# The 15<sup>th</sup> Annual Product Safety & Liability Prevention Conference

# MILWAUKEE

Presentations from: Leading Product Liability Attorneys, CPSC Commissioner, Top Author, & Leading Forensic Engineers

> May 21-22, 2019 Milwaukee Marriott Downtown

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### **SPEAKER LIST**

**Randall Goodden** is known worldwide for his public and in-house seminars and keynote presentations on product safety & product liability prevention, and is the author of the 3 best selling books on the topic, the latest titled "Lawsuit! Reducing the Risk of Product Liability for Manufacturers". He is the President and Founder of the IPSLP Association.

**Attorney Neil Goldberg** is a Founding Member of Goldberg Segalla. He specializes in the defense and trial of complex catastrophic and personal injury cases. Consistently recognized by *Best Lawyers in America* in Product Liability. In 2016 Neil won the Defense Trial Lawyer of the Year from the Defense Trial Lawyers Association award for his defense of Colgan Air, Inc. and Pinnacle Airlines Corp. in a 9-week trial arising from the crash of Colgan flight 3407

Attorney Dan Harris is a founding member of Harris Bricken, an international law firm with lawyers in Seattle, Portland, San Francisco, Beijing, and Barcelona. He is also a co-editor of the China Law Blog. Dan began his legal career as a products liability litigator but has for the last 15 years been providing legal counsel to American companies that do business in China and in other countries in emerging Asia.

Attorney Josh Johanningmeier is a shareholder in Godfrey & Kahn's Product Liability and Tort Practice Group. He defends manufacturers in product liability actions involving personal injury, wrongful death and property damage. In addition to litigation, Josh works with manufacturers to assess and develop on-product warnings as well as instruction and user manuals for products. He also counsels manufacturers, distributors and retailers on regulatory compliance and recall issues.

**Dr. Douglas Young** is a Principal Scientist in Exponent's Human Factors practice. He has over 30 years of experience examining issues related to human performance, human factors, biomechanics, and ergonomics in accidents, injuries, and safety. He has evaluated the human behavior and safety of operation for products manufactured in the automotive and other consumer-product industries, and has studied factors that cause human error and accidents.

**Joe Mohorovic** is a Senior Consultant at Troutman Sanders. A board-certified product safety expert and former CPSC Commissioner, he brings real world experience in both the private and public sectors to Troutman Sanders' world-class Product Safety team. This ranges from proactive guidance on compliance and supply-chain interruption, to state and federal regulatory counseling, all the way through product liability defense, expert testimony and dispute resolution. Attorney James J. Yukevich is a Partner and the founder of the firm of Yukevich & Cavanaugh. Recognized as one of the "Best Lawyers in America," Jim has successfully defended corporate America as a first chair trial lawyer in 8 states. He founded his law firm in 1995. He has been named as Los Angeles Magazine "Super Lawyer" every year since 2005.

Attorney Chandran lyer is a Partner at Goldberg Segala. He has been counseling mature and emerging companies, entrepreneurs, inventors, and investors on a variety of technology-related issues. As a registered patent attorney with experience in patent litigation and patent prosecution, Chandran also helps global corporations and market-leading innovators obtain, enforce, monetize, and license patent portfolios. He also handles trade secrets, copyrights, and trademarks.

Attorney Joseph Olson is a partner at the law firm of Michael Best in Milwaukee. He handles complex product liability matters in numerous fields including construction/farming equipment, consumer products, home construction products, food products and medical devices. Joe has handled numerous appellate cases in state and federal court and has had the honor of arguing before the Seventh Circuit Court of Appeals and the Wisconsin Supreme Court.

Attorney J. Ric Gass, is a Founding Member of Gass Weber Mullins. Ric's practice is nationwide with cases that have spanned the country from Florida to Hawaii. He has tried almost 300 cases to verdict, mostly defending corporations and insurers. He secured the largest jury verdict in the history of the State of Wisconsin: \$104.5 million.

**Attorney David Turek** is a Partner at Gass Weber Mullins and is experienced in multiple facets of civil litigation, including product liability, insurance coverage, and commercial litigation. David is a Senior Fellow of The Litigation Counsel of America, an *AV Preeminent*rated attorney by Martindale Hubbell, and the author of multiple publications on civil litigation.

**Dr. Benjamin Knox** is an Engineer at Colwell Consulting where he specializes in the area of fire and explosion investigation. He conducts fire origin and cause investigations involving recreational and passenger vehicles, marine vessels, lawn mowers, commercial and residential structures, electrical appliances, as well as industrial equipment.

**Andrew Paris** is a Senior Electrical Engineer with Jensen Hughes and a Director in their Fire Forensics Division. He specializes in investigating electrical fires and failures, electrical design, and electrical safety. His casework includes explosion investigations, heavy equipment accidents, and appliance fires.

