



Eastern District of Texas 2014 Bench Bar Conference

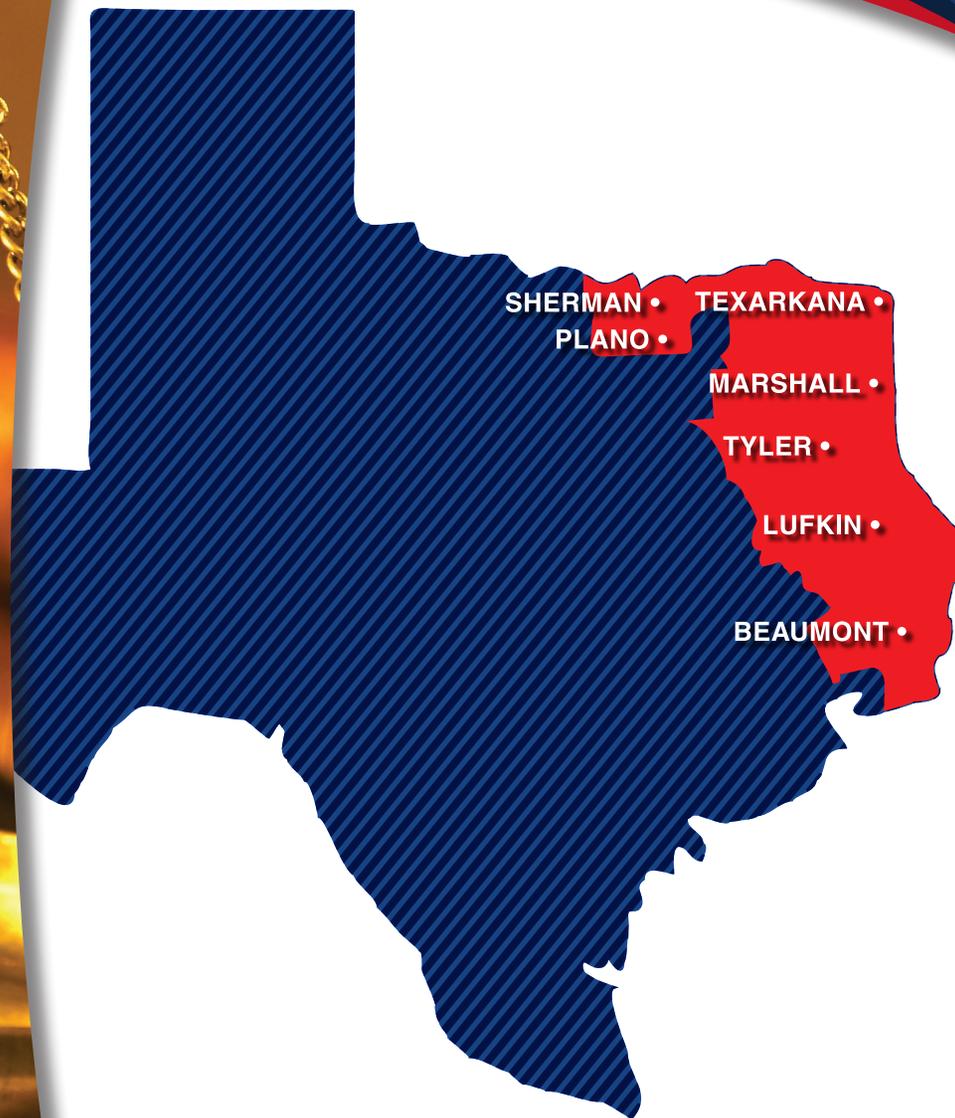
Jointly with the
**Federal Circuit Bar Association &
The Center for American and International Law**

October 22-24, 2014

Plano Marriott Legacy Town Center

7121 Bishop Road, Plano, Texas 75024

888.236.2427 • 972.473.6444



“The Right Side of Texas”

WEDNESDAY, OCTOBER 22

10:00 AM Ceremony Naming the United States Courthouse in Sherman the Paul Brown United States Courthouse in Honor of Judge Paul Brown (1926-2012).

