

**Questions** – Contact the Law Review Office at (213) 738-6744 or lawreview@swlaw.edu, or the Student Affairs Office at (213) 738-6716 or studentaffairs@swlaw.edu.

**CLE Credit** – This Symposium offers 7.0 hours of CLE credit. Southwestern is a State Bar of California approved MCLE provider.

**Location** – The Southwestern campus is located in the Wilshire Center district of Los Angeles, three blocks east of Vermont on Wilshire Blvd., only two miles west of downtown. For a map and directions, visit www.swlaw.edu/directions. Parking is available on campus for \$6.

---

## Southwestern University Law Review www.swlawreview.org

The Southwestern University Law Review holds periodic symposia and distinguished lectures featuring prominent members of the legal community discussing topical legal issues. Articles written in coordination with the symposium will be published in the Law Review. Copies of the issue will be sent to participants and will also be available for purchase by contacting the Law Review office at (213) 738-6744 or lawreview@swlaw.edu.

The Law Review is a student-edited journal that publishes articles and comments on the law, which are submitted by prominent jurists, practitioners, law professors, and student members of the Law Review. It is published four times annually, and focuses on a variety of legal issues in California and federal law. Recent volumes have featured articles examining entertainment law, the First Amendment, constitutional law, and labor law, among others.

For a one-year subscription to the Law Review, please complete the form below and mail it, along with a check for the proper amount or credit card information, to the address below.

Name \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Domestic Subscription \$34     International Subscription \$38

Check enclosed (*made payable to Southwestern Law School*)

Please charge my:     VISA     Mastercard

Account number \_\_\_\_\_

Expiration date \_\_\_\_\_

Signature \_\_\_\_\_

Today's date \_\_\_\_\_

Southwestern University Law Review • Southwestern Law School  
3050 Wilshire Blvd. • Los Angeles, CA 90010

**SOUTHWESTERN LAW SCHOOL**  
3050 Wilshire Boulevard • Los Angeles, CA 90010-1106



Pre-Sorted  
First Class  
U.S. Postage  
PAID  
Permit No. 28353  
Lomita, CA

### SPONSORS

#### PLATINUM

Coalition for Litigation Justice  
Simon, Eddins & Greestone LLP

#### GOLD

Sedgwick, Detert, Moran  
& Arnold LLP

#### SILVER

Civil Justice Association  
of California

Jackson & Wallace LLP

*(Sponsors as of time of printing - December 1, 2007)*

Southwestern University Law Review  
presents a symposium  
**Perspectives on  
Asbestos Litigation**  
Friday, January 18, 2008

# Perspectives on Asbestos Litigation

Asbestos litigation is America's longest-lasting mass tort phenomenon, and its importance only continues to grow. A recent study confirms that by 2009, asbestos will have killed nearly a quarter million people and injured millions more. As of 2002, approximately 730,000 people had filed asbestos claims. Although an increasing number of claimants suffer from mesothelioma, a virulent form of cancer, over ninety percent of recent claimants have nonmalignant injuries with no physical impairments. These claims have been asserted against at least 8,400 corporate and other entities through 2002, resulting in at least 73 bankruptcies and the loss of up to 60,000 jobs. All told, these firms have spent \$70 billion on asbestos litigation, with only \$30 billion, or forty-two percent of the total, going to the injured claimants.

This unprecedented crisis, in turn, has spawned a variety of dramatic responses, often in the name of efficiency, or fairness, or both. Counsel have experimented with large-scale group settlement processes, multidistrict litigation, class actions and case consolidations. Courts have created deferred and expedited dockets, entertained novel bellwether trials and improvised innovative approaches to complex questions of expert testimony, causation and apportionment of liability. Even Congress has become involved, amending the bankruptcy code and drafting a bill to create a public compensation fund.

This symposium places these developments in perspective. By assembling speakers with diverse experiences and viewpoints and juxtaposing them in provocative panels, **Perspectives on Asbestos Litigation** not only offers a comprehensive look at this unique problem, but also seeks to initiate a multilateral dialogue dedicated to synthesis and solutions – all in a unique format that moves from the most practical issues to the most theoretical, political and sociological. Thus, the discussion will begin from within the trenches of asbestos litigation with **Practical and Judicial Perspectives**; will turn to tort theory in **Moral and Economic Perspectives**; will explore the boundaries of tort, the role of complex litigation, and the viability of nontort alternatives in **Private and Public Law Perspectives**; and will culminate by considering the litigation's broader ramifications and effects in **Social and Cultural Perspectives**. The event will conclude with a question and answer session between the speakers, panelists and the audience on this timely and important topic.

