP, Senior Vice President, Rimkus Consulting Group, Inc., Houston
 Patrick Schoenburg, Esq., Wood, Smith, Henning & Berman LLP, Fresno, CA

11:25 Chinese Drywall-Insurance Coverage Nightmare
 •The big coverage disputes, trigger issues, endorsements and exclusions to come into play
 •The kinds of policies providing coverage for both first and third party claims
 •Additional insured issues
 •Subrogation opportunities
 Kali Bracey, Esq., Jenner & Block LLP, Washington, DC
 Christopher Borders, Esq., Hinshaw & Culbertson LLP, San Francisco

12:35 Adjourn

Jan Douglas Atlas is a Partner in the Firm's Fort Lauderdale office and is a member of the Commercial Litigation department in charge of all securities adversary proceedings. He is Managing Partner of the Fort Lauderdale office. He has practiced law for more than 40 years, primarily securities and commercial litigation. Mr. Atlas began his career in New York representing clients in complex litigation matters in both federal and state courts. Mr. Atlas has represented clients in the areas of securities, corporate, and white collar defense. Mr. Atlas is active in civic and community organizations in Broward County.

Ervin Gonzalez is a partner at Colson Hicks Eidson, and has more than 20 years of experience practicing products liability, class action, business litigation, medical malpractice and personal injury litigation. Mr. Gonzalez has 21 jury trial verdicts that meet or exceed \$1 million and numerous settlements that meet or exceed \$1 million. Mr. Gonzalez is board certified as a specialist in civil trial law (both in personal injury and wrongful death cases) and business litigation law by The Florida Bar and The National Board of Trial Advocacy. A member of the Florida Bar Board of Governors, Mr. Gonzalez has served on the board's Executive Committee. He is also a member of the National Board of Trustees for the National Institute of Trial Advocacy. He is former President of the Dade County Bar Association and Dade County Trial Lawyers Association, and past Director of the Academy of Florida Trial Lawyers. Mr. Gonzalez graduated cum laude from the University of Miami School of Law with a juris doctorate (1985).