

# APPELLATE ADVOCACY SEMINAR

MARCH 9–10, 2006

POINTE HILTON TAPATIO CLIFFS

PHOENIX, ARIZONA



*Presented by DRI's  
Appellate Advocacy  
Committee*

#### **Who Should Attend**

- Appellate specialists
- In-house counsel who supervise appeals
- Civil trial lawyers
- Judges and law professors
- Appellate Court clerks

Expertise  
SUPPORT  
*networking*  
ADVANTAGE  
KNOWLEDGE



Appellate litigation is now recognized as a separate, specialized practice area apart from trial court litigation. This seminar is designed to help appellate lawyers hone the skills necessary for success on appeal.

At DRI's sixth Appellate Advocacy Seminar, the distinguished faculty of judges, professors and practitioners will provide valuable insight on appellate practice. A panel of federal appellate judges—Tenth Circuit Chief Judge Deanell Reece Tacha, Ninth Circuit Judge Michael Daly Hawkins and Fifth Circuit Judge Edith Brown Clement—will discuss what works and doesn't work from their side of the bench. Jeffrey Fisher, the lawyer who, as an associate, successfully argued both *Blakely v. Washington* and *Crawford v. Washington* in the U.S. Supreme Court will provide tips to young lawyers on pro bono appeals. Tenth Circuit Judge David Ebel will share his thoughts on the ideal appellate advocate. The seminar also includes a discussion of how to use legal scholarship in appellate briefs by Professor Pamela Karlan of Stanford University; a session on the effective use of moot court by Beth S. Brinkmann, a leading Supreme Court practitioner; and a course on class action appeals by John Beisner, one of the nation's most experienced class action attorneys. In addition, the seminar will provide the clients' perspective on appellate practice from a panel of in-house lawyers from Ford Motor Company, 3M Company and Anadarko Petroleum Corporation.

DAVID M. AXELRAD

*Program Co-Chair*

SCOTT BURNETT SMITH

*Program Co-Chair*

R. DANIEL LINDAHL

*Committee Chair*

NELL E. MATHEWS

*Law Institute*

#### **What You Will Learn**

- What corporations want in an appellate lawyer
- Advice from federal appellate judges on how to succeed
- Effective use of technology on appeal
- Keys to preparing for oral argument
- How to use legal scholarship in appellate briefs
- Securing review of class action decisions

**WEDNESDAY, MARCH 8, 2006**

6:00 p.m. REGISTRATION AND NETWORKING RECEPTION

**THURSDAY, MARCH 9, 2006**

7:15 a.m. REGISTRATION AND CONTINENTAL BREAKFAST

8:15 a.m. WELCOME AND INTRODUCTION

NELL E. MATHEWS, *Rider Bennett LLP*, Minneapolis, Minnesota

SCOTT BURNETT SMITH, *Bradley Arant Rose & White LLP*,

Huntsville, Alabama

8:30 a.m. APPELLATE PRACTICE FROM THE JUDGES' PERSPECTIVE

Federal appellate judges have particular ideas about what works and doesn't work on appeal. In this panel discussion, three circuit judges from the United States Courts of Appeals will share their views on how to succeed in brief writing, motions practice and oral argument. The panel will also engage in a question-and-answer session with the audience, addressing all aspects of appellate practice.

THE HONORABLE EDITH BROWN CLEMENT, *United States Court of Appeals for the Fifth Circuit*, New Orleans, Louisiana

THE HONORABLE MICHAEL DALY HAWKINS, *United States Court of Appeals for the Ninth Circuit*, Phoenix, Arizona

THE HONORABLE DEANELL REECE TACHA, *United States Court of Appeals for the Tenth Circuit*, Lawrence, Kansas

10:00 a.m. REFRESHMENT BREAK

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10:15 a.m. USING LEGAL SCHOLARSHIP IN APPELLATE BRIEFS

Appeals often turn on intellectual legal issues. Yet legal scholarship is just as likely to confuse the issues as clarify them. Professor Karlan, one of the country's best legal scholars and appellate litigators, will tell you how and when you should use legal scholarship in writing appellate briefs.

