

Environmental & Energy, Mass Torts, and Products Liability Litigation Committees' Joint Virtual Regional CLE Program

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January 27-28
2022



The ABA will seek **7.5** CLE credit hours (including **1.25** hour of ethics CLE) in 60-minute states, and **9** CLE credit hours (including **1.5** hours of ethics CLE) in 50-minute states.* Credit hours are estimated and are subject to each state's approval and credit rounding rules.

**Florida Bar regulators have stated that attorneys will not receive Florida credit for any ABA program, even if they self-apply.*

Program Agenda

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Thursday, January 27, 2022

12:00 PM – 1:15 PM ET **The Next Wave of Product-Related Cancer Claims: Big Cases and Big Developments**

This all-star panel of experts representing both sides of the “v” will educate attendees on the latest developments in new and novel cancer-related products liability claims. The discussion will include an overview of the claims and litigations involving products such as Sunscreens, Zantac, Round-up, Firefighting Foams and other PFOAs, and more.

Moderator: Michelle Molinaro Burke, Porzio Bromberg & Newman PC, Morristown, NJ

Speakers: Kendra Lounsberry, Barnes & Thornburg LLP, Los Angeles, CA; **Jennifer A. Moore**, Moore Law Group, Louisville, KY; **Edward B. Witte**, Godfrey Kahn SC, Milwaukee, WI

GENERAL
CLE

1:30 PM – 2:45 PM ET **Cybersecurity Threats and Crisis Management**

As shown by the May 2021 ransomware attack on the Colonial Pipeline impacting almost half of the east coast’s fuel supply, the cybersecurity threats faced by companies and governments today continue to grow and have far-reaching consequences. Oil and gas operations, electrical grids, all levels of government, retail, infrastructure, tech companies, the financial sector—no industry is immune to increasingly sophisticated cyberattacks and criminal organizations. Attorneys play a critical role in both the preparation for and rapid response to these attacks. Our panel of experts unpack and examine all aspects of cybersecurity attacks and crisis management, including coordinating internal investigations, engaging with law enforcement, dealing with media fallout, issuing required notices, advising boards, and handling litigation and government investigations.

Moderator: Amy Harman Burkart, Jones Day, Boston, MA

Speakers: Scott N. Godes, Barnes & Thornburg LLP, Washington, D.C.; **Sam Rubin**, Palo Alto Networks, Austin, TX

GENERAL
CLE

3:00 PM – 4:15 PM ET **Emerging Chemicals: From Microplastics to “Forever Chemicals”**

In addition to the “forever chemicals” and lead from aging drinking water infrastructure often in the news, research in many parts of the world is focused on emerging pollutants including pharmaceuticals, hormones, personal care products, and newer industrial chemicals. Current environmental data on antibiotics, steroids, non-steroid anti-inflammatory drugs, endocrine disruptors, caffeine, BPA, disinfectants, pesticides, and microplastics will be discussed along with persistent bio-accumulative and toxic materials (PBTs) in this cutting-edge discussion of what might inform the next generation of laws, regulations, and litigation.

Moderator: Alexandra Dapolito Dunn, Baker Botts LLP, Washington, D.C.

Speakers: Megan E. Baroni, Robinson+Cole, Stamford, CT; **Catherine Boston**, Roux Inc., Woburn, MA; **Gwendolyn Keyes Fleming**, Van Ness Feldman LLP, Washington, D.C.; **Catherine Palin**, Alliance for Automotive Innovation, Washington, D.C.

GENERAL
CLE

4:15 PM – 5:30 PM ET **Networking Happy Hour**

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Friday, January 28, 2022

12:00 PM – 1:15 PM ET **Environmental Justice Rises to the Forefront: Litigation, Regulatory, and Legislative Impacts**

With the Biden Administration's new emphasis on environmental justice, the status quo is changing in the environmental arena. New policies, regulations, and enforcement initiatives focusing on environmental justice are impacting environmental investigations and remediation, citizen suits, toxic tort actions, and governmental enforcement, as well as the permitting of new and existing facilities and redevelopment of brownfield sites. Increasingly, state environmental agencies and attorneys general are getting in on the action, implementing new regulations, litigation, and enforcement actions emphasizing environmental justice. Our panel will discuss these fast-breaking developments, explore the impacts on new and existing sites, and unpack the litigation and regulatory ramifications of this new emphasis on environmental justice.

