

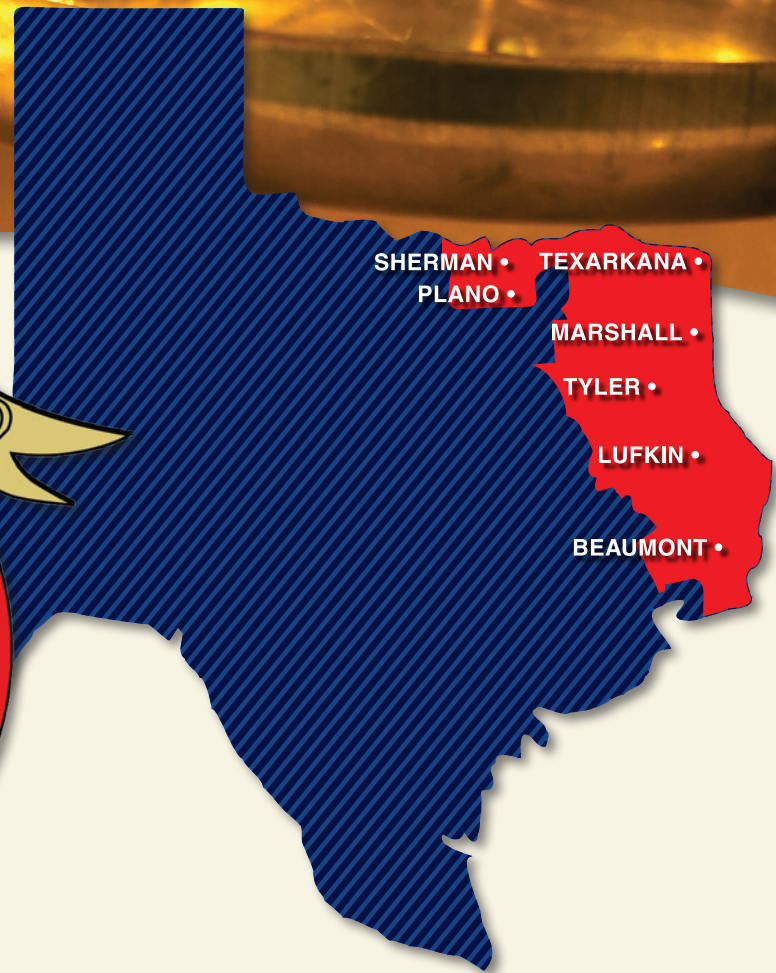
Eastern District of Texas 2017 Bench Bar Conference

Jointly with the The Center for
American and International Law

October 4-6, 2017

**Plano Marriott
Legacy Town
Center**

7121 Bishop Rd.
Plano, TX 75024
800.228.9290
972.473.6444



“The Right Side of Texas”

OCTOBER 4, 2017

9:00 AM **East Texas Shoot Out at the Frisco Gun Club**
Event Chair - Darby Doan, Haltom & Doan

10:00 AM **Golfing At Gleneagles Country Club**
Event Chair - Charles B. "Chip" Molster, The Law Offices of Charles B. Molster, III, PLLC

EVENTS STARTING AT THE MARRIOTT AT LEGACY TOWN CENTER IN PLANO

Conference Section Chair - Adam Allgood, Morgan, Lewis & Bockius, LLP

2:00 PM **Affirmative and Defensive IP Strategies in an Unstable Legal Environment.**

Panel Chair - Brian Pandya, Wiley Rein LLP

Panel – Buddy Toliver, Senior Corporate Counsel, Cisco Systems; Jennifer Yokoyama, Principal Counsel, Patent Litigation, Apple Inc.; Alan Fisch, Fisch Sigler, LLP; Matt Acosta, Jackson Walker; Christian Hurt, Nix, Patterson & Roach LLP

2:45 PM **Words, Phrases & Rhetorical Ploys That Will Make Some Judge's Skin Crawl. Are You Playing Russian Roulette With Your Briefing?**

Panel Chair - Andy Tindel, MT2 Law Group (Former Law Clerk to William Steger)

