



**Eastern District
Bench Bar Conference**
Jointly With the
Federal Circuit Bar Association

Four Seasons Resort & Club

4150 North MacArthur Blvd. • Irving, TX 75038

September 25, 26 & 27, 2011



“The Right Side of Texas”

Sunday, September 25, 2011

6:00 PM - Early Bird Reception
7:00 PM Sponsored by: *StoneTurn Group*

Monday, September 26, 2011

7:00 AM **Breakfast in Breakout Rooms**
Sponsored by: *Alston & Bird LLP; Baker Botts L.L.P.; Dovel & Luner LLP; Klarquist Sparkman, LLP*

8:00 AM **Call to Order** – President of Eastern District of Texas Bar Association E. Glenn Thames, Jr. (Potter Minton) & President of Federal Circuit Bar Association Steven C. Lambert (Foley & Lardner) and Conference Co-Chairs Edward Reines (Weil, Gotshal & Manges) & Clyde Siebman (Siebman, Burg, Phillips & Smith)

8:05 AM **Welcoming Remarks**

- Chief Judge Randall Rader, U.S. Court of Appeals for the Federal Circuit
- Chief Judge David Folsom, U.S. District Court for the Eastern District of Texas

Monday, September 26, 2011

8:15 AM **An Insider's View of Best Practices in the Eastern District of Texas and the Federal Circuit.**
Judge T. John Ward (ED Tex.), Peter Corcoran (Thompson & Knight), Matthias Kamber (Keker & Van Nest) & Larry Phillips (Siebman, Burg, Phillips & Smith)

9:00 AM **Balancing the Economics of Discovery. Insuring Access to Documents That Matter While Keeping Justice Affordable.**

- Co-Moderators: Judge Chad Everingham (ED Tex.) & Judge Paul Grewal (ND California)
- Panel Members: Marla Butler (Robins, Kaplan, Miller & Ciresi), Tina Chappell (Sr. Litigation Counsel, Intel), Timothy Durst (Baker Botts) & Wes Hill (Ward & Smith)

9:45 AM **Judicial Economy Versus De Novo Review in Claim Construction.**

- Moderator, Mark Davies (Orrick, Herrington & Sutcliffe)
- Panel Members: Judge Kathleen O'Malley (Fed. Cir.), Judge Richard Schell (ED Tex.) and Gary Hoffman (Dickstein Shapiro)

10:30 AM **Morning Break**

continued ➤➤

Monday, September 26, 2011

10:45 AM

Settlement Perspectives: Impediments to Resolution of IP & Other Complex Cases.

- Moderator, Judge Robert Parker (Parker, Bunt & Ainsworth)
- Panel Members: James Amend (Chief Circuit Mediator, Fed. Cir.), Judge Robert Faulkner (JAMS), Professor Francis McGovern (Duke School of Law) & Judge Layn Phillips (Irell & Manella)

11:45 AM

Myths and Mysteries of ED Texas.

Jennifer Doan (Haltom & Doan), Michael Truncale (Orgain Bell & Tucker) & Johnny Ward (Ward & Smith) with former ED Texas juror(s)

12:30 PM

Working Lunch/Breakouts

Sponsored by: *Frommer Lawrence & Haug LLP; Shore Chan Bragalone DePumpo LLP; Ward & Smith Law Firm; Williams, Morgan and Amerson, P.C.*

- Breakouts: Texas Veterans Pro Bono. James Brookshire (Executive Director, Fed. Cir. Bar) & Terry Tottenham (Immediate Past President, State Bar of Texas)
- Breakouts: Patent Pilot Program in ED Texas & Beyond. Judge Marcia Crone (ED Tex.) & Dave Maland (ED Tex. District Clerk)
- Breakouts: Anti-Trust & Standard Setting. Joseph Grinstein (Susman Godfrey) & Dave Healey (Fish & Richardson)

- Breakouts: Current Developments in Venue. Eric Findlay (Findlay Craft) & Gregory Love (Stevens Love)
- Breakouts: The Internet & Social Media as Litigation Tools and Nightmares. Judge Caroline Craven (ED Tex.), Alex Martinez (Soltel Networks) & David Stein (McDermott, Will & Emery)

12:30 PM

Alternative Track:

Lunch/Afternoon of Golf
(Pre-Registration Required)

Sponsored by: *Haltom & Doan; McKool Smith, P.C.; Winston & Strawn LLP*

1:30 PM

Random Texas Thoughts. Marshalling the Evidence. Is a Texan A Different Breed of Cat?