PAMELA S. KARLAN, *Stanford University*, Stanford, California

11:00 a.m. CLASS ACTION APPEALS

Rule 23(f) has revolutionized appeals of class certification decisions, and Congress's enactment of the Class Action Fairness Act has further expanded the ability to remove class actions to federal court and appeal remand decisions. One of the foremost class action litigators, John H. Beisner, will discuss these procedural changes and provide the keys to securing appellate review in class actions.

JOHN H. BEISNER, *O'Melveny & Myers LLP*, Washington, D.C.

12:00 p.m. **NETWORKING LUNCHEON** (*included in registration*)

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1:30 p.m. **THE ELECTRONIC APPELLATE COURTROOM**

Technological advances at the trial level have had little effect on appellate courtrooms, which remain staunchly low-tech. Yet audio-visual equipment has the potential to enhance oral argument, and hyperlinking software can make an appellate brief three dimensional. Ms. Ausburn, a successful appellate lawyer and technological consultant, will share her insight on how technology can transform the appellate courtroom. In addition, a representative of Legal Technology Consulting Inc., one of the leading vendors in this area, will demonstrate the latest audio-visual and briefing technology.

DEBORAH A. AUSBURN, *Weinberg Wheeler Hudgins Gunn & Dial LLC*, Atlanta, Georgia

TIMOTHY A. PIGANELLI, *Legal Technology Consulting Inc.*, Phoenix, Arizona

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2:30 p.m. **REFRESHMENT BREAK**

Sponsored by



2:45 p.m. **PRO BONO APPEALS**

Representing indigent clients *pro bono publico* is a rewarding professional obligation. It is also one of the best ways for young appellate lawyers to get experience briefing and arguing appeals. Mr. Fisher made headlines in 2004 when, as an associate, he successfully argued two landmark criminal cases in the United States Supreme Court. He will give advice on how to find public interest groups looking for appellate lawyers and how to volunteer for pro bono appeals.

JEFFREY L. FISHER, *Davis Wright Tremaine LLP*, Seattle, Washington

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3:45 p.m. **ADJOURN**

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4:00 p.m. **APPELLATE ADVOCACY COMMITTEE MEETING** (*open to all*)

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5:00 p.m. **PANEL COUNSEL MEETINGS** (*by invitation only*)

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6:00 p.m. **NETWORKING RECEPTION**

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7:30 p.m. **DINE-AROUNDS**

Join colleagues and friends at selected restaurants for dinner (*on your own*). *More details on-site.*

FRIDAY, MARCH 10, 2006

7:30 a.m. CONTINENTAL BREAKFAST

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8:15 a.m. ANNOUNCEMENTS

R. DANIEL LINDAHL, *Bullivant Houser Bailey PC*, Portland, Oregon  
DAVID M. AXELRAD, *Horwitz & Levy LLP*, Encino, California

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8:30 a.m. THE IDEAL APPELLATE ADVOCATE

Appellate specialization is growing, but many wonder whether it is justified. Should the lawyer who tried the case argue it on appeal? Can bringing in an appellate specialist improve your odds of winning? How important is the brief as opposed to oral argument? When does an intellectual discussion of the legal issues win out over the facts? What makes a great appellate lawyer? Tenth Circuit Judge David M. Ebel will provide his perspective on these and other questions.

THE HONORABLE DAVID M. EBEL, *United States Court of Appeals for the Tenth Circuit*, Denver, Colorado

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9:30 a.m. PREPARING FOR ORAL ARGUMENT

Preparing for oral argument is frustrating. Reviewing the record on appeal, mastering all of the legal precedents and anticipating all the questions that might be asked from the bench often require more time than any one advocate can spare.

Ms. Brinkmann, a renowned Supreme Court advocate, has gained a national reputation for helping lawyers prepare high-profile oral arguments. Her advice will give you confidence next time you step up to the lectern.

BETH S. BRINKMANN, *Morrison & Foerster LLP*, Washington, D.C.

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10:15 a.m. REFRESHMENT BREAK

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10:30 a.m. STAYS, SUPERSEDEAS BONDS AND INJUNCTION BONDS

If your client has been hit with a time-sensitive ruling or a big verdict, the first thing on their mind is not the appeal; it is getting the decision stayed or stopping collection efforts. One of the most experienced appellate lawyers on stays and judgment bonds, Ms. Roseborough, will discuss the best ways to obtain interim relief before the appeal. A representative of International Sureties Ltd., one of the leading bond brokers in America, will also provide insight on how bonding companies work.