11:30 AM 6th Annual East Texas Golf Tournament, Gleneagles County Club, Plano, Texas *(Those Attending Naming Ceremony In Sherman Will be Scheduled For Later Start Times).*

Event Sponsors: Haltom & Doan; McKool Smith; Winston & Strawn.

Early Bird CLE

2:00 PM **Role of Lawyer as Officer of the Court and Related Ethical Duties Not to Lead Judges Astray, Not to Unduly Delay, Candor and Fair Play. (Interactive).**
Jim Mitchell, Moderator; Adam Allgood, Morgan Lewis; Chris Kennerly, Paul Hastings; Melissa Smith, Gillam & Smith & Winston Huff, W.O. Huff & Associates (Panel Discussion Centered Around Article Authored by Judge Catharina Haynes (Fifth Circuit)). Interactive Facilitators Geoffrey Culbertson, Patton, Tidwell & Schroeder & Elizabeth DeRieux, Capshaw DeRieux.

3:00 PM **Past, Present & Future. An Inside Look at the Evolving Eastern District of Texas. (.50 Ethics)**
Otis Carroll, Ireland, Carroll & Kelley, Moderator; Chief Judge Robert Parker (1990-1994); Chief Judge Richard Schell (1994-2001); Chief Judge Thad Heartfield (2003-2008); Chief Judge David Folsom (2009-2012); Chief Judge Leonard Davis (2012-Present) & Judge Ron Clark ("Chief Judge in Waiting").

4:00 PM **Patent Serendipity. A Lightning Round With Octane, Limitations on Claims/Prior Art & Evolving Challenges to Proof of Damages.**

Betty Chen, Fish & Richardson & Ben Elacqua, Fish & Richardson, Co-Moderators; Grant Kinsel, Perkins Coie; Kevin Kudlac, Greenberg Traurig; David Stein, Akin Gump & Steve Williams, McDole & Williams.

4:45 PM **Primer on the Fifth Circuit Citations/Hyperlink Program and its Adoption in ED Texas.**

Lyle Cayce, Clerk of the Fifth Circuit; David Maland, ED Texas District Clerk; & Ken Russo, Fifth Circuit Clerk's Office Systems Manager.

5:15 PM **Recess Early Bird CLE**

6:00 PM **Opening Reception**

Event Sponsor: StoneTurn Group.

7:15 PM **Welcoming Remarks**

Chief Judge Leonard Davis, Bar Association President Kirk Mathis & Conference Chairman Clyde Siebman.

Chief Judge's & President's Dinner

Event Sponsors: Fish Richardson; Latham & Watkins; Thompson & Knight; Ward & Smith Law Firm.

7:55 PM **Introductions, Recognitions & Brief Remarks**

Judge Royal Furgeson, Dean, UNT School of Law; Jennifer Collins, Dean, SMU Dedman School of Law & Presentations and Recognitions Including Judge John Hannah Award.

8:15 PM **Examples of Professionalism**

Remarks of Judge Kenneth Starr, President, Baylor University.

8:30 PM **Keynote Presentation on Professionalism, Collegiality & Ethics.**

Chief Judge Carl Stewart (Fifth Circuit).

9:00 PM **Dessert, Dancing & Music by Emerald City.**

Event Sponsor: Vinson & Elkins

THURSDAY, OCTOBER 23

7:00 AM **Breakfast for All Attendees**

Event Sponsors: Federal Arbitration & Gillam & Smith

7:45 AM **Breakfast Business Meeting of ED Texas Bar Association**

8:15 AM **“Unpacking” the Statistical Realities of Patent Litigation: Digging Below the Surface to Assess the Realities.**

Judge Barbara Lynn (ND Texas), Moderator; Owen Byrd, General Counsel, Lex Machina; David Schwartz, Professor, IIT Chicago-Kent College of Law; Cynthia Bright, VP & Associate General Counsel, IP Litigation & Public Policy, Hewlett Packard.

