

FROM BURGERS TO BIOMEDICALS

Cutting edge topics in Products Liability

Annual CLE Program

Oregon State Bar
Products Liability Section

October 25, 2013

12:00 p.m. to 3:45 p.m.

3 General MCLE Credits (pending)

Hotel Monaco

506 SW Washington Street
Portland, OR 97204

**Complimentary Food
and Refreshments Provided**

SCHEDULE:

- 12:00 – 12:20: Lunch & Introduction**
Complimentary food and refreshments will be provided.
- 12:20 – 1:10: Federal Preemption in Prescription Drug & Biomedical Device Cases**
Jeff Bowersox/Anne Talcott
- 1:10 – 2:10: Food Safety**
Bill Marler/David Ernst
- 2:10 – 2:25: Break**
- 2:25 – 3:15: Mediating Product Cases**
James Gidley
- 3:15 – 3:45 Quiz Show (*An entertaining quiz on unique facts in product cases, and whether they survived summary judgment*)**
Kelly Andersen/Heather Beasley

BIOS:

Jeffrey Alan Bowersox has been a trial lawyer since 1981. Jeff is the current Chair of the Oregon State Bar Products Liability Section. Jeff is a member of the American Association for Justice (“AAJ”), where he currently serves as Immediate Past Chair of the Section on Toxic, Environmental and Pharmaceutical Torts. Jeff is also a member of the Oregon Trial Lawyers Association (“OTLA”) and served on the OTLA Board of Governors for eight years. In the Federal Bar Association, Jeff serves on the Executive Committee of the Oregon Chapter of the FBA. He is a member of the Multnomah Bar Association, where he serves on the Court Liaison Committee. Since the beginning of his legal career, Jeff has exclusively represented plaintiffs in the areas of personal injury, products liability, brain and spine injury and professional malpractice. Since 1987, Jeff’s practice has emphasized mass tort litigation on behalf of plaintiffs, with special concentration on medical device and pharmaceutical products liability claims.

Anne M. Talcott is a shareholder at Schwabe Williamson & Wyatt in Portland, Oregon, focusing her practice on the defense of product liability and pharmaceutical litigation. She has served as lead counsel defending allegations of defects in automobiles, heavy duty trucks, tractors, motorcycles, lift trucks, hand tools, food products, consumer products and many drugs and medical devices. She is licensed in Oregon and Washington and has tried cases in numerous counties in Oregon and in Clark County, Washington. She is northwest regional counsel for several clients and advises on warranties, instructions, labels, and product related risks. Anne is very involved in DRI and Chaired the 2013 DRI Product Liability Conference in National Harbor, MD. She is the Publications Chair for the DRI Drug and Medical Device steering committees and will become national Vice Chair of the DRI Product Liability Committee in October, 2013. Anne is a past chair of the Oregon State Bar Product Liability Section.

William (Bill) Marler is an accomplished personal injury trial lawyer and national expert in foodborne illness litigation, Bill has been a major force in food safety policy in the United States and abroad. He and his partners and staff at Marler Clark have represented tens of thousands of individuals in claims against food companies whose contaminated products have caused serious injury and death. He has recovered over \$500 Million for his clients. His advocacy for better food regulation has led to invitations to address local, national, and international gatherings on food safety, including testimony to the U.S. Congress in support of the recently passed Food Safety Modernization Act. Bill began litigating foodborne illness cases in 1993, representing the most seriously injured survivors of the landmark Jack in the Box E. coli O157:H7 outbreak. Since then, Bill has represented victims of nearly every large foodborne illness outbreak in the United States. He is the recipient of numerous awards, including the 2010 NSF Food Safety Leadership Award for Education. In Bill’s spare time he is the publisher of the highly regarded Food Safety News, and the sole writer of his award-winning blog, Marler Blog.

David Ernst is a seasoned trial lawyer and risk management counselor acclaimed for having “developed an impressive national reputation in food outbreak disputes” and “respected for his expertise in class actions relating to the food and beverage industries” by Chambers USA: “America’s Leading Lawyers for Business.” David is a recognized national leader for this type of work, regularly representing national restaurant chains, food manufacturers, and distributors in cases across the country. For nearly 20 years, David has handled more than 1,000 matters arising from outbreak and contamination events, including E.coli, Hepatitis A and Salmonella claims. David also has experience in food safety commercial and consumer class action litigation. He also advises clients on risk management and policy development to help reduce litigation risk and exposure. David is a thought-leader in this space, having spoken to dozens of industry and legal groups across the country and in China. While his primary focus is to help clients avoid litigation and trials, David has completed more than 40 jury trials in his career and is a member of The American Board of Trial Advocates. David is also named as one of the "Best Lawyers in America" by Woodward/White, where he is one of only 14 attorneys recognized nationwide for achievement in Food and Beverage Law.