- Moderator, Thad Heartfield, Jr. (The Heartfield Law Firm)
- Panel Members: Brian Burns (Texas Singer/Songwriter), Dr. Stephen Hardin (Historian, McMurry University), Pat McCoy (Commissioner, Bowie County) & Andrea Williams McCoy (Chief of Staff, Representative George Lavender) joined by Non-Golfing Members of Myths and Mysteries Panel

(Did you know? The population of ED Texas is greater than the State of Delaware and Tyler's is greater than Wilmington. Come test your East Texas knowledge!)

continued ➡

Monday, September 26, 2011

- 2:15 PM** **The Ethics of Advocacy**
Judge Jimmie Reyna (Fed. Cir.), Melissa Smith (Gillam & Smith), Charlie M. Wilson, III, (Immediate Past Chair, Texas Center for Legal Ethics) & Andy Tindel (Provost Umphrey)
- 3:00 PM** **Hatch-Waxman Local Rules & Pharmaceutical Litigation in ED Texas.**
Stephanie Barnes (Siebman, Burg, Phillips & Smith), Stephen Hash (Vinson & Elkins), Charles B. Klein (Winston & Strawn) & Collin Maloney (Ireland, Carroll & Kelley)
- 3:45 PM** **Afternoon Break**
Free Time to enjoy Four Seasons' spa, indoor tennis, shopping, swimming or relaxing on your own
- 6:30 PM** **VIP Reception**
Sponsored by: *Akin Gump Strauss Hauer & Feld, LLP; Fish & Richardson, P.C; Hartline Dacus Barger Dreyer LLP; K&L Gates LLP*
- 7:30 PM** **Dinner**
Sponsored by: *Duff & Phelps, LLC; Nix, Patterson & Roach LLP; Potter Minton, A Professional Corporation; The Roth Law Firm; Thompson & Knight LLP*
- 9:30 PM** **After Dinner Dancing to the Music of Emerald City**
Sponsored by: *Patent Calls; Vinson & Elkins LLP*
- 10:30 PM** **Conversations in the Villa Suite**
Sponsored by: *Cooley LLP; Orrick, Herrington & Sutcliffe LLP; Wong Cabello*
- Masters of Ceremonies: President of Eastern District of Texas Bar Association E. Glenn Thames, Jr. (Potter Minton) & President of Federal Circuit Bar Association Steven C. Lambert (Foley & Lardner)
 - Welcome From Chief Judge Randall Rader (Fed. Cir.) & Chief Judge David Folsom (ED Tex.)
 - Introduction of Brian Burns & Dr. Stephen Hardin by President Elect of Eastern District of Texas Bar Association Eric Albritton (Albritton Law Firm)
 - Brian Burns, Texas Singer/Songwriter
 - Dr. Stephen Hardin, (McMurry University)
"The Alamo: What's It About?"
 - Presentation of the John Hannah, Jr. Award for Public Service by President E. Glenn Thames, Jr. (ED Texas Bar Association)
 - Introduction of Judge Patrick Higginbotham by Judge T. John Ward (ED Tex.)
 - Keynote Speech, Judge Patrick Higginbotham (5th Circuit Court of Appeals)

