

**EAGLE INTERNATIONAL ASSOCIATES, INC.  
PRESENTS ITS FALL 2008 SEMINAR**

**PRODUCTS LIABILITY CLAIMS IN THE UNITED STATES AND  
THE EUROPEAN UNION INCLUDING  
A MOCK TRIAL OF A PRODUCTS LIABILITY CLAIM**

This seminar will inform attendees of the current state of products liability litigation in the United States and the European Union. Experienced trial lawyers from the United States and Europe will discuss timely products liability issues on both sides of the Atlantic. In addition, an American mock jury trial will be presented allowing attendees to see the trial presentation of a pharmaceutical claim. Attendees will witness all aspects of an American jury trial and have the opportunity to observe and question the Eagle International trial lawyers regarding all aspects of a major products liability lawsuit.

**17 OCTOBER 2008**

**PULLMAN PARIS LA DEFENSE HOTEL  
Paris La Defense, France**

# PROGRAM

17 October 2008

- 8:00 a.m. **Welcoming Remarks**  
David D. Hudgins, Esq., - Chairman, Eagle International Associates
- 8:05 a.m. **Program Introduction**  
Simon Ndiaye, Esq. – HMN & Partners
- 8:15 a.m. **Overview of U.S. Legal System and Products Liability Law**  
Jeffrey V. Hill, Esq. – Bodyfelt Mount LLP
- 9:00 a.m. **Electronically Stored Information - Its Importance in the US Judicial Process**  
John E. Cuttino, Esq. – Turner Padgett Graham & Laney
- 9:45 a.m. **Coffee**
- 10:00 a.m. **Product Liability and Recall Process in France**  
Juliette Vogel, Esq. – HMN & Partners
- 10:45 a.m. **Recent Jurisprudence from the Court of Justice of the European Communities on the Transposition of the Products' Liability European Directive into Members' National Law**  
Pierre Humblet, Esq. and Eve Georges, Esq. – Lebeau & Humblet
- 11:30 a.m. **An Overview of an American Jury Trial**  
Jeffrey V. Hill, Esq. – Bodyfelt Mount LLP
- 11:45 a.m. **Introduction to Mock Trial**  
Mario C. Ciano, Esq. – Reminger & Co., LPA
- 12:00 p.m. **Lunch**
- 1:30 p.m. **Demonstrations:**
- Plaintiff's and Defendant's Jury Selection**  
John P. McKay, Esq. – McKay, Graham & de Lorimier  
Marc A. Sheiness, Esq. - Sheiness Scott Grossman & Cohn
- Plaintiff's and Defendant's Opening Statements**  
Leland Eugene Backus, Esq. – Backus - Carranza  
Peter A. Miller, Esq. – Peter A. Miller & Associates
- Expert Witness Direct Examination**  
Debra T. Herron, Esq. – McNeer Highland McMunn & Varner  
David A. Abrams, Esq. – Strongin Rothman & Abrams (Expert Witness)
- Expert Witness Cross Examination**  
Alex J. Hagan, Esq. – Ellis & Winters  
David A. Abrams, Esq. – Strongin Rothman & Abrams (Expert Witness)
- Plaintiff's and Defendant's Closing Arguments**  
James Ryan III, Esq. – James Ryan III & Associates  
Timothy W. Waldeck, Esq. – Waldeck & Lind
- 4:00 p.m. **Closing Remarks**
- 4:00 – 6:00 p.m. **Reception**

*A simultaneous translation from English into French and vice versa will be provided*

## PRESENTERS

**David A. Abrams** received his Juris Doctor from Hofstra University School of Law in June 1985, where he graduated “with distinction” (top 10%). He graduated from the State University of New York at Binghamton with a BA in June 1979. David has been admitted to practice law in New York since 1986 and in New Jersey since 1988. He is also admitted in the federal courts in those jurisdictions. Mr. Abrams has over twenty years of civil litigation experience, including significant trial experience in the State and Federal Courts of New York and New Jersey. Areas of concentration include products liability, construction site accidents, insurance coverage, transportation/trucking, sports and recreational injury litigation, hospitality industry litigation, premises and premises security liability, and commercial litigation. Since 1996, Mr. Abrams has served as national coordinating counsel for Club Mediterranee, S.A.’s insured litigation in the United States, a position he proposed, developed, and implemented. He is a former Chairman and a member of the Board of Directors of Eagle International Associates, Inc. Mr. Abrams is a contributing author to the legal treatise Products Liability in New York, Chapter 8, “Defending the Design Defect Case: Strategic Considerations,” published by the New York State Bar Association in 1997. Additionally, Mr. Abrams has lectured on a variety of civil litigation topics at Bar Association seminars and before professional organizations.