Panel - Boone Baxter, Heim, Payne & Chorush (Former Law Clerk to Judge Leonard Davis and Judge Robert Schroeder); Elizabeth "Beth" Forrest, Siebman, Burg, Phillips & Smith, LLP (Former Law Clerk to Judge Amos Mazzant); Claire Henry, Ward, Smith & Hill (Former Law Clerk to Judge T. John Ward); Alexandra McNicholas (EDTX Career Law Clerk); J. Wesley Samples, Fish & Richardson (Former Law Clerk to Judge John Love); Philip Vickers, Cantey Hanger, LLP (Former Law Clerk to Judge Michael Schneider)

3:30 PM **Federal Trade Secret Misappropriation: Venue, Ex Parte Seizure and Criminal Implications. Using the Nuclear Option.**

Panel Chair - Natalie Bennett, McDermott, Will & Emery

Panel - Judge Amos Mazzant (EDTX); Judge Keith Giblin (EDTX); Judge Kimberly Priest Johnson (EDTX); Hiram Sasser, Deputy Chief Counsel, First Liberty Institute

4:15 PM **Winning the Judge, Winning the Jury, Winning the Case. Tips from the Bench on Best Practices for Winning Huge.**

Panel Chair - Jennifer Ainsworth, Wilson, Robertson & Cornelius, PC

Panel - Chief Judge Ron Clark (EDTX); Chief Judge Barbara Lynn (NDTX); Chief Judge José Linares (DNJ); Judge Lee Yeakel (WDTX); Judge Rodney Gilstrap (EDTX); Judge Marcia Crone (EDTX)

5:00 PM **Opening Reception A Celebration of Texas' Tejano Heritage.**

Mariachi Band & South of the Border Reception, Mexican Beer & Tequila Tastings

Reception Sponsor: StoneTurn Group, LLP

Event Chair - Alan Ratliff, StoneTurn Group, LLP

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

9:00 PM **Private Screening of Uncertain, The Movie. Documenting a Remote Corner of the Marshall Division of the Eastern District of Texas. Rolling Stone calls it "A Must See Movie" and the Wall Street Journal calls it "Beautifully Poetic"**

Angelika Film Center and Café, Legacy Town Center, Plano.

Event Chair - Stephanie Barnes, Siebman, Burg, Phillips & Smith, LLP

10:30 PM **Presidential Suite Opens for After Dinner Conversation**

OCTOBER 5, 2017

7:30 AM **Breakfast Buffet Opens**

Breakfast Sponsor: Findlay Craft
Under the French Flag, A breakfast of
Croissants, Beignets, Omelets & Café Au Lait

8:30 AM **Opening of the Conference. Chief Judge Ron Clark (EDTX); EDTX Bar Association President William E. "Bo" Davis, III; Conference Chair Clyde M. Siebman**

Conference Section Chair - E. Glenn Thames, Jr., Potter Minton, PC

8:45 AM **Getting In and Getting Out of Texas. Drilling Into Questions Yet Unanswered By TC Heartland in the Age of Cyberspace.**

Panel Chair - Michael C. Smith, Siebman, Burg, Phillips & Smith, LLP

Panel – Judge Leonard Davis, Fish & Richardson; Dean Brad Toben, Baylor Law School; Theodore Stevenson, III, McKool Smith; Wesley Hill, Ward, Smith & Hill, PLLC; Thomas J. Meloro, Willkie, Farr & Gallagher, LLP

9:30 AM **Hatch Waxman, TC Heartland & America Invents Act. Pharma in the Vortex.**

Panel Chair - William E. "Bo" Davis, III, The Davis Firm, P.C.

Panel - Chief Judge José Linares (DNJ); Judge Rodney Gilstrap (EDTX); Judge Christopher Burke (DE); Colman Ragan, Associate General Counsel, U.S. IP Litigation, Teva Pharmaceuticals; Stephanie Barnes, Siebman, Burg, Phillips & Smith, LLP

10:15 AM **Morning Break**

10:35 AM **Successful Mediation: Navigating the Potholes on the Road to Yes.**

Panel Chair - Barry Golob, Cozen O'Conner

Panel - Judge Mary Pat Thyng (DE); Judge David Folsom, Jackson Walker; Heshia Abrams, Heshia Abrams Mediation, LLC

11:20 AM **The Ever-Evolving Face of the Eastern District of Texas. Reflections From the Past, the Present and a Look Into the Future.**

