

## UPCOMING ADC EVENTS

August 3, 2002  
Bad Faith  
Hyatt Regency, Monterey

September 20, 2002  
Golf Tournament  
Silverado Resort, Napa

September 27, 2002  
Defense of Public Agencies  
and Employees  
San Francisco

December 5-6, 2002  
43rd Annual Meeting  
Westin St. Francis Hotel,  
San Francisco

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## MCLE CREDITS

This activity has been approved for Minimum Continuing Legal Education credit by the State Bars of California and Nevada in the amount of 5.0 hours.

The ADC certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bars of California and Nevada.

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## LOCATION INFORMATION

DoubleTree Hotel  
2001 Point West Way  
Sacramento, CA 95815  
916-929-8855  
Business 80 (Capitol City Freeway)  
and Arden Way



ASSOCIATION OF DEFENSE COUNSEL  
OF NORTHERN CALIFORNIA AND NEVADA  
530 Bercut Drive  
Suite 6  
Sacramento, CA 95814



# TOXIC MOLD LITIGATION:

## The Handling and Defense of the Toxic Mold Case

June 21, 2002  
DoubleTree Hotel  
Sacramento, CA

Association of  
Defense Counsel  
of Northern California  
and Nevada

First Class  
U.S. Postage Paid  
Permit #2045  
Sacramento, CA



# TOXIC MOLD LITIGATION: The Handling and Defense of the Toxic Mold Case

Friday, June 21, 2002 – The DoubleTree Hotel • 2001 Point West Way  
Sacramento, CA 95815 • 916-929-8855

! pitfalls! defense strategies! handling the combined personal injury and construction defect case  
! what experts you need! discovery and evidence! current case results and court rulings  
in personal injury mold cases! legislative update on mold legislation

8:30 am—Registration and Continental Breakfast

9:30-10:30 am—Organizing the Defense of the Construction Defect Mold Case



This session will focus on the initial handling and organization of a construction defect mold case from the perspective of both the developer/general contractor and subcontractor. The panel will also discuss how the new Calderon law (Civil Code Section 1375, operative July 1, 2002) impacts the initial handling of these claims. *Tyler Berding, Berding & Weil; Thomas Castle, Griffiths, Castle and Schwartzman; and William Peters, Gordon & Rees.*

10:30-10:45 am—Break

10:45-11:45 am—Discovery, Experts, Evidence



The panel will address issues relating to the types of experts that should be retained, the scope of expert investigation, preservation of evidence and coordination of testing with plaintiffs. *Richard Avelar, AIA, Avelar & Associates; David Kahane, Certified Industrial Hygienist, Forensic Analytical; Julie McElroy, Jacobsen & McElroy; and moderator Dave Henningsen.*

12:00 noon-1:00 pm—Lunch

Discussion of current and proposed legislation relating to mold claims. *Senator Deborah Ortiz (invited) and Mike Belote, California Advocates, Inc. (Legislative Advocate for the California Defense Counsel).*

1:30-2:30 pm—Mold Personal Injury Update: Discovery and Trial Issues



This panel will focus on the personal injury mold case. The panel will discuss discovery and pretrial orders, medical experts, causation and Kelly-Frye Motions and recent mold trials across the country. *Susan Hickman, Hinshaw & Culbertson; John Miller, Charter Miller Davis; Christopher Lozano, McCormick, Barstow, Sheppard, Wayte & Carruth; and Mike Pietrykowsky, Gordon & Rees.*

2:30-3:00 pm—Break

3:00-4:00 pm—Roundtable Discussion



The handling of the combined construction defect and mold case. The panelists from the above sessions along with moderator, Sandy Kaplan, will discuss the many issues and complexities that arise when a construction defect case and personal injury mold case are consolidated into one action. Both plaintiff and defense lawyers will participate in the discussion and will address such issues as trial bifurcation, expert testimony, statute of limitations, and presentation of evidence.

Association of Defense Counsel of Northern California and Nevada  
530 Bercut Drive, Suite G • Sacramento, CA 95814 • (916) 325-0787-phone/(916) 325-9990-fax

Registration Fees \$250 - ADC Members \$200 - Non-Attorneys \$310 - Non-MemberAttorneys Free - Judiciary

Attendee: \_\_\_\_\_ Bar #: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

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\*Non-members wishing to earn MCLE credit must register at this rate. SAVE MONEY by joining ADC! Call (916) 325-0787 for an application today!  
Refunds subject to a \$50 processing fee. Please note that no refunds will be given for cancellations received after June 14, 2002.

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