continued ➤

Tuesday, September 27, 2011

- 7:30 AM** **Breakfast in Breakout Rooms**
Sponsored by: *Findlay Craft, LLP; King & Spalding LLP; Locke Lord Bissell & Liddell LLP; Susman Godfrey; Winston & Strawn LLP*
- 8:30 AM** **Electronic Polling Exercise – Interactive Discussions. Views From the Bench & Bar On a Variety of Current Pretrial, Trial and Appellate Issues.**
- Co-Moderators: Judge Leonard Davis (ED Tex.) & Clyde Siebman (Siebman, Burg, Phillips & Smith)
 - Panel Members: Judge Kathleen O'Malley (Fed. Cir.), Judge Jimmie Reyna (Fed. Cir.), Chief Judge David Folsom (ED Tex.), Judge Don Bush (ED Tex.), Judge Caroline Craven (ED Tex.), Judge John Love (ED Tex.) & Judge Amos Mazzant (ED Tex.)
 - Audience Facilitators: Leon Carter (Munck Carter), Jason Cook (Alston & Bird) & David Weaver (Vinson & Elkins)
- 9:15 AM** **Emerging Management Techniques & Tradeoffs in Multiple Party Cases (w/Interactive Polling).**
Judge Kathleen O'Malley (Fed. Cir.), Judge Leonard Davis (ED Tex.), Sam Baxter (McKool Smith) & Alan Fisch (Kaye Scholer)
- 10:00 AM** **Damages & Other Remedies. Which IP Rights Are Worth Litigating & What About Those That Aren't?**
- Moderator, Chris Carraway (Klarquist Sparkman)
 - Panel Members: Eric Albritton (Albritton Law Firm), Doug Cawley (McKool Smith), Chip Molster (Winston & Strawn) & Barbara A. Parvis (Research In Motion)
- 10:45 AM** **Morning Break**
- 11:00 AM** **Hot Topics in the Cross-Fire.**
- Facilitator, Edward Reines (Weil, Gotshal & Manges)
 - Panel Members: Dean John Whealan (George Washington University Law School), Hilda Galvan (Jones Day), Mike Jones (Potter Minton), Michael Smith (Siebman, Burg, Phillips & Smith) & Ted Stevenson (McKool Smith)
- 11:45 AM** **Chief Judge Randall Rader (Fed. Cir.): Thoughts on the Status and Direction of Patent Litigation in the United States**

Tuesday, September 27, 2011

12:30 PM

Working Lunch/Breakouts Discussing Remarks of Chief Judge Randall Rader
Sponsored by: *Bickel & Brewer; Munck Carter, LLP; Ramey & Flock, P.C.; RIM/BlackBerry*

- Breakout One: Facilitators, Elizabeth "Betty" DeRieux (Capshaw DeRieux) & **Steven Zager** (Akin Gump Strauss Hauer & Feld)
- Breakout Two: Facilitators, **Jennifer Ainsworth (Wilson Law Firm)** & Matt Lowrie (Foley & Lardner)
- Breakout Three: Facilitators, Winston Huff (Navarro Huff) & **Michael Hatcher** (Sidley Austin)
- Breakout Four: Facilitators, **Damon Young** (Young Pickett) & Yar Chaikovsky (McDermott, Will & Emery)
- Breakout Five: Facilitators, Andrew Spangler (Spangler Law Firm), & **Patrick Coyne** (Finnegan, Henderson, Farabow, Garrett and Dunner)

1:30 PM

Reports from the Breakouts – Interactive Discussions

- Co-Moderators, Chief Judge Randall Rader (Fed. Cir.) & Judge Ron Clark (ED Texas.)
- Panel Members: Marla Butler (Robins, Kaplan, Miller & Ciresi), Otis Carroll (Ireland, Carroll & Kelley), & Breakout Leaders Indicated In Bold
- Audience Facilitators: Leon Carter (Munck Carter), Jason Cook (Alston & Bird) & David Weaver (Vinson & Elkins)

2:15 PM

The Delicate Dance of Error Preservation.
Amber Rovner (Weil, Gotshal & Manges), Rosemary Snider (McKool Smith) & E. Glenn Thames, Jr. (Potter Minton)

2:45 PM

Afternoon Break

3:00 PM

Corporate Counsel: Views of ED Texas, Federal Circuit & Judicial Patent Reform.

- Co-Moderators, Judge Richard Linn (Fed. Cir.) & Jay Johnson (Texas Instruments)
- Panel Members: Ron Antush (Nokia), Matt DelGiorno (IPNAV/Former Broadcom), Andy Horstman (Medtronic), Kevin Kramer (Yahoo), Erick Robinson (Red Hat) & John Thorne (Verizon)

4:00 PM

Experienced Outside Perspectives of Law Behind the Pine Curtain.

- Moderator, William "Bo" Davis (Davis Firm)
- Panel Members: Henry Bunsow (Dewey & LeBoeuf), Wayne Stacy (Cooley), Morgan Chu (Irell & Manella) & Robert Steinberg (Latham & Watkins)

4:45 PM

Magistrate Panel: Nuts & Bolts of Effective Advocacy.