Panel Co-Chairs - Steven M. Geiszler, U.S. Chief Intellectual Property Litigation Counsel, Huawei; Clyde Siebman, Siebman, Burg, Phillips & Smith, LLP

Panel – Chief Judge Ron Clark & Judge Rodney Gilstrap

12:05 PM **Lunch Buffet**

Lunch Sponsor: Duff & Phelps

Conference Section Chair - Allen Gardner, Gillam & Smith LLP

12:30 PM **Lunch Presentation. Why Atticus Finch is Still Our Role Model--Even After Go Set A Watchman?**

Speaker - Talmage Boston, Lawyer-author

1:15 PM **Willful Infringement and Enhanced Damages. Where Are We? Where Are We Going? Are We There Yet?**

Panel Chair - Jeannie Heffernan, Kirkland & Ellis LLP

Panel - Judge Cathy Bencivengo (SDCA); Judge Cathy Bissoon (WDPA); Judge Robert W. "Trey" Schroeder, III (EDTX); Judge Christopher Burke (DE); Judge John Love (EDTX)

2:00 PM **IPR: A Real Threat or Just Fake News?**

Panel Chair - Max Ciccarelli, Thompson & Knight, LLP

Panel - Judge Roy Payne, (EDTX); Brian Gaffney, Assistant Vice President, Senior Legal Counsel – IP Litigation, AT&T; Hilda C. Galvan, Jones Day; David McCombs, Haynes & Boone, LLP; Patrick McPherson, Duane Morris, LLP; Charles B. "Chip" Molster, The Law Offices of Charles B. Molster, III, PLLC

2:45 PM **Break**

3:00 PM ***The Good, the Bad and the Ugly of Early Damage Disclosures. A Look at the New California Approach.***

Panel Chair - Steven Williams, McDole & Williams, PC

Panel - Patrick Weston, Senior Litigation Counsel, Google; Kenneth E. Keller, Pillsbury, Winthrop, Shaw, Pittman LLP; Grant Kinsel, Perkins Coie, LLP; Elizabeth "Betty" DeRieux, Capshaw DeRieux; Rudy Fink, McKool Smith; Gita Srivastava, Norton Rose Fulbright

3:45 PM ***Using Jury Research to Evaluate Litigation Risks.***

Panel Chair - Dr. Eric Rudich, Blueprint Trial Consulting

Panel - Judge Zack Hawthorn (EDTX); Sean Cunningham, DLA Piper; John A. "Jack" Kelly, Senior Counsel-Intellectual Property, GE Aviation

4:30 PM ***You Got My Expert to Say What? Tips and Traps for Deposing Expert Witnesses.***

Speaker - Craig Haynes, Thompson & Knight, LLP

5:15 PM ***Presidential and Chief Judge's Reception***

Reception Sponsors: Dovel & Luner, LLP; Greenberg Traurig, LLP; King & Spalding LLP

6:30 PM ***Presidential and Chief Judge's Dinner***

Dinner Sponsors: Andrews Kurth Kenyon LLP; Baker Botts L.L.P.; Ward, Smith & Hill, PLLC

It's a Texas Thang.

Red Meat, Red Wine & Bourbon Whiskey
(With Reasonable Alternatives, Of Course)

7:30 PM ***Recognitions and Awards***

7:45 PM ***Bar & Grill Singers***

8:30 PM ***Dessert, Conversation & Live Guitar Music in the Foyer***

OCTOBER 6, 2017

8:00 AM ***Breakfast Buffet Opens***

Southern Traditions: Breakfast of Sausage, Eggs, Gravy and Grits

Conference Section Chair - S. Donean Surratt, Orgain, Bell & Tucker, LLP

8:30 AM ***Judge Kara Stoll: The Federal Circuit: A View From Inside & Out. Introduction by Chief Judge Ron Clark (EDTX)***

9:15 AM ***Deciding Where to File a Case. What Makes a Favorable Venue; Peeking Inside the Decision Making Process?***

Panel Chair – Richard L. "Rocky" Schwartz, Whitaker Chalk Swindle & Schwartz PLLC

