

**Earn up to 11 Hours
MCLE Credit Including
One Hour of Ethics
Earn Appraiser,
Insurance and
Real Estate Credit**



An Exciting New Conference!

Mold & Fungus Litigation

Debating the Impacts on Health, Insurance and the Law

May 8-9, 2003 • Century Plaza Hotel • Los Angeles



Who Should Attend:

- Lawyers
- Health Professionals
- Neuropsychologists and Psychologists
- Industrial Hygienists
- Insurance Professionals
- Allergists
- Property Owners
- Landlords and Tenants
- Physicians
- Remediation Specialists
- Builders and Contractors
- Real Estate Appraisers
- Department of Health Personnel

Did You Know?

Over 1,000

Types of mold in the United States

9,000

Number of mold-related lawsuits filed as of October, 2002

\$32 Million

Verdict for the plaintiff in *Ballard v. Fire Ins. Exchange*

\$8.9 Billion

Estimated additional loss related to mold by homeowner insurers in 2002, compared with 2001*



Visit our website at cle.com for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

*National Law Journal, October 21, 2002, Volume 25, No. 9

Register Online at www.cle.com or Call (800) 873-7130
Conference Schedule Inside 

conference **schedule**

Mold & Fungus Litigation

Thursday, May 8

Friday, May 9

8:30 Registration

9:00 **Introduction and Welcome**

Overview of Day One

Irene Yesowitch, Esq., Program Co-Chair

Long & Levit, San Francisco

9:15 **Mold**

The Coming Scourge

Michael Childress, Esq.

Childress & Zdeb, Chicago

10:15 Morning Break

10:30 **Prosecuting Construction Defect Actions Involving Mold-Contaminated Buildings**

Legal, Tactical and Practical Guidelines

Robert A. McGregor, Esq.

McGregor & Garrie, San Diego

11:15 **Evaluating and Handling a Mold Claim**

The Risk and the Reality; Some Multi-Million Dollar Verdicts;

Defense Strategies

Bruno Wolfenzon, Esq.

The Wolfenzon Law Group, San Diego

12:00 Q&A Panel

Members of the Faculty

12:15 Lunch Break

1:45 **Ethics**

New Developments in Fee Sharing; the Recent California Supreme

Court Case on Malicious Prosecution; Other Recent Ethics

Developments that Apply to Litigation

Howard M. Garfield, Esq.

Long & Levit, San Francisco

2:45 **Case Management, Evidence and Expert Testimony**

Issues in California

Jonathan S. Vick, Esq.

Robertson & Vick, Calabasas

3:30 Afternoon Break

3:45 **The Defense of Insurance Coverage— A Panel Presentation**

First and Third Party Coverage Issues that Flow from the Claim

Harry Lee, Esq.

Step toe & Johnson, Washington, DC

R. Patrick White, Esq.

Buckley King, Atlanta

Irene K. Yesowitch, Esq., Program Co-Chair

5:15 Q&A Panel

Members of the Faculty

5:30 Adjourn

9:00 **Introduction and Welcome**

Overview of Day Two

Ronald B. Lee, Esq., Program Co-Chair

Roetzel & Andress, Akron

9:15 **An Overview of the Regulatory Framework and Remediation Guidelines**

Proactive Steps to Prevent Mold Litigation

Ronald B. Lee, Esq., Program Co-Chair and

Aaron E. McQueen, Esq.

Roetzel & Andress, Akron

10:15 Morning Break

10:30 **Anatomy of a Mold Investigation**

Marrying Sampling Analysis and Data Interpretation Techniques for Mold Litigation

David Kahane, MPH, CIH, Principal

Forensic Analytical, Hayward

11:15 **The Microbiology of Fungi and Molds in Indoor Environments**

Understanding the Basics; Advances in Mold Testing

Chin S. Yang, Ph.D.

P&K Microbiology Services, Cherry Hill

12:00 Q&A Panel

Members of the Faculty

12:15 Lunch Break

1:45 **Neuropsychological Evaluations**

Evaluations of Neuropsychological and Psychiatric Disorders and

Malingering Related to Mold Toxicity

Arnold D. Purisch, Ph.D.

Laguna Hills

3:00 **Establishing Acceptable Levels of Airborne Mold**

A Scientific Approach

Daniel M. Baxter, President

Environmental Testing Associates, San Diego

4:00 Adjourn



Upcoming Conferences

California Water Law
April 10-11, San Francisco

Endangered Species Act
May 1-2, Denver

Fiction Writing for Lawyers
May 2-3, Aspen

Negotiating Leases
May 5-6, San Francisco

Eminent Domain
June 5-6, Los Angeles

Endangered Species Act
June 23-24, San Diego

For more information about these and other programs, visit our website at www.cle.com

Mold & Fungus Litigation

meet your faculty

Ronald B. Lee, Program Co-Chair, has over 20 years of litigation experience. A Board Certified Trial Attorney, he has developed a national practice in toxic tort and mold litigation with additional emphasis on products liability; personal injury defense; business insurance litigation; insurance coverage issues; and construction and mold litigation.

Irene Yesowitch, Program Co-Chair, has a coverage and bad faith practice that includes litigation, coverage analysis, and other issues attendant to the business of insurance. During a hiatus from her firm, she spent seven years with Fireman's Fund Insurance Company, where she provided advice on bad faith litigation, e-commerce, marketing and many other issues.