DARLENE A. BORNT, *International Sureties Ltd.*, New Orleans, Louisiana

TERESA WYNN ROSEBOROUGH, *Sutherland Asbill & Brennan LLP*, Atlanta, Georgia

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11:30 a.m. LUNCH (*on your own*)

1:00 p.m. **CORPORATE APPELLATE LITIGATION STRATEGY—HOW TO WIN APPEALS AND ADVANCE THE LAW**

Three of the country's best in-house lawyers from three of the nation's biggest companies will discuss how they manage their appellate litigation strategy. These in-house lawyers will be joined by leading appellate advocates to discuss how to focus on appellate issues, forums and approaches when setting litigation strategy for litigants with multiple cases in multiple forums.

The panelists will offer practical advice about how to work with trial counsel, how to manage high-stakes appellate litigation and how to select cases on appeal to advance the law in a favorable direction. Anyone who would like to attract corporate clients or who is responsible for hiring appellate lawyers and setting appellate strategy will benefit from this discussion.

HILDY BOWBEER, *3M Company*, St. Paul, Minnesota

ROBERT W. POWELL, *Ford Motor Company*, Dearborn, Michigan

CHARLENE A. RIPLEY, *Anadarko Petroleum Corporation*,  
The Woodlands, Texas

MARY MASSARON ROSS, *Plunkett & Cooney PC*, Detroit, Michigan

ROGER D. TOWNSEND, *Alexander Dubose Jones & Townsend LLP*,  
Houston, Texas

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3:30 p.m. **REFRESHMENT BREAK**

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3:45 p.m. **ETHICS FROM THE TRENCHES**

This is not the usual presentation on ethics. National appellate lawyer Preeta D. Bansal has agreed to answer the toughest ethics questions posed by members of DRI's Appellate Advocacy Committee. Real-life issues that have arisen in actual appeals will provide the content for this fascinating discussion of legal ethics.

PREETA D. BANSAL, *Skadden Arps Slate Meagher & Flom LLP*,  
New York, New York

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4:45 p.m. **ADJOURN**



COMMITTED TO  
DIVERSITY

DRI is the international membership organization of all lawyers involved in the defense of civil litigation. As such, DRI wishes to express its strong commitment to the goal of diversity in its membership. Our member attorneys conduct business throughout the United States and around the world, and DRI values highly the perspectives and varied experiences that are found only in a diverse membership. The promotion and retention of a diverse membership is essential to the success of our organization as a whole as well as our respective professional pursuits. Diversity brings to our organization a broader and richer environment, which produces creative thinking and solutions. As such, DRI embraces and encourages diversity in all aspects of its activities. DRI is committed to creating and maintaining a culture that supports and promotes diversity in its organization.

## GENERAL INFORMATION

### CLE Accreditation

This seminar has been approved for MCLE credit by the State Bar of California in the amount of **11.5** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Legal specialization credit in civil appellate law has been applied for in the states of California, Florida and Texas.** Credit availability and requirements vary from state to state; please call DRI at 312.795.1101 for credit information for your state.

### Registration

The registration fee is **\$645** for members and those who join DRI when registering and **\$775** for non-members. The registration fee includes CD-ROM course materials, continental breakfasts, refreshment breaks, luncheon on Thursday and networking receptions. If you wish to have your name appear on the registration list distributed at the conference and receive the CD-ROM course materials in advance, DRI must receive your registration by **February 17, 2006** (*please allow 10 days for processing*). Registrations received after **February 17** will be processed on-site.

### Special Discounts

The first and second registrations from the same firm or company are subject to the fees outlined above. The registration fee for additional registrants from the same firm or company is **\$595**, regardless of membership status. All registrations must be received at the same time to receive the discount.

### Refund Policy

The registration fee is fully refundable for cancellations received on or before **February 17, 2006**. Cancellations received after **February 17** and on or before **February 24, 2006**, will receive a refund, less a \$50 processing fee. Cancellations made after **February 24** will not receive a refund, but the course materials on CD-ROM and a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. All refunds will be mailed within four weeks after the date of the conference. Substitutions may be made at any time without charge and must be submitted in writing.



