

## Mason Judicial Education Program

Presents

### Judicial Symposium on Scientific Evidence in the Courts

Sunday, April 22 to Tuesday, April 24, 2012

The Mason Inn Conference Center and Hotel

Campus of George Mason University, Fairfax, Virginia

Draft Agenda of December 16, 2011

(I) indicates Invited, but not confirmed

#### Sunday, April 22

6:00 to 8:00 Registration

6:00 to 8:00 Optional Meet & Greet Reception

#### Monday, April 23

7:00 to 7:45 Registration

7:00 – 7:45 Breakfast

#### 8:00 Welcome

Daniel Polsby, Professor and Dean, George Mason University School of Law  
Henry N. Butler, George Mason University Foundation Professor of Law, and  
Executive Director, Law & Economics Center

D. Bruce Johnsen, Professor of Law and Director, Mason Judicial Education  
Program

#### 8:10 – 12:00 Opening Lectures on Scientific Methodology

Professor James Trefil, Robinson Professor of Physics, George Mason University

8:10 - 9:15 **The Scientific Method**

9:45 - 10:45 **Elements of Scientific Decision Making**

11:00 - 12:00 **The History of the Use of Expert Witnesses**

#### 12:00 – 1:45 Luncheon Panel Discussion: Perspectives on *Daubert*

Panelists:

Richard O. Faulk, Gardere Wynne Sewell LLP, Houston, Texas

Scott Summy, Baron and Budd, Dallas, Texas

Moderator:

David E. Bernstein, George Mason University Foundation Professor of Law,  
George Mason School of Law, Arlington, Virginia

- 2:00 – 3:30 Low-Dose Exposure and Causation**  
Benzene  
R. Dean Hartley, Hartley & O'Brien, Wheeling, West Virginia  
Lawrence P. Riff, Steptoe & Johnson, Los Angeles, California  
Asbestos  
Bryan Blevins, Provost Umphrey, Beaumont, Texas  
Mark A. Behrens, Shook, Hardy & Bacon, Washington, DC  
Moderator:  
David E. Bernstein, George Mason University Foundation Professor of Law,  
George Mason School of Law, Arlington, Virginia
- 4:00 to 5:30 Medical Monitoring**  
Welding Rods  
(I) Elizabeth J. Cabraser, Lief Cabraser Heimann & Bernstein, LLP, San Francisco  
John H. Beisner, Skadden, Arps, Slate, Meager & Flom, Washington  
Neighborhood Environmental Exposure Cases (including Hexavalent Chromium)  
Dennis C. Reich, Reich & Binstock, Houston, Texas  
(I) Robert Meadows, King & Spalding, Houston, Texas  
Moderator  
David E. Bernstein, George Mason University Foundation Professor of Law,  
George Mason School of Law, Arlington, Virginia
- 6:00 Reception
- 6:30 Keynote Dinner Address: Post-Mortem on Scientific Evidence in the Vioxx Cases**  
Speaker:  
W. Mark Lanier, The Lanier Law Firm, Houston, Texas  
Commentary:  
Joe Hollingsworth, Hollingsworth LLP, Washington  
Moderator:  
D. Bruce Johnsen, Director, Mason Judicial Education Program
- 7:15 Dinner

**Tuesday, April 24**

- 7:30 to 8:15 Breakfast
- 8:30 to 9:30 Case Study: Scientific Evidence in Hydraulic Fracturing Litigation**  
Plaintiff's Attorney: TBD  
Beverlee Silva, Alston & Bird, Atlanta, Georgia  
Moderator:  
Richard O. Faulk, Gardere Wynne Sewell LLP, Houston, Texas
- 9:45 to 10:45 Case Study: Bisphenol A (BPA)**  
Plaintiff's attorney  
James L. Stengel, Orrick, New York

**10:45 to 11:15** *Break and Hotel Check-Out*

**11:15 to 12:30** **Regulatory Science: Politicization of Science or Scientization of Policy?**

**Panel Organized by Regulatory Studies Center, George Washington University**

Alan B. Morrison, Lerner Family Associate Dean for Public Interest and Public Service Law; Professorial Lecturer in Law, George Washington University School of Law

Dr Richard B. Belzer, President, Regulatory Checkbook, Mt. Vernon, Virginia

David Goldston, Director, Government Affairs, Natural Resources Defense Council

Moderator:

Susan E. Dudley, Director, Regulatory Studies Center, and Research Professor, Trachtenberg School of Public Policy & Public Administration, George Washington University

12:30 Noon                      Adjourn and Departure

12:40                              Buses Depart for Reagan National and Dulles