

JUDICIAL SYMPOSIUM
ON THE EXPANSION OF LIABILITY UNDER PUBLIC NUISANCE
Monday, April 26 to Tuesday, April 27, 2010

Agenda

Sunday, April 25

5:30 to 6:30 Registration and Meet and Greet Reception
Wyndham Chicago Hotel, 633 North St. Clair Street, Chicago, Illinois

Monday, April 26

7:15 to 8:00 Continental Breakfast, *Thorne Lobby, Northwestern Law School, 375 East Chicago Avenue, Chicago, Illinois*

8:00 to 9:10 Welcome
Paige V. Butler, *Director, Northwestern Law Judicial Education Program*

Overview of the Legal Landscape: Spotting the Issues
David A. Dana, *Associate Dean for Academic Affairs: Faculty and Research, and Professor, Northwestern Law*

9:30 to 10:40 Traditional and Creative Uses of Public Nuisance Litigation
Moderator: David A. Dana, *Associate Dean for Academic Affairs: Faculty and Research, and Professor of Law, Northwestern University School of Law*
Jonathan H. Adler, *Professor of Law and Director of the Center for Business Law and Regulation, Case Western University School of Law*
Albert C. Lin, *Professor of Law, UC Davis School of Law*
Joseph Sanders, *A.A. White Professor of Law, University of Houston Law Center*

11:00 to 12:20 Public Entity Litigation and Contingency Fee Attorneys
Moderator: Henry N. Butler, *Executive Director, Searle Center on Law, Regulation, and Economic Growth, Northwestern University School of Law*
Joseph Rice, *Partner, Motley Rice LLC, Mt. Pleasant, South Carolina*
Owen Clements, *Chief of Special Litigation at San Francisco City Attorney's Office*
Tyrone C. Fahner, *Partner, Mayer Brown LLP, Chicago, Illinois*
David M. Axelrad, *Partner, Horvitz & Levy LLP, Encino, California*
Martin H. Redish, *Louis and Harriet Ancel Professor of Law and Public Policy, Northwestern University School of Law*

12:30 to 1:45 Lunch, *W Hotel, 644 N. Lake Shore Drive, Workrooms I & II*
Luncheon Speaker
Donald G. Gifford, *Edward M. Robertson Research Professor of Law, University of Maryland School of Law*
Response
Albert C. Lin, *Professor of Law, UC Davis School of Law*
Kenneth P. Alex, *Senior Assistant Attorney General, Office of the Attorney General, State of California, Department of Justice, Sacramento, California*

- 2:00 to 3:30 Public Nuisance Litigation: Lead Paint and Other Products
Moderator: Linda E. Kelly, *Director, Northwestern Law Attorneys*
General Program
Fidelma Fitzpatrick, *Partner, Motley Rice LLC, New York, NY*
Neil Leifer, *Partner, Thornton & Naumes LLP, Boston, Massachusetts*
Charles H. Moellenberg Jr., *Partner, JonesDay, Pittsburgh, Pennsylvania*
Jeffrey S. Moller, *Partner, Blank Rome LLP, Philadelphia, Pennsylvania*
David T. Buente, *Partner, Sidley Austin LLP, Washington, D.C.*
- 4:00 to 5:30 Problematic Issues in Public Nuisance Cases: Causation, Redressability, and
Insurance
Moderator: Henry N. Butler, *Executive Director, Searle Center on Law,
Regulation, and Economic Growth, Northwestern University School of Law*
Joseph Sanders, *A.A. White Professor of Law, University of Houston Law Center*
John Heintz, *Partner, Kelley Dry LLC, Washington D.C.*
Robert Cusumano, *General Counsel, ACE Limited, Washington, D.C.*
Fidelma Fitzpatrick, *Partner, Motley Rice LLC, New York, NY*
- 5:30 to 6:30 Reception, *Thorne Lobby*
- Tuesday, April 27
- 7:15 to 8:00 Continental Breakfast, *Thorne Lobby*
- 8:00 to 9:40 The Debate on Scientific Evidence of Climate Change
Moderator: David A. Dana, *Associate Dean for Academic Affairs: Faculty and
Research, and Professor of Law, Northwestern University School of Law*
Kimberly A. Gray, *Professor, Department of Civil and Environmental
Engineering, Northwestern University*
Reaction and Questions
Jason S. Johnston, *Robert G. Fuller, Jr. Professor of Law and Director, Program
on Law, Environment and Economy, University of Pennsylvania Law School*
- 10:00 to Noon The Climate Change Lawsuits
Moderator: Henry N. Butler, *Executive Director, Searle Center on Law,
Regulation, and Economic Growth, Northwestern University School of Law*
Richard O. Faulk, *Partner and Chair, Litigation Department, Gardere Wynne
Sewell, LLP, Houston, Texas*
Kenneth P. Alex, *Senior Assistant Attorney General, Office of the Attorney
General, State of California, Department of Justice, Sacramento, California*
Terrell W. Oxford, *Partner, Susman Godfrey LLP, Dallas, Texas*
Catherine R. Connors, *Partner, Pierce Atwood, LLP, Portland, Maine*
Bradford Mank, *James Helmer, Jr. Professor of Law, University of Cincinnati
College of Law*
F. Gerald Maples, *Founder, F. Gerald Maples, P.A., New Orleans, Louisiana*
Jason S. Johnston, *Robert G. Fuller, Jr. Professor of Law and Director, Program
on Law, Environment and Economy, University of Pennsylvania Law School*
- Noon Adjourn