Panel - Amanda Abraham, The Roth Law Firm; John Battaglia, Fisch Sigler, LLP; Jeff Bragalone, Bragalone Conroy, PC; Barry Bumgardner, Nelson Bumgardner, PC; Holly Hernandez, Senior Vice President, Licensing, Acacia Research Group, LLC

10:00 AM ***Selecting and Preparing Corporate Representatives and Witnesses. What Factors Should In-House Counsel Take Into Consideration in the Eastern District of Texas?***

Panel Chair - Doug Keene, Keene Trial Consulting

Panel - Judge John Love (EDTX); Janis Clements, Greenberg Traurig, LLP; Geoff Culbertson, Patton, Tidwell & Culbertson LLP; Harry "Gil" Gillam, Gillam & Smith LLP; Michael E. "Mike" Jones, Potter Minton

10:30 AM ***Break***

10:45 AM **How Prosecution Bars, IPR, and the Different Duties of Candor Create Traps for In-House Counsel, Litigators, and Others.**

Panel Chair - Professor David Hricik, Mercer University School of Law

Panel - Hope Shimabuku, Regional Director USPTO-Texas Regional Office; Carlo Cotrone, Senior IP Counsel, Baker Hughes, a GE Company; Chris Kennerly, Paul Hastings, LLP; David O. Taylor, Co-Director of Tsai Center for Law Science and Innovation and Associate Professor of Law, SMU Dedman School of Law

11:30 AM **Maximizing and Minimizing Damages. How Best to Monetize Innovation?**

Panel Chair - Melissa Smith, Gillam & Smith LLP

Panel – Douglas Ellis, Managing Director, ASQ Consulting; Rob Maness, Charles River Associates; Alan Ratliff, StoneTurn; Chris Dunstan, Director of Licensing, North America, Senior IP Counsel, Ericsson; Tom Coverstone, STAR CO

12:15 PM **Lunch**

Lunch Sponsor: Gray Reed & McGraw LLP
All American Burgers, Hot Dogs & Apple Pie

Conference Section Chair - Rose Keagy, Senior Attorney, Texas Instruments Incorporated

12:35 PM **From Patent Pilot Program Districts to the Federal Circuit. Do Patent Cases Deserve Special Treatment?**

Panel Chair - Judge José Cabranes (CA2)

Panel - Judge Gregg Costa (CA5); Judge Kara Stoll (CAFC); Chief Judge Ron Clark (EDTX); Judge Rodney Gilstrap (EDTX); Jennifer Doan, Haltom & Doan

1:25 PM **Amelie Karam, Nationally Recognized Millennial Specialist, Speaker and Consultant, or Is That My Kid's Baby Sitter? A Guide to Understanding and Communicating with Millennials.**

2:10 PM **As Viewed From the Bench, Is There Anything To This Millennial Thing?**

Panel Chair - Amelie Karam

Panel - Judge Robert W. "Trey" Schroeder, III (EDTX); Judge Caroline Craven (EDTX); Judge Nicole Mitchell (EDTX); Judge Christine Nowak (EDTX)

2:50 PM **Cyber Attacks and Other E-Skulduggery. Are Law Firms a Target Rich Environment?**

Panel Chair - Brett Johnson, Winston & Strawn

Panel - Charles Bundren, Wm. Charles Bundren & Associates; Phillip B. Philbin, Haynes & Boone, LLP; Bruce Sostek, Thompson & Knight; James "Jim" Walker, Cole Schotz P.C.

3:35 PM **Conference Adjourns**



2017 OFFICERS

- William E. "Bo" Davis, III
President
- Geoffrey Culbertson
Vice-President
- Charles Bundren
Treasurer
- Stephanie Barnes
Past President

2017 DIRECTORS

- Melissa Smith
Marshall
- Jennifer Ainsworth
Tyler
- Donean Surratt
Beaumont
- Doug Cawley
Outside Director
- Elizabeth Black Berry
Executive Director