**Leland Eugene (Gene) Backus** is a native Nevadan and graduate of UCLA School of Law. He has been chief trial counsel or regional counsel on some of the largest complex cases in the country from the MGM Fire Litigation where he was appointed Liaison Counsel to Agent Orange, asbestos, Dupont Hotel Fire Litigation, Pepcon Plant Explosion, Bone Screw Litigation, tobacco, diet drug and other medical/pharmaceutical complex and class action litigation. When asked what he specializes in, his answer is often the “complex and ugly.” His law firm, Backus · Carranza represents hotel, construction, health care, real estate, and insurance clientele. Mr. Backus is an arbitrator with the American Arbitration Association in complex construction and commercial matters and has been selected as panel chairman in many large scale disputes. He has authored several articles in the field of litigation, including ABA survey publications on pharmaceuticals and medical device litigation issues. Not only has he educated others in healthcare law and products liability internationally, he has lectured in construction law at the national level at both the esteemed Superconference and the ABA Forum for the Construction Industry. He has helped educate judges and lawyers on civil rule practice; his peers refer to him as a “lawyer’s lawyer.” Mr. Backus is a member of the Board of Directors of Eagle International Associates, Inc.

**Mario C. Ciano** served as Managing Partner of Reminger Co., LPA from 1990 to 2005. A few of his many accomplishments include his vision to successfully expand Reminger & Reminger from 45 attorneys in two offices to over 125 attorneys in eight offices. An Italian immigrant, Mario’s hard work, entrepreneurial spirit and sense of fairness makes him a frequently requested mediator by both plaintiff and defense attorneys for complex litigation matters. Mr. Ciano has been recognized and included among the ‘Best Lawyers in America’ for the last ten years. He has been a featured ‘Leading Lawyers’ by Inside Business Magazine and is a member of the Federation of Defense and Corporate Counsel and Defense Research Institute. He is also a faculty fellow for the National Institute of Trial Advocacy and a life delegate of the Eighth Ohio Judicial District. He frequently lectures to peer groups on various trial litigation and professional liability issues. His areas of practice include D&O Professional Liability, Business/Commercial Litigation, Insurance and Mediation. Mr. Ciano received his B.A. in 1965 and his J.D. in 1968 from Western Reserve University. He is a member of the Board of Directors of Eagle International Associates, Inc.

**John E. Cuttino** is a Shareholder with Turner Padgett Graham & Laney, P.A. in Columbia, South Carolina. His practice is confined to civil litigation including, but not limited to, products liability, major torts, construction defect, personal injury and commercial matters. He is also a certified civil mediator. He has been in private practice since August of 1983. Prior to entering private practice, he served as a law clerk to South Carolina Circuit Judge Dan F. Laney, Jr. (Third Judicial Circuit) from 1982 to 1983. He is a 1979 graduate of Wofford College and a 1982 graduate of the University of South Carolina School of Law. Mr. Cuttino is admitted to practice in all South Carolina Courts, the United States District Court for the District of South Carolina, the United States Court of Appeals for the Fourth Circuit, the United States Court of Appeals for the Federal Circuit, and the United States Supreme Court. He is a member of the Richland County, South Carolina and American Bar Associations, is a former Chairman of the South Carolina Bar Trial and Appellate Advocacy Section, and is a past member of the South Carolina Bar House of Delegates. He is a member of the South Carolina Defense Trial Attorneys Association, the Defense Research Institute (2008 Chair of the Construction Law Committee), the American Judicature Society, and the U.S. Fourth Circuit Judicial Conference. Mr. Cuttino is a member of the Board of Directors of Eagle International Associates, Inc.