9:00 AM **The Secret Sauce of East Texas: What Keeps the Eastern District of Texas Thriving? Exploring the Nuances.**

Natalie Bennett, McDermott, Will & Emery, Moderator; David Schwartz, Professor, IIT Chicago-Kent College of Law; Judge Rodney Gilstrap (ED Texas); Judge John Love (ED Texas); Dr. Mary Noffsinger, Jury & Trial Consultant, Courtroom Sciences & Thad Heartfield, The Heartfield Law Firm. (Ethics .25).

9:45 AM **Morning Break**

10:00 AM **ED Texas: A Look From Inside & Out.**

Michael Truncale, Orgain, Bell & Tucker, Moderator; Judge Timothy Dyk (Federal Circuit); Chief Judge Leonard Davis (ED Texas); Judge Rodney Gilstrap (ED Texas) & Alan Fisch, Fisch Sigler.

10:45 AM **Cases in Federal Court. What’s Gone Right? What’s Gone Wrong?**

Kat Li, McKool Smith, Moderator; Chief Judge Leonard Stark (D Delaware); Judge Marcia Crone (ED Texas); Judge Don Bush (ED Texas); Judge Amos Mazzant (ED Texas); Judge Zack Hawthorn (ED Texas) & Former Judge Chad Everingham, Akin Gump.

11:30 AM **Inside the Insider Trading Trial of Mark Cuban. Strategies and Tactics from the Warroom and the Courtroom.**

Thomas Melsheimer, Fish & Richardson & Mark Cuban (By Video-Tape). Facilitated by Renee Skinner, Fish & Richardson.

12:30 PM **Buffet Lunch**

Event Sponsor: Findlay Craft

1:00 PM **Legal Writing in the Cell Phone Age.**

Steven D. Stark, Writer, Teacher, Author & Consultant.

1:45 PM **Power of Persuasion in a Paperless World. Writing for a Re-Wired Brain.**

Professor Robert Dubose with panelists Judge Caroline Craven (ED Texas); Judge Nicole Mitchell (ED Texas); Brian Pandya, Wiley Rein & Josh Thane, Haltom & Doan.

2:30 PM **Afternoon Break**

2:45 PM **The Knack of Invalidating Patents: What Does It Take to Make It Clear and Convincing?**
Jeanne "Jeannie" Heffernan, Kirkland & Ellis, Moderator; Judge Timothy Dyk (Federal Circuit), Chief Judge Leonard Stark (D Delaware); Judge Ron Clark (ED Texas); Matthew Moore, Latham & Watkins & George Pappas, Covington & Burling.

3:30 PM **Circuit Judges and District Judges: What Can They Learn From One Another? What Can Lawyers Learn From Listening? (Interactive)**
Chief Circuit Judge Sharon Prost (Federal Circuit) & Chief Judge Leonard Davis (ED Texas), Co-Moderators; Judge Kathleen O'Malley, (Federal Circuit); Judge Barbara Lynn (ND Texas); Judge Sue Robinson (D Delaware) & Judge Rodney Gilstrap (ED Texas). Interactive Facilitators: Jennifer Ainsworth, Wilson, Robertson & Cornelius; Michael Smith, Siebman, Burg, Phillips & Smith & Glenn Thames, Potter Minton.

4:30 PM **A Fireside Chat Between a Federal Circuit Judge & Her Former Law Clerks on Practice in the Federal Circuit.** Judge Kimberly Moore (Federal Circuit); Christian Hurt, Nix Patterson & Roach; Adam Keser, Sr., Saint Gobain Corporation & Greg Sobolski, Latham & Watkins.

5:15 PM **Recess CLE**

5:45 PM **Chief Judge's & President's Reception**
Event Sponsors: King & Spalding; Potter Minton; The Roth Law Firm.

7:00 PM **Dinner on Your Own**

9:30 PM **Reflections of ED Texas/ND Texas 2014 Patent Mock Trial Presented at China University, Beijing with Comparative Ethics. And After Dinner Drinks in the Presidential Suite** (.50 ethics) Michael Truncale, Orgain, Bell & Tucker & Zunxuan "Digger" Chen, Locke Lord, Co-Moderators *With* Judge Ron Clark; Judge Barbara & Mike Lynn, Lynn Tillotson Pinker Cox; Judge Carol & Clyde Siebman, Siebman, Burg, Phillips & Smith. (Not all members of mock trial team will be present).