### Course Materials

In order to better serve and satisfy the numerous requests from our membership, DRI will mail the course materials to all registrants in CD-ROM format 12 days in advance of the seminar. You can order additional copies by checking the appropriate box on the registration form on the back of this brochure or ordering online at **www.dri.org**. *New this year*—Course materials and power point presentations will be available online at **www.dri.org** to DRI members 30 days after the seminar.

### Supplemental Materials

Recommended supplemental material for this seminar is *A Defense Lawyer's Guide to Appellate Practice (2004)* from DRI's Defense Library Series. Order your copy by checking the appropriate box on the registration form on the back of this brochure. You can also view the entire list of DRI publications offerings and make purchases online at **www.dri.org**.

### Hotel Accommodations

A limited number of discounted hotel rooms have been made available at the **Pointe Hilton Tapatio Cliffs**, 11111 North 7th Street, Phoenix, Arizona 85020. For reservations, **contact the hotel directly at 602.866.7500 or toll free at 800.445.8667**. Please mention **DRI's Appellate Advocacy Seminar** to take advantage of the group rate of \$195 Single/Double. The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **February 8, 2006**, to be eligible for the group rate. Requests for reservations made after **February 8** are subject to room and rate availability.

### Travel Discounts

DRI offers discounted meeting fares on various major air carriers for **DRI's Appellate Advocacy Seminar** attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider at 800.538.7464. As always, to obtain the lowest available fares, early booking is recommended.

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The taping or recording of DRI seminars is prohibited without the written permission of DRI.

Speakers and times may be subject to last-minute changes.

DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

FACULTY

**DEBORAH A. AUSBURN** practices with Weinberg Wheeler Hudgins Gunn & Dial LLC in Atlanta. She clerked for Judge Edmondson, now Chief Judge of the Eleventh Circuit Court of Appeals. A few years after entering private practice, Ms. Ausburn successfully argued before the U.S. Supreme Court in the case of *Northeastern Florida Chapter of the Associated General Contractors of America v. City of Jacksonville*, 508 U.S. 656 (1993). She served as a federal prosecutor in North Carolina. Ms. Ausburn is a principal in TGL Media, a legal technology company that specializes in creating and filing hyperlinked briefs.

**DAVID M. AXELRAD** is a partner at Horvitz & Levy LLP in Encino, California, where his practice is devoted exclusively to civil appeals. In addition to being a DRI member, Mr. Axelrad is a member of the American Academy of Appellate Lawyers and the California Academy of Appellate Lawyers. He is the Program Co-Chair of this seminar.

**PREETA D. BANSAL** is a partner at Skadden Arps Slate Meagher & Flom LLP in New York City, concentrating on appellate litigation and complex legal issues in commercial, statutory and constitutional cases. She has appeared in the U.S. Supreme Court, the Second Circuit and the New York Court of Appeals, plus virtually all other federal courts of appeals and state appellate courts. Ms. Bansal served as the Solicitor General of the State of New York during New York Attorney General Eliot Spitzer's first term. She served as appellate counsel of record for all states in *United States v. Microsoft*, including in the U.S. Supreme Court. She served as a law clerk to Justice John Paul Stevens of the U.S. Supreme Court (1990-1991) and to then-Chief Judge James L. Oakes of the U.S. Courts of Appeals for the Second Circuit (1989-1990).

**JOHN H. BEISNER** is the managing partner of the Washington, D.C., office of O'Melveny & Myers LLP and the head of that firm's 120-member Class Action Practice Group. Mr. Beisner specializes in defending purported class actions, mass tort matters and other complex litigation. Over the past 25 years, he has been involved in defending over 500 purported class actions filed in the federal and state courts of 40 states. Those cases included antitrust/unfair competition, consumer fraud, employment/discrimination, environmental, products liability and securities. He also regularly handles appeals before federal and state courts and matters before the Judicial Panel on Multidistrict Litigation. Mr. Beisner has been active in litigation reform initiatives before Congress, state legislatures and judicial committees.