Daniel M. Baxter is President and owner of his company. He has over 25 years of experience providing air quality assessments, bioaerosol and aerosol testing, and environmental research for commercial clients and government agencies. He invented the Air-O-Cell, and specializes in the assessment and analysis of environmental bioaerosol contamination in buildings.

Michael Childress practices insurance coverage, business litigation involving shareholder rights, commercial losses and real estate transactions. He has published numerous articles about these and related areas, including bad faith in mold claims. He is presently the Co-Chair of the American Trial Lawyers Association's Mold Litigation Group.

Howard M. Garfield maintains an active litigation practice that emphasizes securities litigation, employment litigation and counseling, the defense of all types of professionals, and other commercial and business disputes. He is a certified arbitrator of the American Arbitration Association, and is listed in *Who's Who in American Law*.

David Kahane manages consulting group operations and provides litigation support services with his company. Prior to founding Forensic Analytical, he spent four years in Washington, DC as a consultant to industrial hygiene firms and as an industrial hygienist for American Medical Laboratories.

Harry Lee litigates insurance coverage disputes and represents major insurers in complex coverage litigation involving environmental, toxic tort/products liability and malpractice matters. He also handles a variety of complex commercial disputes, including contract claims, Title VII discrimination claims, conflicting claims to real property and bankruptcy disputes.

Robert A. McGregor focuses on many aspects of litigation, including commercial and business matters; construction contracts and defects; civil RICO cases; insurance coverage and bad faith; health care; antitrust; products liability and real property litigation.

Aaron E. McQueen focuses on products liability and toxic torts. He has developed a national practice in the defense of mold claims. He also emphasizes medical device litigation, tire litigation, asbestos claims, and toxic tort litigation involving chemical exposure.

Arnold D. Purisch is a licensed clinical psychologist/neuropsychologist who has been in private practice since 1984. He focuses on neuropsychological and personality assessments, forensic neuropsychology, cognitive and psychosocial rehabilitation and psychotherapy. He is a Diplomate in Clinical Neuropsychology with the American Board of Professional Psychology and is a frequent lecturer and writer on these issues.

Jonathan S. Vick gained his experience as a trial attorney with the Office of the Solicitor, U.S. Department of Labor. He has hands-on construction experience in the roofing and waterproofing industry, which provides the background for his current focus on construction litigation. He has also completed training for hazardous waste operations and emergency response standards.

R. Patrick White returns to private practice after serving as Vice President of Claims-Legal Management for Fireman's Fund Insurance Company. In addition to managing a 200-lawyer in-house staff, he served as National Coordinating Counsel for insureds who had asbestos lawsuits pending in multiple jurisdictions. In this capacity, he successfully settled thousands of asbestos claims with virtually ever national plaintiff's firm.

Bruno Wolfenzon focuses on complex litigation, including construction cases, general negligence, wrongful termination and products liability matters. He has tried a number of cases in California and Nevada with successful defense results. He also develops individualized risk management programs for companies and groups.

Chin S. Yang has worked extensively with allergists, physicians, industrial hygienists, and health professionals on microbiology related problems in buildings and on Legionnaires disease outbreak investigations. In addition to running his laboratory, he teaches courses on investigating, assessing and mitigating microbiological contamination in buildings.

CLE International Program Attorney:
Heidi A. Ray, heidi@cle.com

conference information

Continuing Education Credit

MCLE: This course has been approved for 11 hours of MCLE credit by the State Bar of California, which includes one hour of ethics.

Real Estate: This course has been approved for 11 hours of continuing education by the California Department of Real Estate.

Appraisers: This course has been approved by the California Office of Real Estate Appraisers for 11 hours of continuing education credit.

Insurance: CLE INTERNATIONAL is a California Department of Insurance approved provider, #93181.

For accreditation in other jurisdictions or disciplines, please call CLE INTERNATIONAL at (303) 377-6600.

Registration

Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, or e-mail your registration to registrar@cle.com. Full payment is due at the time of registration. Walk-in registrations will be subject to space availability. Please call CLE INTERNATIONAL at (303) 377-6600 if you require any special accommodations.

Conference Location and Accommodations

The Conference will be held at the Century Plaza Hotel, 2025 Avenue of the Stars, Century City, Los Angeles, CA 90067. A block of rooms has been set aside for Conference attendees until April 16. For room reservations, please call Community World Travel at (888) 724-0500.

Tuition

The tuition fee of \$695 per person includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks. CLE INTERNATIONAL offers government group rates and special rates for nonprofit corporations, full-time judges and law students.

Save When Two Or More Register

Save \$200 or more with our multiple registrant discount! Tuition is only \$595 per person for two or more from the same firm.

Homestudy Package

CLE INTERNATIONAL also offers a complete audiocassette transcript of the Conference (including all course materials) for \$695 plus \$10 shipping and handling. This course qualifies for legal self-study credit.

Course Materials

Each registrant will receive a set of materials prepared by the speakers for this Conference that will serve as a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.

Cancellation Policy

Full 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 preceding the Conference. Substitutions may be made at any time.

About The Sponsor

CLE INTERNATIONAL, a leading provider of continuing education, has been presenting high-quality professional education programs nationwide since 1983. CLE INTERNATIONAL is a State Bar of California approved MCLE provider, and is approved in all states having mandatory continuing legal education requirements.

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YES! Please register the following:

Name: _____

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I cannot attend. Please send me:

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The Microbiology of Fungi and Molds in Indoor Environments
Evaluations of Neuropsychological and Psychiatric Disorders
Related to Mold Toxicity ...and much more!