10:30 PM **Discussions Conclude.**
Presidential Suite Remains Open until Midnight

FRIDAY, OCTOBER 24

7:45 AM **Breakfast for All Attendees
Judge's Only Breakfast**
Event Sponsors: Dovel & Luner; Duff & Phelps; Locke Lord

9:00 AM **Hatch Waxman Behind the Pine Curtain.**
Judge Rodney Gilstrap (ED Texas); Judge John Love (ED Texas); Judge Roy Payne (ED Texas); Bo Davis, The Davis Firm & Michael Dougherty, King & Spalding.

9:45 AM

If In House Counsel Had A Genie, What Would Their 3 Wishes Be? (Interactive)

Clyde Siebman, Siebman, Burg, Phillips & Smith; Charles B. “Chip” Molster, Winston & Strawn & William J. “Bill” Robinson, Foley & Lardner, Moderators; Rodger Sadler, Senior Patent Litigation Counsel, Canon U.S.A.; Richard “Chip” Lutton, Legal Counsel for Nest/Google; Rose Keagy, Patent Counsel, Texas Instruments; Kevin Phillip, Deputy General Counsel, STMicroelectronics, Inc. (Segment to Include Discussion of Confidential and Anonymous Pre-Conference Surveys of In House Counsel).

10:45 AM

Morning Break

11:00 AM

Patent Case Management Past, Present & Future.

“The digital revolution and the dot com bubble roiled the patent system like no other developments in recent memory. District courts have played a critical role in addressing several of the challenges. This session traces the evolution of patent case management as a productive, innovative, and flexible tool for equilibrating a turbulent patent system and explores further development of the patent litigation marketplace.”

Professor Peter S. Menell, Koret Professor of Law, Co-Director, Berkeley Center for Law & Technology, University of California, Berkeley School of Law (Co-Author Patent Case Management Judicial Guide).

11:50 AM

Patent Docket Synergy: Challenges and Best Practices from Delaware to East Texas.

Chief Judge Leonard Davis (ED Texas), Judge Rodney Gilstrap (ED Texas), Chief Judge Leonard Stark (D Delaware) & Judge Sue Robinson (D Delaware).

12:35 PM

Buffet Lunch

Event Sponsors: Kenyon & Kenyon LLP; Kirkland & Ellis; Paul Hastings

1:00 PM

Board of Patent Appeals and Interferences. What’s Up? What’s On the Horizon? Judge James Smith, Chief Administrative Patent Judge, Board of Patent Appeals and Interferences. Interactive Facilitators: Brad Williams, Baker Botts; Brad Caldwell, Caldwell Cassidy Curry.

1:45 PM

Jurors Gone Wild. Social Media and Online Research by Jurors. Is It Jury Nullification? Doug Cawley, McKool Smith, Moderator; Chief Judge Leonard Stark (D Delaware); Judge Ron Clark (ED Texas) & Judge Roy Payne (ED Texas).

2:30 PM

Jury Panel of Actual ED Texas Jurors from Closed Cases. Jennifer Doan, Haltom & Doan; Stephanie Barnes, Siebman, Burg, Phillips & Smith & Andrea Houston, Vinson & Elkins.

3:30 PM

Concluding Afternoon Break with Former ED Texas Jurors.





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18th Annual Eastern District of Texas Bench Bar Conference

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18th Annual Eastern District of Texas Bench Bar Conference

**Chief Judge Leonard Davis • ED Texas Bar President Kirk Mathis
Conference Chairman: Clyde M. Siebman**

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Steve Williams
Trey Yarbrough

**18th Annual Eastern District Bench Bar Conference
Wednesday, Thursday and Friday, October 22 – October 24, 2014**

Register Online at: <https://www.cailaw.org/eventRegistration.html?e=1215>

REGISTRATION FORM

Name: _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

My guest will attend the Wednesday evening dinner? Yes _____ No _____

Guest's name _____ (\$100 Fee Applies)

E.D. TEX. BAR ASSOCIATION RENEWAL AND CONFERENCE REGISTRATION FEES:

