

24th Annual National Institute on Aviation Litigation

Wyndham Grand Chicago
71 E. Wacker Drive, Chicago, IL
June 14, 2018





24th Annual National Institute on Aviation Litigation

June 14, 2018 | Wyndham Grand Chicago, 71 E. Wacker Drive | Chicago, IL

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Thursday, June 14, 2018	
8:00 a.m.	Registration
8:25 a.m.	Opening Remarks – Scott Brooksby, Christopher R. Christensen, Timothy S. Tomasik
8:30 a.m.	<p>The Safest Year Ever? Emerging Trends and Issues in Commercial Aviation Safety</p> <p>Moderator: Kimberly M. Halvorsen, Clifford Law Offices Speakers: Greg Feith, Greg Feith, LLC; John Goglia, John Golia, LLC</p> <p>Statistically speaking, 2017 was the safest year on record for world-wide airline fatalities. Nonetheless, significant safety issues remain and new issues continue to emerge with the aviation industry, including:</p> <ul style="list-style-type: none"> • Decision-making in the Cockpit: The Impact of Automated Systems and Regulatory Changes to Pilot Training • Important Takeaways from Recent Runway Incursions and Near Misses on the Ground • The Emergence of the Ultra-Low-Cost Carriers on the U.S. Commercial Aviation System • Age Is More Than Just a Number: The Impact of Veteran Pilots' Retirement to Aviation Safety and Generational Issues within the Commercial Pilot Community <p>This panel features two aviation safety veterans, Greg Feith and Tony James, who will provide their unique perspectives on these and other important issues. An expert in aviation safety, security and investigations, Greg Feith is a former Senior Air Safety Investigator in Charge with the National Transportation Safety Board "Go Team." Tony James spent more than thirty years with the Federal Aviation Administration Accident Investigation "Go Team" as the Investigator in Charge for major and high-profile aircraft accidents worldwide.</p>
9:30 a.m.	<p>Cyber Risk, Emerging Technologies, and Traditional Aviation: Implications for the Future of the Aviation Industry and Aviation Litigation</p> <p>Moderator: Paul Bowles, Fitzpatrick & Hunt, Pagano, Aubert, LLP Speakers: Alisa R. Brodkowitz, Friedman Rubin; Jeremy Hagar, Marsh; Catherine Slavin, Gordon & Rees, Scully, Mansukhani</p> <p>This panel will address groundbreaking challenges and issues presented by the confluence of cyber risk, emerging aviation technologies (such as UAVs, ATC modernization, and urban air mobility), and traditional aviation. The discussion will focus on key topics sitting at this cross-section, how they reshape our current understanding of aviation law, and how aviation lawyers can prepare for the future as a result.</p>
10:30 a.m.	Break
10:40 a.m.	<p>Experts' Advice on Expert Selection: Criteria and Strategy—Differing Opinion and Fake News</p> <p>Moderator: Robert Torricella, Torricella Law, PLLC Speakers: Ted Dunlap, RTI; Lea Bucciero, Podhurst Orseck; Lili Beneda Rubenstein, AIG</p> <p>Many cases boil down to a "Battle of the Experts" and consequently, the selection and use of expert witnesses is a crucial aspect to any case. The panel will provide broad perspectives and insight into locating, vetting, and using expert witnesses in aviation cases. With views from insurance, in-house counsel and both Plaintiff and Defense counsel, learn practical strategic and tactical advice on getting the most out of expert witnesses to strengthen your case.</p>
12:10 p.m.	Lunch
12:30 p.m.	Stephen Saltzburg: Trying Cases in the Modern Era (Keynote)
1:00 p.m.	<p>Prosecuting and Defending the Passenger-on-Passenger Assault Case</p> <p>Moderator: John Maggio, Condon & Forsyth LLP Speakers: Ricardo M. Martinez-Cid, Podhurst Orseck; Paula L. Wegman, Adler Murphy & McQuillen LLP; Sherry Ortiz, USAIG</p> <p>Passenger-on-passenger sexual assault and battery cases are sensitive and can be difficult to litigate. This panel will address the intricacies of prosecuting and defending these cases. The panel will also present the insurer's perspective on how to resolve these cases and the media's impact on handling them.</p>

2:00 p.m.	<p>Real-World Effects of Personal Jurisdiction Decisions on Filing and Defending Aviation Cases</p> <p>Moderator: Alexandra M. Wisner, Wisner Law Firm Speakers: Austin Bartlett, Bartlett Chen LLC; Steven L. Boldt, Adler Murphy & McQuillen LLP; Michael S. Krzak, Clifford Law Offices</p> <p>The panel will focus on how attorneys filing and defending aviation cases respond to the controlling personal jurisdiction decisions in their everyday practice. Aviation cases often implicate the interests of various states. Issues such as where to file, seeking stay or dismissal, coordinating discovery, choice of law, claim/issue preclusion, and comity will be discussed.</p>
3:00 p.m.	<p>Break</p>
3:10 p.m.	<p>Terrorism Lawsuits in Action: An Interactive Oral Argument on Recent Jurisdictional Developments</p> <p>Moderator: Honorable Terrence J. Lavin, The Illinois Appellate Court, First District Speakers: Justin Green, Kreindler & Kreindler LLP; Andrew Harakas, Clyde & Co.</p> <p>In September 2016, Congress enacted the Justice Against Sponsors of Terrorism Act (JASTA), for the first time stripping nation-states of immunity for their role in attacks on United States soil. JASTA also expanded liability of non-state actors for their roles in acts of extraterritorial terrorism, directly impacting claims against parties that finance terrorism operations. This panel will present a mock oral argument on the subject matter jurisdictional questions that will likely—or, in the case of the landmark litigation against the Kingdom of Saudi Arabia for its alleged role in the 9/11 attacks, have already arisen—in terrorism litigation going forward. Plaintiff and defense counsel experienced in a variety of terrorism litigation and foreign sovereign immunity issues will present arguments based on a mock fact pattern to a judicial participant, who will question the attorneys on the scope of civil and criminal liability, the relationship among JASTA, the Anti-Terrorism Act and the Foreign Sovereign Immunity Act and threshold discovery concerns, eliciting some of the key challenges facing both sides in terrorism litigation. The argument will be followed by a brief Q&A with the audience, time permitting.</p>
4:10 p.m.	<p>The Case for Civility</p> <p>Moderator: Tim Tomasik, Tomasik Kotin Kasserman LLC Speakers: Aurora Austriaco, Valentine Austriaco & Bueschel, PC; Scott Brooksby, Olson Brooksby; Plaintiff Atty: TBA; Hon. Clare McWilliams, Circuit Court of Cook County</p> <p>Lawyers are not just expected, but obligated to zealously advocate for their clients. By the same measure, maintaining a reputation of integrity and civility in the legal profession is more important than any one disputed issue or case. This panel will demonstrate through a series of true-to-life examples complete with audio-visual exemplars how to identify and avoid instances of incivility, while maintaining your reputation in the process. You will see how having a good attitude and behavior can be contagious, but also how your practice will become less stressful and more profitable when civility is your habit.</p>
5:10 p.m.	<p>Closing Remarks</p>
5:15 p.m.	<p>Adjourn</p>

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