**HILDY BOWBEER** is Assistant Chief Intellectual Property Counsel-Litigation in the 3M Office of Intellectual Property Counsel, where she manages patent, trademark and trade secret litigation. Previously, she was Senior Counsel with 3M's Office of General Counsel, managing product liability and mass tort litigation. Before joining 3M, Ms. Bowbeer was a partner in a Minneapolis law firm, where she had a national trial and appellate practice defending products liability litigation.

**BETH S. BRINKMANN** is a partner in the Washington, D.C., office of Morrison & Foerster LLP and is chair of the firm's appellate practice group. Her primary focus is on litigation in the U.S. Supreme Court and other appellate matters. She has argued 20 cases before the Supreme Court. Ms. Brinkmann also consults regularly on complex civil litigation and federal regulatory matters. Before joining the firm, she served as Assistant to the Solicitor General of the U.S. for approximately eight years and as an Assistant Federal Public Defender for approximately two years. Ms. Brinkmann previously served as a law clerk to the Honorable Harry A. Blackmun, Associate Justice of the Supreme Court of the United States, and to the Honorable Phyllis A. Kravitch, United States Court of Appeals for the Eleventh Circuit.

**THE HONORABLE EDITH BROWN CLEMENT** worked as a maritime attorney in private practice in New Orleans from 1975 until 1991. President George H.W. Bush nominated Judge Clement to the U.S. District Court for the Eastern District of Louisiana, and she was confirmed by the Senate by a vote of 99-0. In 2001, she served as chief judge of the Eastern District of Louisiana, before being nominated to the U.S. Court of Appeals for the Fifth Circuit. Judge Clement is a member of the Maritime Law Association of the United States, the Federal Bar Association, the American Law Institute, the Federalist Society, the Tulane Law School's Inn of Court and the Committee on the Administrative Office of the Judicial Conference of the United States.

**THE HONORABLE DAVID M. EBEL** serves as judge for the U.S. Court of Appeals for the Tenth Circuit in Denver. He once clerked for Justice Byron R. White at the U.S. Supreme Court during the 1965-66 term. He then joined a Denver law firm where he practiced for the next 22 years with an emphasis on litigation. In 1982, he was elected a Fellow of the American College of Trial Lawyers. Both while practicing, and after assuming the bench, Judge Ebel taught a law-school course at Denver University School of Law; he also taught at Duke University School of Law. Judge Ebel served for seven years on the national Codes of Conduct Committee of the Judicial Conference of the United States, which advises all federal judges on matters pertaining to the Code of Conduct for Judges.

**JEFFREY L. FISHER** is a partner at Davis Wright Tremaine LLP in Seattle and co-chair of the firm's appellate practice group. His practice includes criminal and civil appeals, with an emphasis on constitutional issues. Mr. Fisher is also a visiting lecturer at the University of Washington School of Law, where he teaches a class on the U.S. Supreme Court. In 2004, Mr. Fisher was lead counsel in the U.S. Supreme Court for the petitioners in *Blakely v. Washington* and *Crawford v. Washington*. Among other honors, *The National Law Journal* has named him one of 10 attorneys of special mention in "40 Under 40." Prior to entering practice, Mr. Fisher served as a law clerk to Justice John Paul Stevens on the U.S. Supreme Court and to Judge Stephen Reinhardt on the U.S. Court of Appeals for the Ninth Circuit.

**THE HONORABLE MICHAEL DALY HAWKINS** was appointed by President Clinton and commenced service as a United States Circuit Judge for the Ninth Circuit on September 15, 1994. He maintains his chambers in Phoenix. Judge Hawkins advanced to the rank of Captain in the U.S. Marine Corps (1970-73). He engaged in the private practice of law from 1973-1977 and again from 1980-1994, interrupted by service as U.S. Attorney for the District of Arizona (1977-80). While in private practice, he frequently served as a Judge Pro Tempore of the Arizona Court of Appeals. Judge Hawkins chairs the Ninth Circuit's Bankruptcy Appointment Committee. He was honored in 2003 by the State Bar of Arizona with its James Walsh Outstanding Jurist Award.

