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Important New Seminar!

# Toxic Mold

Strategies for Bringing, Managing & Avoiding Claims

April 29, 2005 • Hyatt Regency Hotel • Atlanta

## Who Should Attend:

- Plaintiff and Defense Counsel
- Insurance Professionals
- Health Professionals
- Industrial Hygienists
- Emergency Medical Staff
- Firefighters
- Hazardous Materials Teams
- Members of Fire Protection and Police Agencies
- Cleanup Specialists
- Public Relations Professionals
- Property Owners
- Landlords and Tenants
- Remediation Specialists
- Builders and Contractors
- Department of Health Personnel

...and anyone who wants to know about toxic mold!

Dear Colleagues,

The questions surrounding mold continue. What is the proper amount of testing, if any? What should be tested? How should testing be conducted? What type of insurance coverage do I need? Can I get insurance coverage? What do I pay on this claim? Technical skills, legal savvy and creativity are needed to address these questions.



**Jonathan D. Crumly, Sr., Esq.**  
Program Chair

Mold litigation has not gone away either, despite many new developments in the scientific studies on health impacts of exposure to mold in an indoor environment. At this Seminar, you will have the opportunity to hear from the attorney for the Plaintiff who obtained a \$556,000 jury verdict against a heating and air conditioning company in a mold case tried in Fulton County, Georgia. In addition to insights from attorneys on both sides of the aisle in mold litigation, you will hear from experienced professionals who deal with mold on a regular basis.

We have assembled a group of experienced professionals and lawyers for this special Toxic Mold Seminar, which is designed to benefit a broad array of professionals and will cover many issues beyond the basics of mold and mold litigation. This Seminar will present useful information that will help you and your clients implement strategies to effectively address the complicated issues that arise in presenting and defending a mold claim. If you have handled a mold claim, participated in a mold claim or fear one is on your horizon, you will benefit from this Seminar.

I look forward to seeing you there.

Sincerely,

Jonathan D. Crumly, Sr., Esq., Program Chair  
Alston & Bird, Atlanta



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Seminar Schedule and Speaker Biographies Inside



**Morning 8:30 a.m. – 12:30 p.m.**

**Afternoon 2:00 p.m. – 5:15 p.m.**

8:30 Registration

9:00 **Introduction and Welcome**  
*Jonathan D. Crumly, Sr., Esq., Program Chair*  
*Alston & Bird, Atlanta*

9:15 **Pursuing a Mold Case**  
A Plaintiff's Perspective  
*R. Hutton Brown, Esq.*  
*Brown & Shamp, Atlanta*

10:15 Morning Break

10:30 **Breaking the Link Between  
Mold and Liability**  
A Defendant's Perspective  
*Deborah Cazan, Esq.*  
*Alston & Bird, Atlanta*  
*Jonathan D. Crumly, Sr., Esq., Program Chair*

11:30 **Testing and Testifying**  
Part I – A Plaintiff's Perspective  
*W. Elliott Horner, PhD, FAIA, Principal Scientist*  
*Air Quality Sciences – Building Consulting, Marietta*

12:30 Lunch Break

2:00 **Testing and Testifying**  
Part II – A Defendant's Perspective  
*David L. Dahlstrom, CIH, Principal*  
*Industrial Hygiene & Strategic Litigation Support*  
*Environ International Corporation, Atlanta*

3:00 Afternoon Break

3:15 **Water and Moisture Intrusion**  
How to Identify and Manage It in Buildings  
*Taylor Gonsoulin, PE, CIAQP, Project Manager*  
*CH2M HILL, Atlanta*

4:15 **Insurance and Lending  
Considerations**  
Update on New Developments in Environmental Insurance;  
The Response of Real Estate Lending Institutions to  
the "Mold Crisis"  
*Charles L. Perry, Jr., Principal and Founder*  
*Environmental Assurance Group, West Hartford*

5:15 Adjourn



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Dates!**

Commercial Real Estate  
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April 22, Miami  
Interstate Wine Sales  
April 29, San Francisco

Water Resources in Tennessee  
May 5-6, Nashville  
Negotiating Leases  
May 12-13, Boston  
Appraisal of Real Estate  
May 13, Tampa

Internal Investigations  
May 20, Atlanta  
Real Estate Development  
May 23-24, Denver