**Eve Georges** is an associate in “Lebeau & Humblet sc”, Belgium. She obtained a Master degree in Law from Catholic University of Louvain-la-Neuve in 2001 and was awarded a post graduate Master in Insurance Law and Economy from the same University in 2004. Her practice includes insurance defense, particularly with regards to personal injury losses, professional negligence liability, fire insurance etc. She was admitted to the Bar of Liège in 2001. She is handling cases both in French and German.

**Alex J. Hagan** concentrates his practice on medical, hospital, and commercial laboratory defense, as well as business litigation and product liability litigation. He has been active in representing software manufacturers, automobile manufacturers, pharmaceutical companies, and manufacturers of medical devices and other products. He also has experience in employment matters, consumer claims, contract disputes and trademark infringement matters. Mr. Hagan has considerable jury trial experience in personal injury and commercial matters. In 2006, 2007 and 2008, he was recognized by *North Carolina Super Lawyers*. Mr. Hagan received his undergraduate and law degree from the University of North Carolina (B.A., 1987; J.D., *With Honors*, 1992). He currently serves on the Board of Directors of Carolina Legal Assistance. Mr. Hagan is also an active member of The International Association of Defense Counsel, the Defense Research Institute and the North Carolina Association of Defense Attorneys. He is also a member of the Board of Directors of Eagle International Associates Inc.

**Debra T. Herron** is a Director at McNeer, Highland, McMunn and Varner, L.C, where she practices in the area of insurance defense and bad faith litigation. She is admitted to the West Virginia and Pennsylvania Bars, Northern and Southern Districts of West Virginia and has argued before the United States Fourth Circuit Court of Appeals and the West Virginia Supreme Court of Appeals. She is the chairperson of the Appellate Committee of the Federation of Defense and Corporate Counsel. Debra received an undergraduate degree in accounting and is a graduate of University of Richmond - T. C. Williams School of Law. She is a member of the Defense Research Institute, Randolph County Bar Association, Harrison County Bar Association and West Virginia State Bar. She has co-authored publications in the area of bad faith litigation and has previously served as a speaker on bad faith, discovery and domestic issues. Debra received a special appointment and spent two years as a Family Court Judge in West Virginia.

**Jeffrey V. Hill** is a partner at Bodyfelt Mount LLP ([www.bodyfeltmount.com](http://www.bodyfeltmount.com)), an insurance and trial practice law firm in Portland, Oregon. He is a twenty-five year trial lawyer who concentrates his practice in the areas of complex insurance coverage, professional, fire, environmental and financial liability. Jeff received his undergraduate degree in economics from Washington State University in 1978 and his law degree from the University of Puget Sound in 1981. He is admitted to practice in all courts of the states of Oregon and Washington. He is a member of the Oregon Association of Defense Counsel, Defense Research Institute and is a frequent contributor to insurance and trial related presentations around the United States. [hill@bodyfeltmount.com](mailto:hill@bodyfeltmount.com).

**David D. Hudgins** is the founder of the Hudgins Law Firm, a litigation, business and insurance practice serving clients in Virginia, Maryland and the District of Columbia. He was born in Virginia and attended Hampden-Sydney College and the University of Richmond School of Law. Mr. Hudgins devotes his legal practice almost exclusively to insurance and corporate defense litigation, and he has represented clients in diverse areas of practice including professional liability, products liability, church liability, errors and omissions, private security, intellectual property, admiralty, financial agents and brokers, defamation, municipal liability, discrimination, commercial liability, construction and personal injury defense. Mr. Hudgins has extensive trial experience, and handles insurance coverage determinations and declaratory judgment actions as a regular part of his practice. He is a contributing author for the Virginia CLE Publications Handbook *Insurance Law in Virginia*, and is a co-author of *Tort and Personal Injury Law* in the Thomson West *Virginia Practice Series*. Mr. Hudgins is a member of the Bars of Virginia, Maryland, and the District of Columbia, and he is admitted to practice in all state and federal courts within these jurisdictions, as well as the United States Supreme Court. Mr. Hudgins recently served as Chairman of the Risk Management subcommittee of the Virginia State Bar's Malpractice Insurance Committee. He is a member of various state and local bar associations, the Virginia Association of Defense Attorneys, the Defense Research Institute, the Federation of Defense and Corporate Counsel, and the Association of Defense Trial Attorneys. Mr. Hudgins is the current Chairman of Eagle International Associates, Inc. Mr. Hudgins lives with his wife, Ann, and their three children in Old Town Alexandria, Virginia.