**PAMELA S. KARLAN** is the Kenneth and Harle Montgomery Professor of Public Interest Law at Stanford University and Co-Director of the Law School's Supreme Court Litigation Clinic. She clerked for Judge Abraham D. Sofaer of the Southern District of New York, as well as U.S. Supreme Court Justice Harry A. Blackmun, and served as assistant counsel at the NAACP Legal Defense and Educational Fund Inc. before entering teaching. She has represented the parties or *amici* in more than four dozen cases at the U.S. Supreme Court, federal courts of appeals or state supreme courts. While her practice has focused mostly on civil rights and civil liberties cases, particularly voting rights cases, she has also handled cases in such diverse areas as federal bankruptcy code and the Civil Service Reform Act.

**R. DANIEL LINDAHL** is a shareholder in the Portland, Oregon, office of Bullivant Houser Bailey PC, where he chairs the firm's appellate department. Mr. Lindahl's practice focuses exclusively on appellate litigation; he has argued more than 100 cases in federal and state appellate courts. He is the Chair of DRI's Appellate Advocacy Committee.

**NELL E. MATHEWS** is a partner with the Rider Bennett LLP law firm in Minneapolis, where she handles a variety of business litigation. These include trademark registration and infringement, copyright infringement, trade secret, non-compete and injunctive relief cases. In addition to being active with DRI's Commercial Litigation Committee, Ms. Mathews is a member of the Law Institute. A member of INTA, she is Chair of her firm's HIPAA working committee and active in the firm's Intellectual Property, Commercial Litigation and Labor and Employment Practice Groups.

**ROBERT W. POWELL** clerked for U.S. District Court Judge Wendell Miles of the Western District of Michigan from 1980-1982. Mr. Powell was an associate and partner at a Detroit law firm where he specialized in civil appeals from 1982-1999. Since 1999, he has served as Special Litigation Counsel at Ford Motor Company in Dearborn, Michigan, and is responsible for managing class actions and appeals in complex cases.

**CHARLENE A. RIPLEY** is Vice President, General Counsel and Corporate Secretary for Anadarko Petroleum Corporation in The Woodlands, Texas. Ms. Ripley joined Norcen Energy Resources Limited, a predecessor to Anadarko Canada Corporation, in 1997 as Senior Counsel and was named Vice President, General Counsel and Corporate Secretary in 1998. Before joining Anadarko, she was in-house counsel for Amoco Canada Petroleum Company Ltd. from 1990-1997. Prior to that, she was an attorney for a law firm based in Calgary, Alberta.

**TERESA WYNN ROSEBOROUGH** is a partner at Sutherland Asbill & Brennan LLP in Atlanta. She focuses her practice on complex litigation matters at both the trial and appellate level, especially those involving constitutional law, telecommunications law, education law, wetlands and government regulation. Recently, Ms. Roseborough argued before the *en banc* Eleventh Circuit in the matters of *Siegel v. LePore* and *Touchston v. McDermott* on behalf of former Vice President Al Gore. She served as law clerk for Justice John Paul Stevens of the U.S. Supreme Court during the 1987-1988 term and Judge James Dickson Phillips of the U.S. Court of Appeals for the Fourth Circuit from 1986-1987. Ms. Roseborough serves on the Board of Directors of the American Constitution Society, Leadership Georgia and The Howard School.

**MARY MASSARON ROSS**, a member of Plunkett & Cooney PC's Board of Directors, is the head of the Detroit firm's Appellate Practice Group. A former law clerk to Associate Justice Patricia J. Boyle of the Michigan Supreme Court, she has won numerous victories before the Michigan Supreme Court for clients in both the public and private sector. She has also handled appellate matters before the Ohio Supreme Court, the Michigan Court of Appeals, the California Court of Appeals, the Sixth Circuit and other federal courts of appeal. Ms. Massaron Ross is a past chair of DRI's Appellate Advocacy Committee. She is also a co-editor of DRI's *A Defense Lawyer's Guide to Appellate Practice*.