____ I wish to register for the conference – \$795
(\$895 if received after October 3, 2014) _____
ED Texas CJA Panel Members & Government Lawyers – \$595
(\$695 if received after October 3, 2014) _____
(Paid Event Sponsors apply 10% discount. Paid General Sponsors apply 5% discount)

____ I wish to participate in the Golf Tournament – \$100 _____

____ My Spouse/Significant Other Registration for social activities – \$100 _____
(Includes Opening Reception. Chief Judges' Reception and Dinner & music by Emerald City)

____ I wish to renew my membership/join the ED Texas Bar Association – \$75.00 _____

____ I am a member of the judiciary, law clerk or judicial staff member. *No Fees Required To Register*

TOTAL: _____

**Response requested by October 3, 2014. Afterwards, there will be an additional fee of \$100
NO REFUNDS AFTER OCTOBER 7, 2014**

PAYMENT INFORMATION

____ Check enclosed payable to: The Center for American and International Law

Credit Card: ____ Mastercard ____ Visa ____ AMEX ____ Discover

Card Number: _____ Exp. Date: _____

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Billing Address (if different than above address): _____

City: _____ State: _____ Zip: _____

Signature: _____

To make hotel reservations call the Marriott Dallas/Plano Marriott Hotel at Legacy Town Center at (800) 228-9290 or (972) 473-6444 and reference the Eastern District of Texas Bar Association 2014 Annual Conference or log on to [Book your group rate: Eastern District of Texas Bar Association»](#)

Conference room rate is available until October 3, 2014 at 5 p.m. at \$179/night for single or double + taxes.

Mail to CAIL, 5201 Democracy Drive, Plano, Texas 75024
Email to lgaspar@cailaw.org

WEDNESDAY OPENING RECEPTION & CHIEF JUDGE'S & PRESIDENT'S DINNER

Great food and drink followed by music and dancing to the sounds of Emerald City.

THURSDAY EVENING CHIEF JUDGE'S & PRESIDENT'S RECEPTION

CONFERENCE

October 22-24, 2014
Plano Marriott Legacy Town Center
7121 Bishop Blvd., Plano, Texas 75024
888.236.2427 972.473.6444

REGISTRATION

Register today by fax, email or online.
Mail completed registration form and your check payable to
CAIL, 5201 Democracy Drive, Plano, Texas 75024

Email or Fax registration form to
lgaspar@cailaw.org or 972.244.3404

Online at <https://www.cailaw.org/eventRegistration.html?e=1215>

DEADLINE FOR REGISTRATION

OCTOBER 3, 2014

**ADDITIONAL FEE OF \$100 APPLIES AFTER THE DEADLINE
AS LONG AS SPACE REMAINS AVAILABLE.**

SPONSORS

The bar association is seeking sponsors for the conference and for selected conference events.

If interested, email
edtexas@siebman.com for information.

CONTINUING LEGAL EDUCATION

This program is seeking approval for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 18.75 participatory credit hours of which 2.25 credit hours will apply to legal ethics. This course is also seeking approval by the Texas Board of Legal Specialization for certification and recertification in Civil Trial Law.

HOTEL RESERVATIONS

Through October 3, 2014 conference rate applies at \$179 + tax per night with complimentary self-parking. Please make reservations at (800) 228-9290 or directly with the hotel (972) 473-6444 and reference the Eastern District of Texas Bar Association.

REGISTRATION FEE INCLUDES

2 RECEPTIONS, 2 FULL BUFFET BREAKFASTS, 2 LUNCHESES, CHIEF JUDGES' & PRESIDENT'S DINNER, MUSIC, REFRESHMENT BREAKS, ENTERTAINMENT, NETWORKING OPPORTUNITIES & CLE.

CONFERENCE HELD BY THE EASTERN DISTRICT OF TEXAS BAR ASSOCIATION WITH SUPPORT FROM THE FEDERAL CIRCUIT BAR ASSOCIATION AND CAIL (THE CENTER FOR AMERICAN AND INTERNATIONAL LAW)

QUESTIONS? Email elizabeth.berry@sbcglobal.net or edtexas@siebman.com