- Moderators, Lance Lee (Law Office of Lance Lee) & David Stein (McDermott, Will & Emery)
- Panel Members: Judge Don Bush (ED Tex.), Judge Caroline Craven (ED Tex.) Judge Paul Grewal (ND California), Judge John Love (ED Tex.), Judge Amos Mazzant (ED Tex.)

2011 Conference Sponsors

GENERAL AND EVENT SPONSORS AS INDICATED

Akin Gump Strauss Hauer & Feld, LLP

Albritton Law Firm

Alston & Bird LLP

Antonelli, Harrington & Thompson LLP

Baker Botts L.L.P.

Beck Redden & Secrest, LLP

Bickel & Brewer

Capshaw DeRieux LLP

Chadbourne & Parke LLP

Chowdhury & Georgakis, P.C.

Collins, Edmonds & Pogorzelski, PLLC

Cooley LLP

Dovel & Luner LLP

Duane Morris LLP

Duff & Phelps, LLC

East Texas Litigation Consulting, LLC

Findlay Craft, LLP

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

Fish & Richardson, P.C.

Frommer Lawrence & Haug LLP

Fulbright & Jaworski L.L.P.

Gibbs & Bruns LLP

Gillam & Smith, L.L.P.

Haltom & Doan

Hartline Dacus Barger Dreyer LLP

Haynes Boone

Ireland, Carroll & Kelley, P.C.

Jackson Walker L.L.P.

Jones Day

K&L Gates LLP

Kaye Scholer LLP

King & Spalding LLP

Klarquist Sparkman, LLP

Klemchuk Kubasta LLP

Law Offices of Seth Kretzer

Lance Lee, Attorney at Law

Latham & Watkins LLP

Locke Lord Bissell & Liddell LLP

McKool Smith, P.C.

Morgan, Lewis & Bockius LLP

Munck Carter, LLP

Nix, Patterson & Roach LLP

Orrick, Herrington & Sutcliffe LLP

Patent Calls

Potter Minton, A Professional Corporation

Ramey & Flock, P.C.

RIM/BlackBerry

Robins, Kaplan, Miller & Ciresi L.L.P.

Shore Chan Bragalone DePumpo LLP

Siebman, Burg, Phillips & Smith, L.L.P.

SNR Denton US LLP

Spangler Law P.C.

StoneTurn Group

Susman Godfrey

Tadlock Law Firm

The Roth Law Firm

Thompson & Knight LLP

Vinson & Elkins LLP

Ward & Smith Law Firm

Weil, Gotshal & Manges LLP

Williams, Morgan and Amerson, P.C.

Wilson, Robertson & Cornelius, P.C.

Wilson Sonsini Goodrich & Rosati P.C.

Winston & Strawn LLP

Wong Cabello

Wright & Close, LLP

Yarbrough Wilcox, PLLC

Young Pickett

** Event Sponsors Indicated In Bold
Partial list of sponsors at time of publishing*




2011 Bench Bar Conference Planning Committee

Amanda A. Abraham
Eric M. Albritton
Patrick Arenz
Natalie Bennett
Elizabeth Black Berry
Patrick Black
James Brookshire
Charles Bundren
Leon Carter
Pete Chassman
Betty Chen
Michael Chibib
Max Ciccarelli
Peter Corcoran
Caroline Craven
Jennifer Doan
Alan Fisch
Robert Garner
Bryan Haynes
David Healey
John M. Hintz
Gary Hoffman
Mike Jones
Kevin Kudlac
Lance Lee

Gary McDaniel
Charles Molster
Mark C. Nelson
Hubert Oxford
Brian H. Pandya
Michael Pegues
Larry A. Phillips
John Pickett
Susan Purcell
Edward Reines
Mark Reiter
Erick Robinson
Brendan Roth
Neal Rubin
Steve Scheve
Betty Schroeder
Clyde M. Siebman
Michael C. Smith
David Stein
E. Glenn Thames, Jr.
Daniel E. Venglarik
Claude E. Welch
Trey Yarbrough

**Co-Chairman indicated in bold*



MONDAY EVENING RECEPTION

Don't miss the JOHN H. HANNAH, JR. Award for Public Service Music and dancing will be provided by Emerald City.
Smart Casual Attire

CONFERENCE

September 25-27, 2011 • Four Seasons Resort & Club
4150 North MacArthur Blvd, Irving, Texas 75038.
(15 minutes from DFW Airport)

REGISTRATION

Register today by fax or email. Registration form attached.