**Pierre Humblet** is senior partner of “Lebeau & Humblet s.c.” in Liège, Belgium. He is Doctor of Law, from Liège State University (1967) and a member of the Bar since that time. His practice concentrates on insurance defence, personal injury losses, fire insurance, professional liability and malpractice, products liability etc. He is specialized in sports liability too. He is member of the Arbitration Commission of the Belgian Olympic and Interfederal Committee and lecturer (civil liability) for the Ministry of the Belgian French Community, General Administration of Youth assistance, Health and

Sport. Mr. Humblet has been President of the Belgian Alpine Club and the International Mountaineering and Climbing Federation. He is a Director of Eagle International Associates, Inc.

**John P. McKay** is Board Certified in Trial Advocacy and a member of the American Board of Trial Advocates. Mr. McKay believes strongly in the First Amendment freedoms and the American jury system. He has defended high-profile entertainers, manufacturers in product liability actions, clergy accused of molestation, prominent lawyers and migrant farm workers. He is regularly before the Appellate and U.S. District Courts, and won a 2004 benchmark decision for landowners in the California Supreme Court. Bringing four decades of experience to the courtroom, he is valued as an insurance law expert whether defending multinational corporations or our Constitution. He is a lawyer valued by his clients and well respected by his peers. Mr. McKay received his B.A. from California State University at Fullerton in 1963 and his J.D. from Pepperdine University in 1968. He is a member of the Board of Directors of Eagle International Associates, Inc. and served as Chairman from 2001-2003.

**Peter A. Miller** is the senior partner and is the overseer of all divisions of the firm. He has been a trial lawyer since 1975 and is admitted to all District and Appellate Courts in the State of Florida, as well as the United States District Courts for the Southern District and Middle District of Florida. He is also certified as a trial lawyer by the United States District Court for the Southern District of Florida. Mr. Miller is a Fellow with The Litigation Counsel Of America, a trial lawyer honorary society composed of less than one-half of one percent of American lawyers. Peter A. Miller specializes in general liability defense, religious organization defense, legal malpractice defense, construction litigation defense, products liability defense, E.E.O.C. defense, employment practices defense, long term lessor liability defense, transportation defense, and insurance and bad faith litigation defense. Mr. Miller received his B.B.A. in 1972 from the University of Miami and his J.D. in 1975 from the University of Miami School of Law. He is a member of the Board of Directors of Eagle International Associates and served as Chairman of the organization 2003 – 2005.

**Simon Ndiaye** is a partner with HMN & Partners. Mr. Ndiaye has obtained a Master of Philosophy of Law and a Master of Insurance Law at the University of Paris Pantheon-Assas and also a LL.M in International Legal Studies at New York University. He has an extensive experience defending product liability claims and advising clients on product safety risk management. Mr. Ndiaye assists domestic and international clients on high profile cases in aviation, insurance and reinsurance, directors and officers liability and industrial risks. He is involved in criminal, administrative (AMF, SEC), civil, commercial proceedings and class actions.

**James Ryan III** is a 1973 graduate of Tulane Law School. He is admitted to practice before all state and federal courts in Louisiana, as well as the United States Supreme Court. He is a member of the New Orleans, Louisiana State (Member, House of Delegates, 1983-2007, Federal (President, New Orleans Chapter 1990-91), and American Bar Associations, together with the Louisiana and International Associations of Defense Counsel. Mr. Ryan is also a member of the Defense Research Institute and the Transportation Lawyers Association. He is AV rated by Martindale-Hubbell.