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# meet your **faculty**

<p><b>Program Chair</b></p> <p><b>Jonathan D. Crumly, Sr.</b>, is a member of his firm's Construction &amp; Government Contracts Group and practices exclusively in this area of law. He focuses on representing general contractors, construction managers, design-builders and developers in all forms of construction counseling and dispute resolution. He has over 10 years' experience in many aspects and types of commercial and construction litigation, mediation and arbitration. He has handled numerous construction industry disputes, including various types of claims involving breach of contract, liens, defective construction, defective construction products, water intrusion litigation, mold and payment and performance bonds.</p>	<p><b>Deborah Cazan</b> is a member of her firm's Construction &amp; Government Contracts Group. She represents general contractors, construction managers, design-builders and developers. She has written several construction articles including <i>Substantial Completion Blues</i> and <i>Building Nationwide</i>.</p> <p><b>David L. Dahlstrom</b> offers clients more than 27 years of executive and technical management experience with a consulting practice focused on environmental and management systems and occupational health and safety (OHS) fields. His broad abilities to provide clients with successful business strategies, litigation support, and technical solutions results from academic training and work experience in the "Big 4" accounting, chemical, pharmaceutical, and environmental safety and health consulting industries.</p>	<p><b>W. Elliott Horner</b> directs Air Quality Sciences' (AQS) microbial laboratory, including analysis of fungi, endotoxin, and allergens. He is currently directing AQS's federally funded research studies characterizing mold types and levels in non-problem houses in the southeastern United States. He has directed research studies on microbial volatile organic compounds, evaluating volatile emissions from mold growth on building materials under various environmental conditions.</p> <p><b>Charles L. Perry, Jr.</b>, is Principal and Founder of his company, a mold and environmental risk management consulting group whose clients include various nationally recognized institutional real estate lenders, including banks, REITs, life insurance companies, municipalities, school systems, builders, developers and architects. Prior to founding his company, he had, for 12 years, been President and Founder of Environmental Warranty, Inc., an insurance and underwriting brokerage firm specializing in various forms of environmental insurance relating to commercial real estate and environmental exposures impacting the permanent mortgage and construction lending markets along with the securitization marketplace.</p>
<p><b>R. Hutton Brown</b> is a founding partner of his firm and represents plaintiffs in products liability, toxic tort, medical malpractice and personal injury cases. He has trial experience in state and federal courts on behalf of both plaintiffs and defendants, including <i>Reynolds v. Hardin</i>, a medical malpractice case televised by Court TV. He also won a \$556,000 verdict against a heating and air conditioning company in a mold case. This was the first plaintiff's verdict in a mold trial in Georgia.</p>	<p><b>Taylor Gonsoulin</b> was named Young Engineer of the Year by the American Council of Engineering Companies (ACEC) of Georgia in 2000. He has focused on Indoor Air Quality and Building Performance throughout his career. He has performed mechanical commissioning, forensic investigations, and due diligence surveys of buildings nationwide. Further, he has overseen microbial mitigation for several facilities. Recently, he was the lead commissioning consultant on the Alabama Archives and History Building.</p>	<p><b>CLE International Program Attorney:</b>  <b>Laura Terlisner Mehew, <a href="mailto:laura@cle.com">laura@cle.com</a>.</b></p>

# seminar **information**

<p><b>Continuing Education Credit</b></p> <p><b>MCLE:</b> This course has been approved by the Georgia State Bar for 6 hours of MCLE credit.</p> <p><b>Real Estate:</b> This course meets the requirements for 6 hours Mandatory Continuing Education (MCE) credit from the Georgia Real Estate Commission.</p> <p><b>Appraiser:</b> This course meets the requirements for 6 hours Mandatory Continuing Education (MCE) credit from the Georgia Real Estate Appraisers Board.</p> <p><b>Engineering:</b> This course meets the requirements for 6 PDH credits of the Georgia State Board of Professional Engineers and Land Surveyors.</p> <p>For accreditation in other jurisdictions and disciplines, please contact CLE International at (303) 377-6600.</p> <p><b>CLE INTERNATIONAL</b> is an approved sponsor in all states having mandatory CLE requirements.</p> <p><b>About CLE INTERNATIONAL</b></p> <p><b>CLE INTERNATIONAL</b>, a leading provider of continuing professional education, has been presenting high-quality programs nationwide since 1983.</p>	<p><b>Seminar Location and Accommodations</b></p> <p>The Seminar will be held at the Hyatt Regency Hotel, 265 Peachtree Street, NE, Atlanta, GA 30303. For room reservations and special rates, please call Community World Travel at (888) 724-0500 or visit <a href="http://www.communityworldtravel.com">www.communityworldtravel.com</a>.</p> <p><b>Registration</b></p> <p>Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (303) 377-6600, fax the Registration/Order Form to (303) 321-6320, e-mail your registration to <a href="mailto:registrar@cle.com">registrar@cle.com</a> or register online at <a href="http://www.cle.com">www.cle.com</a>. Full payment is due at the time of registration. Walk-in registrations will be subject to space availability. Please call <b>CLE INTERNATIONAL</b> at (303) 377-6600 if you require any special accommodations.</p> <p><b>Tuition</b></p> <p>The tuition fee of \$395 per person includes attendance at all sessions, course materials, continental breakfast and coffee breaks. <b>CLE INTERNATIONAL</b> offers special rates for 501(c)(3) organizations, full-time judges and law students.</p> <p><b>Save When Two or More Register</b></p> <p>Save \$140 with our multiple registrant discount! The tuition fee is only \$325 per person for two or more registering from the same firm.</p>	<p><b>Course Materials</b></p> <p>Each registrant will receive a set of course materials, prepared by the speakers especially for this Seminar, which will be a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p><b>Homestudy Package</b></p> <p>If you cannot attend, <b>CLE INTERNATIONAL</b> also offers a complete audio transcript of the Seminar (including all course materials) for \$395 plus \$10 shipping and handling. This package qualifies for self-study credit.</p> <p><b>Cancellation</b></p> <p>Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday prior to the Seminar. Substitutions may be made at any time.</p> <p><b>Sponsorship Information</b></p> <p>Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Neenan, Marketing Coordinator, at (303) 377-6600 or <a href="mailto:sarah@cle.com">sarah@cle.com</a>.</p>
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Important New Seminar!

# Toxic Mold

Plaintiff and Defense Perspectives

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Pursuing a Mold Case

Breaking the Link Between Mold and Liability

Testing and Testifying—Plaintiff and Defense Perspectives

How to Identify and Manage Water  
and Moisture Intrusion in Buildings

Insurance and Lending Considerations



Important New Seminar!

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