**SCOTT BURNETT SMITH** is a partner and founding member of the appellate litigation group at Bradley Arant Rose & White LLP in Huntsville, Alabama. He has represented clients before the U.S. Supreme Court, the U.S. Courts of Appeals for the Fourth, Fifth, Sixth, Ninth and Eleventh Circuits, and the Alabama Supreme Court. Before starting his practice, Mr. Smith clerked for Judge Gilbert Merritt on the U.S. Court of Appeals for the Sixth Circuit. He is a member of the DRI Appellate Advocacy Committee. Mr. Smith is a frequent contributor to *For The Defense* and *Certworthy*, and he wrote the chapter on "The Appellant's Brief" in *A Defense Lawyer's Guide to Appellate Practice*. He is the Program Co-Chair of this seminar.

**THE HONORABLE DEANELL REECE TACHA** was appointed by President Ronald Reagan to the United States Court of Appeals for the Tenth Circuit in December 1985, and she became the Chief Judge of the Tenth Circuit in January 2001. Judge Tacha was a member of the United States Sentencing Commission from 1994-1998, and she chaired the Judicial Division of the ABA in 1995-96. She has served as Chair of the United States Judicial Conference Committee on the Judicial Branch. Judge Tacha has been a national Trustee of the American Inns of Court Foundation since 2000 and currently serves as the president of that organization.

**ROGER D. TOWNSEND** is a partner in the Houston office of Alexander Dubose Jones & Townsend LLP, a civil appellate firm. He has been inducted as a Fellow into the American Academy of Appellate Lawyers, where he now serves on the board of directors. He previously served as Chair of the Appellate Practice & Advocacy Section of the State Bar of Texas, and he was selected by the state bar to be the editor-in-chief for the *Texas Appellate Practice Manual* (2d ed. 1993). Following its publication, the state bar awarded him a Certificate of Merit for "his truly outstanding service to the legal profession of Texas." Most recently he authored a chapter on brief writing for *A Defense Lawyer's Guide to Appellate Practice*.

**DRI SEMINAR SCHEDULE**

**2005**

November 3–4	<b>ASBESTOS MEDICINE</b> <i>Loews Miami Beach Hotel, Miami Beach, FL</i>
November 10–11	<b>AUTO LIABILITY AND COVERAGE SEMINAR</b> <i>Renaissance Chicago Hotel, Chicago, IL</i>
November 17–18	<b>COMPLEX MEDICINE</b> <i>Loews Santa Monica Beach Hotel, Los Angeles, CA</i>
November 17–18	<b>FIRE AND CASUALTY</b> <i>The Westin Michigan Avenue, Chicago, IL</i>
December 8–9	<b>INSURANCE COVERAGE AND PRACTICE SYMPOSIUM</b> <i>Sheraton New York Hotel and Towers, New York, NY</i>

**2006**

January 26–27	<b>CIVIL RIGHTS AND GOVERNMENTAL TORT LIABILITY</b> <i>The Ritz-Carlton, Lake Las Vegas, Henderson, NV</i>
February 8–10	<b>PRODUCT LIABILITY CONFERENCE</b> <i>Wynn Las Vegas, Las Vegas, NV</i>
March 1–3	<b>MEDICAL LIABILITY AND HEALTH CARE LAW</b> <i>Pointe Hilton Tapatio Cliffs, Phoenix, AZ</i>
March 9–10	<b>APPELLATE ADVOCACY</b> <i>Pointe Hilton Tapatio Cliffs, Phoenix, AZ</i>
March 9–10	<b>TOXIC TORTS AND ENVIRONMENTAL LAW</b> <i>JW Marriott Orlando, Grande Lakes, Orlando, FL</i>
March 16–17	<b>DAMAGES</b> <i>Caesars Palace, Las Vegas, NV</i>
March 30–31	<b>TRUCKING LAW</b> <i>Chicago Marriott Downtown, Chicago, IL</i>
April 26–28	<b>LIFE, HEALTH, DISABILITY AND ERISA CLAIMS</b> <i>Renaissance Washington DC Hotel, Washington, DC</i>
May 4–5	<b>CONDUCTING BUSINESS IN THE INTERNATIONAL MARKETPLACE: BUSINESS AND LIABILITY RISK MANAGEMENT AND CONFLICT RESOLUTION</b> <i>Eden Roc, Miami Beach, FL</i>
May 4–5	<b>INSURANCE COVERAGE AND CLAIMS INSTITUTE</b> <i>The Westin Chicago River North, Chicago, IL</i>
May 11–12	<b>DRUG AND MEDICAL DEVICE</b> <i>Hilton Chicago, Chicago, IL</i>
May 17–19	<b>EMPLOYMENT LAW</b> <i>Harbor Beach Marriott, Fort Lauderdale, Florida</i>
June 9–10	<b>SMALL LAW FIRM</b> <i>The Westin Michigan Avenue, Chicago, IL</i>
June 15–16	<b>SILICA MEDICINE</b> <i>The Adolphus, Dallas, TX</i>
June 15–16	<b>YOUNG LAWYERS</b> <i>Loews Miami Beach Hotel, Miami Beach, FL</i>
September 7–8	<b>NURSING HOME/ALF LITIGATION</b> <i>Sheraton Chicago Hotel &amp; Towers, Chicago, IL</i>
September 14–15	<b>CONSTRUCTION LAW</b> <i>The Westin St. Francis, San Francisco, CA</i>
October 11–15	<b>DRI ANNUAL MEETING</b> <i>San Francisco Marriott, San Francisco, CA</i>
December 7–8	<b>INSURANCE COVERAGE AND PRACTICE SYMPOSIUM</b> <i>Sheraton New York Hotel and Towers, New York, NY</i>