PAST PRESIDENT'S COUNCIL

- | | |
|---------------------------------|-----------------------------|
| 1995-1999 – Clyde Siebman | 2007 – John Mercy |
| 2000 – Rosemary Snider | 2008-2009 – Chris Coco |
| 2001 – Damon Young | 2010 – Larry Phillips |
| 2002 – Andy Tindel | 2011 – E. Glenn Thames, Jr. |
| 2003- Mike Bradford (1952-2003) | 2012 – Eric M. Albritton |
| 2003 – Richard Grainger | 2013 – W. Lance Lee |
| 2004 – Ed Hohn (1964-2009) | 2014 – Kirk Mathis |
| 2005 – Clay Dark | 2015 – Michael J. Truncale |
| 2006 – Michael Smith | 2016 – Stephanie Barnes |



CONFERENCE UNDERWRITERS

Cozen O'Connor | The Davis Firm, P.C. | Fish & Richardson P.C. | Gillam & Smith LLP
Kirkland & Ellis LLP | McKool Smith | Paul Hastings | Siebman, Burg, Phillips & Smith, LLP
Thompson & Knight LLP | Vinson & Elkins LLP | Winston & Strawn LLP

CONFERENCE & EVENT SPONSORS

- | | | |
|---------------------------------------|-------------------------------------|--|
| • Andrews Kurth Kenyon LLP | • Fisch Sigler LLP | • Polsinelli PC |
| • Baker Botts L.L.P. | • Fish & Richardson P.C. | • Potter Minton, a Professional Corporation |
| • Bracewell LLP | • Gillam & Smith LLP | • Siebman, Burg, Phillips & Smith, LLP |
| • Bragalone Conroy PC | • Gray Reed & McGraw LLP | • StoneTurn Group |
| • Carter Scholer | • Greenberg Traurig, LLP | • Thompson & Knight LLP |
| • Charles River Associates | • Haltom & Doan | • Vinson & Elkins LLP |
| • Cole Schotz P.C. | • IMS ExpertServices | • Ward, Smith & Hill, PLLC |
| • Cozen O'Connor | • Jackson Walker LLP | • Whitaker Chalk Swindle & Schwartz PLLC |
| • The Davis Firm, P.C. | • King & Spalding LLP | • Willkie Farr & Gallagher LLP |
| • Dovel & Luner, LLP | • Kirkland & Ellis LLP | • Wilson Sonsini Goodrich & Rosati, Professional Corporation |
| • Duff & Phelps | • Locke Lord LLP | • Winston & Strawn, LLP |
| • Egan, Peterman, Enders & Huston LLP | • McKool Smith | • Yarbrough Wilcox, PLLC |
| • Findlay Craft | • Morgan, Lewis & Bockius LLP | |
| | • Munck Wilson Mandala, LLP | |
| | • Paul Hastings | |
| | • Perkins Coie LLP | |

21ST ANNUAL EASTERN DISTRICT OF TEXAS BENCH BAR CONFERENCE

Chief Judge Ron Clark • ED Texas Bar President William E. “Bo” Davis, III

Conference Chairman: Clyde M. Siebman

PLANNING COMMITTEE

- Matt Acosta
- Adam Allgood
- Stephanie Barnes
- Boone Baxter
- Natalie Bennett
- Elizabeth Black Berry
- Jeffrey Bragalone
- Barry Bumgardner
- Wm. Charles Bundren
- Brad Caldwell
- Douglas Cawley
- Betty Chen
- Evelyn Chen
- Ed Chin
- Max Ciccarelli
- Janis Clements
- Tom Coverstone
- William “Bill” Cramer
- Geoffrey Culbertson
- Stafford Davis
- Wm. E. “Bo” Davis
- Elizabeth “Betty” DeRieux
- David DeZern
- Darby Doan
- Jennifer Doan
- Rich Egan
- Doug Ellis
- Chad Everingham
- Brandy Fairley
- Rudy Fink
- Alan Fisch
- Elizabeth “Beth” Forrest
- Tim Garrigan
- Steven M. Geiszler
- James Glenn
- Barry Golob
- Natalie Gonzales
- Chad Hanson
- Bryan Haynes
- Jeanne “Jeannie” Heffernan
- Gary Hoffman
- Christian Hurt
- Brett Johnson
- Judge Kimberly Priest Johnson
- Mike Jones
- Rose Keagy
- Douglas Keene, Ph.D.
- Chris Kennerly
- Kevin Kudlac
- W. Lance Lee
- Clint Lewis
- Kat Li
- Judge Barbara Lynn
- Rob Maness
- Alexandra McNicholas
- Judge Nicole Mitchell
- Charles “Chip” Molster
- Brian H. Pandya
- Judge Roy Payne
- Phillip Philbin
- Anna Phillips
- Larry Phillips
- Alan Ratliff
- Steve Ravel
- Tim Rawson
- J. Wesley Samples
- Hiram Sasser
- Richard “Rocky” Schwartz
- Clyde Siebman
- Elvin E. Smith, III
- Mark Smith
- Melissa Smith
- Michael C. Smith
- Bruce Sostek
- Gita Srivastava
- David Stein
- Donean Surratt
- E. Glenn Thames, Jr.
- Andy Tindel
- Michael J. Truncale
- Jim Walker
- Steve Williams
- Steven Wolens
- Trey Yarbrough
- Jennifer Yokoyama