## Schedule

8:45 a.m. – 9:15 a.m.

### Introduction and Welcome

Dean Bryant Garth, Southwestern Law School  
**Background on the Asbestos Crisis** – Professor Byron Stier, Co-Chair of the Symposium, Southwestern Law School  
**Purpose & Structure of the Symposium** – Professor Alan Calnan, Co-Chair of the Symposium, Southwestern Law School

9:15 a.m. – 10:30 a.m.

### Judicial and Practical Perspectives

**Moderator** – Professor James Fischer, Southwestern Law School  
**Speakers** – Mark Behrens, Shook, Hardy & Bacon L.L.P.; Justice Helen Freedman, New York State Supreme Court; Professor Michael Green, Wake Forest University School of Law; Steven Kazan, Kazan, McClain, Abrams, Lyons, Farris & Greenwood, PLC

10:30 a.m. – 10:45 a.m.

### Break

10:45 a.m. – 12:00 p.m.

### Moral and Economic Perspectives

**Moderator** – Professor Alan Calnan  
**Speakers** – Professor Mark Geistfeld, New York University School of Law; Professor Keith Hylton, Boston University School of Law; Associate Dean Gregory Keating, William T. Dalessi Professor of Law and Philosophy, University of Southern California, Gould School of Law; Professor David Owen, University of South Carolina School of Law

12:00 p.m. – 1:45 p.m.

### Lunch and Keynote Address (BW Second Floor)

**Introduction** – Professor Judy Sloan, Southwestern Law School  
**Keynote Address** – Judge Barbara Jacobs Rothstein, U.S. District Court for the Western District of Washington and Director of the Federal Judicial Center

1:45 p.m. – 3:00 p.m.

### Public and Private Law Perspectives

**Moderator** – Professor Byron Stier  
**Speakers** – Professor Howard Erichson, Seton Hall Law School and Fordham Law School (Visiting); Professor Francis McGovern, Duke University School of Law; Professor Linda Mullenix, University of Texas School of Law; Professor Richard Nagareda, Vanderbilt University Law School

3:00 p.m. – 3:15 p.m.

### Break

3:15 p.m. – 4:30 p.m.

### Social and Cultural Perspectives

**Moderator** – Dean Bryant Garth  
**Speakers** – Professor Anita Bernstein, Brooklyn Law School; Professor Deborah Hensler, Stanford Law School; Professor Joseph Sanders, University of Houston Law Center; Professor Neil Vidmar, Duke University School of Law

4:30 p.m. – 5:00 p.m.

### Capstone Session – Synthesizing Perspectives: Quick Takes, Questions and Answers

**Moderator** – Professor Ronald Aronovsky, Southwestern Law School  
**Co-Chair Quick Takes** – Professors Alan Calnan and Byron Stier  
**Speaker Quick Takes** – Various Participants  
**Questions and Answers** – Speakers and Audience

5:00 p.m.

### Reception

## Registration

To register, complete the form below and return it with the registration fee by **January 11, 2008** to *Perspectives on Asbestos Litigation Symposium*, Student Affairs Office, Southwestern Law School, 3050 Wilshire Boulevard, Los Angeles, CA 90010. Registration will also be available at the symposium.

Name \_\_\_\_\_  
 Affiliation \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email \_\_\_\_\_  
 Tel \_\_\_\_\_ Fax \_\_\_\_\_  
 State Bar # (for CLE credit) \_\_\_\_\_

### Registration fees:

- \$75, Non-Southwestern Alumni seeking 7.0 hours of CLE credit
- \$50, Southwestern Alumni seeking 7.0 hours of CLE credit
- \$40, Those not seeking CLE credit
- Complimentary, Southwestern students, faculty and staff (**RSVP required**)

### Total amount:

(Include Law Review subscription fee, if applicable. See reverse for details.)

- A check is enclosed (made payable to Southwestern Law School)

Please charge my:  Visa  Mastercard  
 Account Number \_\_\_\_\_ Exp. \_\_\_\_\_  
 Signature \_\_\_\_\_ Today's Date \_\_\_\_\_