Join DRI now and register at the member rate—a \$130 savings!

**DRI™ MEMBERSHIP APPLICATION**

This application/registration form for first-time members only—all other registrants please use reverse side.

**Member Category**

- Defense Attorney—\$225 USD/year
- Government Attorney—\$160 USD/year
- Young Lawyer—\$130 USD/year (*admitted to the Bar for 5 years or less*)
- Law Student—\$20 USD/year

Male     Female

DATE OF BIRTH (MONTH/DAY/YEAR)

NAME

NAME AS YOU WOULD LIKE IT TO APPEAR ON BADGE

COMPANY/FIRM

ADDRESS

CITY

STATE/PROVINCE

ZIP/POST CODE

COUNTRY

TELEPHONE

FAX

E-MAIL

Are you a first-time attendee at this DRI seminar?     Yes     No

NUMBER OF ATTORNEYS IN YOUR FIRM

PRIMARY AREA OF PRACTICE

Admitted to the Bar in

STATE/PROVINCE

MONTH/YEAR

BAR NUMBER

REFERRED BY

*DRI is committed to the principle of diversity in its membership and leadership. Accordingly, applicants are invited, at their option, to indicate which one of the following may best describe them:*

- African American     Asian American     Hispanic origin
- Native American     White     Other

I am a member of a state or local defense organization.     Yes     No

NAME OF ORGANIZATION

*To the extent that I engage in personal injury litigation, I DO NOT, for the most part, represent plaintiffs. I have read the above and hereby make application for individual membership.*

SIGNATURE

DATE

All applications must be signed and dated.

**Registration/Application Fees**

Seminar Registration:     \$645 [Member Rate]

Membership (*check one*):

- \$225 [Defense Attorney]
- \$160 [Government Attorney]
- \$130 [Young Lawyer]
- \$20 [Law Student]

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## Appellate Advocacy Seminar March 9-10, 2006

Advance Registration Deadline: **February 17, 2006**  
(For inclusion on the pre-registration list and to receive course materials in advance, register by this date.)

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Are you a first-time attendee at this DRI seminar?  Yes  No

How many attorneys are \_\_\_\_\_ What is your primary  
in your firm? \_\_\_\_\_ area of practice? \_\_\_\_\_

### Registration Fees *(includes course materials)*

*(If joining DRI to get the member rate, complete the form on the reverse side.)*

Member: \$645  Non-member: \$775  
 Special discount price: \$595 *(see brochure for eligibility)*

### Publications for Purchase

Course Materials *(included in registration fee)*

Member: \$75  Non-member: \$95

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### Supplemental Materials

*A Defense Lawyer's Guide to Appellate Practice (2004)*

CD-ROM  Member: \$85  Non-member: \$105  
Hard copy  Member: \$115  Non-member: \$135

*(Illinois residents, please add 9% sales tax. Shipping charges will be added to each order.)*

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