Moderator: Michael R. Leslie, King & Spalding LLP, Los Angeles, CA
Speakers: Miranda Henning, Integral Consulting Inc., Portland, ME; **Matthew Tejada**, United States Environmental Protection Agency (US EPA), Washington, D.C.; **Stacey Turner**, Southern Company, Birmingham, AL

GENERAL
CLE

1:30 PM – 2:45 PM ET **Witness Ethics in a Virtual World**

Lawyers throughout the land have learned to litigate from their lounge chairs. Doing so, however, can present ethical challenges in contacting, preparing, or instructing witnesses, conducting depositions, consulting with testifying witnesses, and protecting privileged documents and work product. This program will solve old and new ethics problems one might encounter in the ether.

Speaker: John M. Barkett, Shook Hardy & Bacon LLP, Miami, FL

ETHICS
CLE

3:00 PM – 4:15 PM ET **Infrastructure and Redevelopment: If You Build It, You Must Maintain It**

This panel will explore the outcome of the approved \$1 trillion infrastructure bill and the advancing of an additional budget bill of \$3.5 trillion. The panel will address a broader slate of policy issues, including public liability, litigation, energy, environment, eminent domain, brownfield redevelopment, and economic inequality (California, Texas, and New York will likely cash in big, but what about the remaining 47 states?).

Moderator: Orell Anderson, Strategic Property Analytics Inc., Laguna Beach, CA
Speakers: Scott Carr, Ankura, Washington, D.C.; **Daniella Landers**, Womble Bond Dickinson, Houston, TX; **James Olschewski**, International Right of Way Association (IRWA), Gardena, CA; **Charles Stormont**, Utah Department of Transportation (UDOT), Salt Lake City, UT

GENERAL
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4:15 PM – 4:30 PM ET **Closing Remarks**

Program Organizers

Environmental & Energy, Mass Torts, and Products Liability Litigation Committees' Joint
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Requests for refunds must be made in writing and received no later than **January 13, 2022**. Please email your request to Porscha Boyd at porscha.boyd@americanbar.org. There will be a \$50 administrative fee deducted from the refund. Cancellations received after January 13, 2022 will not be refunded; however, the Section will gladly accept substitutions for those unable to attend.

MCLE Credit

The ABA will seek **7.5** CLE credit hours (including **1.25** hours of ethics CLE) in 60-minute states, and **9** CLE credit hours (including **1.5** hours of ethics CLE) in 50-minute states.* Credit hours are estimated and are subject to each state's approval and credit rounding rules. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit the program website at ambar.org/jointcle for CLE program details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

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Tuition Assistance

A limited number of scholarships to defray registration fees may be available for government employees, public interest lawyers employed with nonprofits, academics, unemployed attorneys, and law students. For more information, please contact Porscha Boyd at porscha.boyd@americanbar.org by **December 13, 2021**.

Attendance List

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Extend your participation by joining the Section of Litigation [Environmental & Energy Litigation](#), [Mass Torts Litigation](#), and/or [Products Liability Litigation](#) Committees! Membership is free for Section of Litigation members.



Registration Form

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Please register [online](#) or complete the form below.

Full Name: _____
Member ID: _____
Firm/Organization: _____
Address: _____
Apt.#: _____ City: _____ State: _____ Zip: _____
Phone: _____
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A limited amount of scholarships are available for this program. For more information, please contact Porscha Boyd at porscha.boyd@americanbar.org by **January 13, 2022**.

Registration Information:

- ☐ **\$195.00** Section of Litigation Members
☐ **\$265.00** ABA Members
☐ **\$320.00** Non-Members
☐ **FREE** Law Students

Checks for attendance should be made payable to the AMERICAN BAR ASSOCIATION. Fax or mail credit card payment by using the form below.

Payment Information

- ☐ I will attend the CLE program and my payment of \$_____ is enclosed.
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