# **The Conference**

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8:00 - 8:30	Continental Breakfast / Opening Comments
8:30 - 9:30	<ul> <li>The Human Factors of New Technologies and Their Risks [Young]</li> <li>New products, components, and technological advancements</li> <li>Usage and limitations</li> <li>Accident risk</li> <li>Risk prevention</li> </ul>
9:30 – 10:15	<ul> <li>An Insider's View on What's Ahead for the CPSC [Mohorovic]</li> <li>What can be expected from a Trump majority at the CPSC</li> <li>How will the agency change under a GOP majority and what does it mean to you</li> <li>What will be the defining theme of Acting Chairman Buerkle's Administration</li> <li>Who gets targeted for inspections, why, and how to stay off CPSC's radar.</li> </ul>
10:15 - 10:30	Break
10:30 - 12:00	<ul> <li>The Defense of the Catastrophic Case in the New Environment [Goldbergi]</li> <li>Strategies and tactics in evaluating and defending the catastrophic case</li> <li>Dealing with questionable conduct by plaintiffs and their counsel that prejudice the jury pool</li> <li>Selecting and extensive preparation of corporate witnesses so they do not fall into the villainous image the plaintiffs try to paint</li> <li>Sophisticated techniques to humanize the company and counter the Reptile Strategy plaintiffs now routinely employ</li> </ul>
12:00 - 1:00	Lunch (provided)
1:00 - 2:00	<ul> <li>Careful Communication to Minimize Liability Risk [Johanningmeier]</li> <li>Business Records Defined and Managed</li> <li>Internal Communications Practices</li> <li>Eternal Life for Electronic Records</li> <li>Ephemeral Messaging</li> <li>Preserving Attorney-Client Privilege</li> </ul>
2:00 - 3:00	<ul> <li>Protecting the Corporation's Intellectual Property [lyers]</li> <li>Key things to consider when filing for a trademark including future product lines</li> <li>How best to avoid overseas patent and trademark thefts as well as litigating them</li> <li>Protecting your smartphone and remote device connectivity software patents</li> </ul>
3:00 - 3:15	Afternoon Break
3:15 - 4:00	<ul> <li>Product Failure Forensics [Paris]</li> <li>The investigation process and perspective as forensic engineers</li> <li>Product failures and their results (leaks, injuries, fires, explosions, etc.)</li> <li>Capabilities of forensic labs</li> <li>Case studies of product failures and how we assisted manufacturers</li> </ul>
4:00 - 5:00	<ul> <li>Ripped from the Headlines – Medical Device Litigation: Evidence Versus Public Opinion [Yukevich]</li> <li>How to plan your PR response</li> <li>Using media reports to your advantage</li> <li>Cutting through the noise – Focus on design, manufacture &amp; testing</li> </ul>

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7:30 - 8:00	Continental Breakfast
8:00 - 9:00	<ul> <li>What to Do If Your Product Is Involved in a Fire Incident [Knox]</li> <li>Prevent litigation and mitigate future loss</li> <li>Ask the right questions in order to get the most information as early as possible</li> <li>Decide on the appropriate team for investigating the incident</li> </ul>
9:00 - 10:15	<ul> <li>China law versus US Law: The Differences that Matter for Manufacturers [Harris]</li> <li>Nine Warnings</li> <li>How to Deal with China</li> <li>China Contracts that Work</li> <li>Protecting Your IP from China</li> </ul>
10:15 - 10:30	Break
10:30 - 12:00	<ul> <li>The Trials and Tribulations of Two Products Liability Trials [Gass &amp; Turek]</li> <li>The beginning case development deficiencies by original counsel and what needed to be turned around to properly defend the cases to defense verdicts,</li> <li>The quality and type of experts involved on both sides</li> <li>The litigation product testing</li> <li>The jury selection and trial presentations that won both cases</li> </ul>
12:00 - 1:00	Lunch (provided)
1:00 - 2:00	<ul> <li>Post Sale Duties to Warn – Risks Revealed by User Operation [Olson]</li> <li>Retrofit or recall – what is it</li> <li>When does it arise</li> <li>Walk through of the restatement's articulation of this duty</li> <li>Best practices</li> </ul>
2:00 - 3:00	<ul> <li>Key Factors in Developing Your Defense Strategies [Goodden]</li> <li>The significance of early on-site investigations</li> <li>Knowing your insurance coverage &amp; attorney selection options</li> <li>Selecting your Key Experts to testify</li> <li>Factors to deal with in addressing "Settlements"</li> </ul>

### General Information

Fee Covers: Course notebook, continental breakfast, break refreshments and lunches.

**Accommodations**: The Milwaukee Marriott Downtown Hotel is located in downtown Milwaukee at 323 E. Wisconsin Ave, just 8 miles north of Milwaukee International Airport. Reservations can be made at this web address at a special price of \$179.: <u>https://book.passkey.com/e/49859184</u>. Last day to book at this rate is Apr 30, 2019.

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#### Refund Policy\_\_\_\_

Goodden Enterprises will give you a complete refund if you cancel before Apr 12, 2019. Cancellations between Apr 12 and Apr 19 will be charged a \$200 cancellation fee. No refunds after Apr 19, but substitutions are allowed.