21st Annual Eastern District Bench Bar Conference
Wednesday, Thursday and Friday, October 4 – October 6, 2017

Register Online at: <http://www.cailaw.org/Other-Programs/Events/2017/eastern-bench-bar.html>

REGISTRATION FORM

Name (for name badge): _____

Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____ E-mail: _____

My guest will attend the Thursday 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 – \$895** (\$995 if received after September 18, 2017) _____
ED Texas CJA Panel Members & Government Lawyers – \$750 / (\$850 if received after September 18, 2017)
(Paid Event Sponsors apply 10% discount. Must pay discounted fees by check from sponsor.)
Discount not available for online registration.

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

_____ **I wish to participate in the Texas Shooting Range Excursion – \$100** _____

_____ **My Spouse/Significant Other Registration for social activities – \$100** _____
(Includes Opening Reception, Chief Judges' Reception and Dinner)

_____ **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 September 18, 2017. Afterwards, there will be an additional fee of \$100

NO REFUNDS AFTER SEPTEMBER 24, 2017

PAYMENT INFORMATION

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

Credit Card: _____ Mastercard _____ Visa _____ AMEX _____ Discover

Card Number: _____ Exp. Date: _____

Name on Card: _____

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 972.473.6444
or (800) 228-9290 and reference the Eastern District of Texas Bar Association 2017 Annual Conference or log on to
[Book your group rate: Eastern District of Texas Bar Association](#)

Conference room rate is available until September 24, 2017 at 5 p.m. at \$192/night for single or double + taxes until room block is filled

MAIL TO: CAIL, 5201 Democracy Drive, Plano, Texas 75024 | **EMAIL TO:** lgaspar@cailaw.org

WEDNESDAY

Opening Reception

- Great food and drink followed by dinner on your own at beautiful Shops of Legacy Town Center.

THURSDAY

Evening Chief Judge's & President's Reception & Dinner

CONFERENCE

- October 4-6, 2017
- Plano Marriott Legacy Town Center
7121 Bishop Blvd., Plano, Texas 75024
972.473.6444 800.228.9290

REGISTRATION

- Register today by fax, email or online.
- Mail completed registration form and your check payable to: CAIL, 5201 Democracy Drive, Plano, Texas 75024
- **REGISTRATION FORM: Email, Fax or Online**
Email to: lgaspar@cailaw.org
Fax to: 972.244.3404
Online: <https://www.cailaw.org/eventRegistration.html?e=1833>

DEADLINE FOR REGISTRATION

September 18, 2017

- Additional fee of \$100 applies after the deadline as long as space remains available.

Questions?

- Email elizabeth.berry@sbcglobal.net or edtexas@siebman.com

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 approximately 17.0 participatory credit hours of which 2.0 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.
- A Uniform Certificate of Attendance will be provided to attorneys licensed outside of Texas.

HOTEL RESERVATIONS

- Through September 25, 2017 conference rate applies at \$192 + tax per night, until room block is filled, with complimentary self-parking.
- Please make reservations at 972.473.6444 or 800.228.9290 and reference the Eastern District of Texas Bar Association.

REGISTRATION FEE INCLUDES

- 2 Receptions, 2 Full Buffet Breakfasts, 2 Lunches
- Chief Judges' & President's Dinner, Music, Refreshment Breaks, Entertainment, Private Showing of *Uncertain, the Movie*, Networking Opportunities & CLE.