Fax to 903-223-0210 or email to

wlancelee@aol.com or llee0276@aol.com.

Please make your checks payable to:

Eastern District of Texas Bar Association and mail to
c/o Lance Lee, Secretary/Treasurer
5511 Plaza Dr, Texarkana, TX 75503

The registration fee is \$695 for the FULL conference.

REGISTRATION FEE INCLUDES

Opening cocktail reception, two breakfasts, two buffet lunches, multiple refreshment breaks, VIP cocktail reception, dinner, entertainment, dancing & music by Emerald City, after hours social event and 12 hours estimated CLE.

For DAYTIME and CLE only

(excluding receptions, dinner and evening activities)
a reduced registration fee of \$495 is available.

For more information contact Kelly Johnson at
(903) 870-0070 or email kellyjohnson@siebman.com.

DEADLINE FOR REGISTRATION

August 29, 2011

Additional fee of \$100 applies after registration deadline.

SPONSORS

General sponsorships of \$1,500 are still available.

If interested, contact Elizabeth Black Berry at
(713) 546-5055 or email elizabeth.berry@weil.com.

CONTINUING EDUCATION

This course has been approved for Minimum Continuing Legal Education credit by State Bar of Texas and the Texas Board of Legal Specialization (Civil Trial Law and Civil Appellate Law).

15.75 accredited hours, including 2 hours Ethics.

A Uniform Certificate of Attendance for Other Jurisdictions will be available at the Conference.

HOTEL RESERVATIONS

Through August 28, 2011

Discount Conference Rate applies.

Superior Room \$225, Deluxe Room \$245 and Villas \$260.

Please make reservations by calling Four Seasons Resort and Club at (972) 717-2499 and refer to Eastern District of Texas Bench Bar Conference Rate.



**Fifteenth Annual Eastern District Bench Bar Conference
Sunday, Monday, Tuesday, September 25, 26 and 27, 2011**

REGISTRATION FORM

Name: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

My Spouse or Significant Other will attend the Monday evening reception and dinner? _____ Yes _____ No

Spouse or Significant Other's name: _____

If you plan to bring your Spouse or Significant Other to the dinner, there is an additional \$100 fee.

E.D. TEX. BAR ASSOCIATION RENEWAL AND CONFERENCE REGISTRATION FEES:

_____ I wish to register for the FULL conference (\$695.00) _____

_____ I wish to register for DAY TIME AND CLE ONLY (\$495.00)
(excludes receptions, dinner and evening activities) _____

_____ I wish to participate in the Golf Tournament on the Byron Nelson Course (\$100.00) _____

_____ My Spouse/Significant Other Registration for Dinner/Dancing Monday (\$100.00)
(includes VIP Reception, Dinner, After Dinner Cocktails & Dancing) _____

_____ I wish to renew my E.D. Bar Dues (2011-12) but cannot attend the conference (\$75.00) _____

_____ I wish to renew my membership/join the ED Texas Bar Association (\$75.00) _____

_____ Register after August 29, 2011; late registration will be an additional (\$100.00)
(and on a space available basis.) _____

TOTAL: _____

***RESPONSE REQUIRED NO LATER THAN AUGUST 29, 2011
AFTERWARDS, THERE WILL BE AN ADDITIONAL FEE OF \$100***

**MAIL THIS REGISTRATION FORM AND YOUR CHECK PAYABLE TO:
EASTERN DISTRICT OF TEXAS BAR ASSOCIATION**

**c/o Lance Lee, Secretary/Treasurer
5511 Plaza Dr • Texarkana, TX 75503
903-223-0276 • wlancelee@aol.com**

To make hotel reservations call the Four Seasons Resort Las Colinas at 972-717-2499 and reference the Eastern District of Texas Bar Association. Conference room rate is available until August 28, 2011 at \$225/night – Superior, \$245/night - Deluxe and \$260.00/night – Villa + taxes.