James (Jim) Gidley is a Partner at the Portland office of Perkins Coie, LLP. Jim has 40 years of litigation experience, including product liability, commercial and business litigation, real estate litigation, insurance coverage disputes, personal injury defense, counseling on corporate and individual insurance claims issues, mass tort litigation, work site accidents, defense of premises liability claims, and construction and building materials defects. He also is experienced in representing builders and developers on contract and trespass claims and representing property owners in condemnation. He counsels clients regarding Consumer Product Safety Commission and acts as mediator in cases involving areas in which he practices. Jim has been ranked by Chambers USA, as “America’s Leading Litigation Lawyers” from 2005 to the present and is listed in Expert Guides (“World’s Leading Product Liability Lawyers”); Benchmark Litigation’s Guide to America’s Leading Litigation Firms and Attorneys (“National Litigation Star”); Benchmark Litigation’s Guide to America’s Leading Litigation Firms and Attorneys (“Local Litigation Star in Commercial Litigation; Insurance and Product Liability”); Oregon Super Lawyers, 2006 – 2012; The Best Lawyers in America 2003 - Present: Bet-the-Company Litigation; Commercial Litigation; Product Liability Litigation – Defendants. He is a Fellow with the American College of Trial Lawyers, a State Board Member and Officer of the American Board of Trial Advocates, Past President and Former Board Member of the Oregon Association of Defense Counsel, and a member of the International Association of Defense Counsel (IADC), Product Liability Advisory Council, Oregon State Bar Association, and Washington State Bar Association.

Kelly L. Andersen is a 1979 graduate of the Brigham Young University School of Law at Provo, Utah, and has served as a trial attorney since that time. He has also received advanced trial training from the National College of Advocacy at Stanford University (1986) and at Harvard University (1990). He is admitted to practice in both State and Federal Courts, and has served as lead counsel in cases originating in Oregon, California, Washington, and Hawaii, and has handled cases in the Oregon Court of Appeals, the Oregon Supreme Court, in the U.S. 9th Circuit Court of Appeals, and in the United State Court of Federal Claims. He is an advocate in the National College of Advocacy (1992), a member of the Million Dollar Advocates Forum (1997), the Multi-Million Dollar Advocates Forum, and is senior counsel in the American College of Barristers (2001), and has authored numerous articles and legal publications. Mr. Andersen is a member of the Oregon State Bar Association, the Oregon Trial Lawyers Association, the Association of Trial Lawyers of America, the Jackson County Bar Association, the Southern Oregon Federal Bar Association, and the WVD American Inn of Court.

Heather C. Beasley is a shareholder in the Portland office of Davis Rothwell Earle & Xóchihua, P.C., where she is licensed to practice in Oregon and Washington. With more than 21 years of trial experience, her practice focuses primarily on defending significant personal injury and property damage cases, largely involving worksite accidents. She also practices products defect cases, automobile insurance and injury law, and industrial construction defect. Heather earned her B.A. degree, cum laude, from Tufts University and her J.D. degree from Washington College of Law, The American University. She is a member of the Oregon Association of Defense Counsel, the Multnomah County Bar Association, the Clark County Bar Association, and the Oregon Casualty Adjustors Association. She serves on the Clark County Bar Association Bar/Bench Committee. Heather began her legal career as a criminal litigator in the Navy Judge Advocate General’s (“JAG”) Corps, where she served five years on active duty, first as a criminal defense lawyer, and then as a prosecutor. In addition to her current civilian practice, Heather continues to serve as a Captain in the Navy Reserves JAG Corps, working in the Environmental Litigation and International & Operational Law offices at the Pentagon.

REGISTRATION

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Friday, October 25, 2013

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506 SW Washington Street

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[Click here to register online.](#)

Name

Organization

Bar No.

Address

City/State/Zip

Program Registration (includes program materials)

Products Liability Section Members _____ @ \$45 = \$_____

Non-Section Members _____ @ \$45 = \$_____

New Lawyers (Admitted after January 1, 2011) _____ @ \$45 = \$_____

Judges, Judges' Staff, Law Students, and Fifty-Year Members _____ @ \$0 = \$_____

TOTAL REGISTRATION FEES (SPL 13)(829-4565-000) \$_____

Check Enclosed: Payable to Oregon State Bar.

Three Ways to Register:

1. ONLINE using VISA or Mastercard at www.osbar.org/events.
2. PHONE: 503-431-6413, or toll-free in Oregon at 1-800-452-8260, ext. 413
3. MAIL with check: Oregon State Bar, CLE Registration, P.O. Box 231935
Tigard, OR 97281-1935

Cancellation Policy: Cancellations must be received at least 72 hours prior to the start of the seminar to qualify for a refund. To cancel, please call the OSB CLE Service Center at (503) 431-6413; toll-free in Oregon (800) 452-8260 ext. 413. There is a \$25 cancellation fee.