**Marc A. Sheiness** is Managing Partner in the Houston, Texas, civil trial law firm of Sheiness Scott Grossman & Cohn, LLC and is AV-rated by Martindale-Hubbell. He received his B.A. from Texas A&M University, his J.D. from Baylor University, and was admitted to the State Bar of Texas in 1971. He is board certified in Personal Injury Trial Law by the Texas Board of Legal Specialization in 1980. He is admitted to practice before the U.S. District Courts for the Southern, Eastern, Northern and Western Districts of Texas, and before the U.S. Court of Appeals for the Fifth Circuit. His professional memberships include the Texas Association of Defense Counsel, Defense Research Institute, Eagle International Associates, Inc., and the Litigation Counsel of America. He has been engaged primarily in insurance defense since his practice began, with primary areas of practice in products liability, professional malpractice, premises liability, and bad faith litigation.

**Juliette Vogel** is a senior associate of HMN & Partners. Ms Juliette has obtained a Master of Private Law and a Master of Insurance Law at the University of Paris Panthéon Sorbonne and also a Master in Medical Law at Saint Antoine Faculty of Medicine. She advises major insurance companies and domestic and international clients on cases relating to complex product liability cases, medical malpractice and pharmaceutical liability. She has been involved in class actions. Ms Vogel is also part time Lecturer in the Master in Medical Law of the University of Sceaux.

**Timothy W. Waldeck** is a partner in Waldeck and Lind of Minneapolis, Minnesota. He obtained a BS from Bradley University and JD from Drake University. His practice areas include insurance defense. He is a member of the Minnesota Bar and the Wisconsin Bar. Mr. Waldeck is a member of the Board of Directors of Eagle International Associates, Inc.



## **Eagle International Associates Inc.**

**([www.eagle-law.com](http://www.eagle-law.com))**

Eagle International Associates is a global network of independent law firms, adjusters and claims related service providers throughout the United States, Canada and Europe. Eagle members are dedicated to providing insurance companies and self-insureds with the highest quality legal and adjusting services for competitive and fair compensation. As members, we are committed to the highest ethical standards and act with professionalism and civility in all our endeavors. Eagle members exceed their clients' expectations for quality and service. At every opportunity, we promote the use of Eagle and its members and refer existing relationships through active participation in Eagle's meetings, programs and seminars.

While the concept of a network is not new, the Eagle network is unique for a number of reasons: Members are held together, not by contract, but by the common goal of service. Members offer the advantages and facilities of a global organization with the individual attention and the local knowledge that are generally expected from a small firm. Members do not incur referral fees, nor is there any additional cost to the client for utilizing any members of the network.

Eagle members strive to meet the needs of many clients who want the benefits of small to medium size firms, but need the extensive resources throughout the country and sometimes the world.

Eagle International Associates, Inc. does not itself render any legal or adjusting services.

Members of Eagle are independently engaged in handling litigation and/or claims focusing on major areas such as Products Liability, Professional Liability, Environmental Liability, E&O and D&O, Toxic Tort, Premises Liability, Travel and Hospitality, Automobile and Truckers Liability, Medical Malpractice, Coverage Evaluations and General Liability.

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# SEMINAR REGISTRATION FORM

**Register by October 6, 2008**

Please complete a separate Registration Form for each attendee

Name \_\_\_\_\_

**Affix Your Business Card Here**

Preferred First Name for Badge \_\_\_\_\_

Title \_\_\_\_\_

Firm/Company \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

City

State

Zip

Telephone \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

## **To Register**

By Email: [terri.napolitani@eagle-law.com](mailto:terri.napolitani@eagle-law.com)

By Fax: 702-221-2295

By Mail: Complete this form and mail to:  
Eagle International Associates, Inc.  
PO Box 371510  
Las Vegas, NV 89137-1510

## **Venue**

Pullman Paris La Defense Hotel, Paris

[http://www.accorhotels.com/accorhotels/fichehotel/gb/pul/3013/fiche\\_hotel.shtml](http://www.accorhotels.com/accorhotels/fichehotel/gb/pul/3013/fiche_hotel.shtml)

## **Fee**

The conference is free

## **Conference Language**

This conference will be in English with simultaneous translation into French

## **For further information, please contact**

Terri Napolitani

Eagle International Associates, Inc.

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