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Transitioning to Business Torts: Types of Cases, Case Selection, and Other Considerations

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Instructions

To access the teleseminar, please follow the instructions below:

Conference Date: Thursday, November 9, 2006

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Time: 2:00 pm -3:30 pm

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Agenda

Introductory Remarks

Kirk Reasonover | New Orleans, LA

Breach of Fiduciary Duty

Matthew A. Cartwright | Plains, PA

Unfair Methods of Competition

Bruce Simon | Burlingame, CA

Intellectual Property

Elizabeth Ann "Betty" Morgan | Atlanta, GA

Case Screening and Prefiling Considerations in Business Tort Cases

Colleen Duffy Smith | San Jose, CA

Questions and Answers

Adjourn

Materials*

NEW! Breach of Fiduciary Duty

Download Paper: [PDF](#)

The Nuts and Bolts of Business Torts

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Fiduciary Responsibility—Breach of Fiduciary Duties by Professionals

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An Introduction to Business Tort Cases—Intellectual Property

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Case Screening and Prefiling Considerations in Business Tort Cases

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As of January 1, 2004, a late fee of \$20 will be assessed for each certificate received by ATLA Education three months or more after the completion of a program. ATLA's CLE Administrator will process any late certificate with the additional payment of the requisite fee.

Faculty

Matthew A. Cartwright concentrates his practice in business litigation. He is board certified in Civil Trial Advocacy by the National Board of Trial Advocacy, is a Fellow of ATLA's National College of Advocacy, and has received an "AV rating by his peers in Martindale-Hubbell. Mr. Cartwright is the Vice Chair of ATLA's Sections Leadership Council and Chair-Elect of the Business Torts Section. He is also a member of the American Board of Trial Advocates, the Pennsylvania Trial Lawyers Association, the Million Dollar Advocates Forum, and numerous other organizations. He is a legal analyst for the CBS-affiliate television station, WYOU-TV and is a frequent speaker on business tort issues. Mr. Cartwright is a partner at Munley Munley & Cartwright, PC in Wilkes-Barre, Pennsylvania.

Elizabeth Ann "Betty" Morgan concentrates her trial practice on the enforcement and defense of trademark rights, trade secrets, copyrights, covenants-not-to-compete and patents. She also advises clients about their respective IP rights in situations involving traditional, as well as e-commerce. She assists clients with branding issues, including trademark selection, as well as protection and licensing of other forms of intellectual property. Ms. Morgan teaches Trial Techniques at Emory University School of Law, has spoken to the Conference of Florida Circuit Court Judges on noncompetition issues, has taught trademarks and trade secrets as adjunct faculty at the University of Miami School of Law and has lectured extensively on intellectual property issues. She is a qualified expert witness on trademark issues. Ms. Morgan is board certified by the Florida Bar as a specialist in business litigation. Ms. Morgan has received a number of awards and professional recognition and is a member of the firm of Epstein Becker & Green, PC in Atlanta, Georgia.

Kirk Reasonover works primarily in the area of commercial litigation and arbitration. His litigation experience includes cases involving breach of fiduciary duty, fraud and mismanagement, and corporate control. He represents clients in arbitration proceedings before the NASD and American Arbitration Association, and he has represented creditors and debtors in numerous bankruptcy and lien foreclosure proceedings. He has also been active in disputes involving franchises, intellectual property, including trademarks, copyrights, and computer software. Mr. Reasonover is the Chair of the Business Torts Section of ATLA. He previously served as Chair of ATLA's securities subcommittee. He has lectured at seminars on electronic evidence, cross-examination, and securities arbitration. He has been a member of the Public Investors Arbitration Bar Association since 2001 and is Chairman of its amicus curiae committee. The Reasonover Law Firm is located in New Orleans, Louisiana.

Bruce Simon specializes in complex business litigation, including antitrust, unfair competition, securities and investment fraud, intellectual property, and professional negligence. A substantial portion of his practice has been dedicated to antitrust and securities fraud and he has been designated lead counsel in several nationwide antitrust and securities class actions. Mr. Simon is the Chair of the California State Bar Antitrust and Unfair Competition Section, the immediate Past-Chair of the Business Torts Section of ATLA, he is on the Board of the Northern

California Chapter of the Association of Business Trial Lawyers, serves on the Board of Directors of the Hastings College of the Law, and also serves annually as a regular panelist for California Continuing Education of the Bar on Recent Developments in The Law. Mr. Simon has published a book on antitrust and unfair competition, entitled *Matthew Bender Practice Guide: California Unfair Competition and Business Torts*. He is a frequent speaker on trial strategies in business cases, and has lectured throughout the U.S. on complex litigation. Mr. Simon is a partner at Cotchett, Pitre, Simon & McCarthy in Burlingame, California.

Colleen Duffy Smith is an experienced trial lawyer. Her practice has included the representation of consumers in nationwide and statewide fraud and products cases, as well as shareholders in securities fraud class actions. She also represents individuals who have been seriously injured or damaged as a result of civil rights violations, elder abuse, defective products, and professional negligence. Ms. Duffy Smith is a member of ATLA's Business Torts Section, Chair Consumer Fraud Subcommittee, and Mentor Program, a member of the Santa Clara County Trial Lawyers, a member of the Santa Clara County Bar Association, a member of the Consumer Attorneys of California, and a member of the Million Dollar Advocates Forum. Ms. Duffy Smith is a frequent speaker on trial skills and is a partner at McManis Faulkner & Morgan in San Jose, California.

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