



## Registration & Breakfast

No reservations are necessary to attend this free symposium. Registration runs from 8:30 to 8:50 on the day of the symposium. A continental breakfast will be served.

## Pending CLE Credit

The sponsors of this program have applied for 6 hours of continuing legal education (CLE) credit in Kansas and Missouri. Persons wishing to receive CLE credit can register at the door and obtain materials. There is no charge.

To confirm CLE credit approval prior to the symposium date, please contact Todd Rogers at (785) 864-9257 or by e-mail at [tarogers@ku.edu](mailto:tarogers@ku.edu).

Green Hall  
1535 W. 15th Street  
Lawrence, KS 66045-7608

**KU** SCHOOL  
OF LAW  
The University of Kansas

KANSAS LAW REVIEW  
2009 SYMPOSIUM



# Aggregate Justice

Perspectives 10 Years After  
*Amchem* and *Ortiz*

Friday, October 30  
Green Hall  
University of Kansas  
Lawrence, KS

# About the Symposium

The Kansas Law Review's 2009 Symposium explores the state of aggregate justice one decade after the Supreme Court last issued guidance on the boundaries and meaning of the federal class action rule, in *Amchem* and *Ortiz*. While the complexities of mass litigation and the demand for aggregate solutions persist, the world hardly has remained static since those decisions: Federal Rule 23 itself has been amended, Congress has enacted the Class Action Fairness Act and, most recently, the American Law Institute has promulgated its Principles of Aggregate Litigation. And beyond those obvious game-changers lie more subtle trends and complications.

The renowned set of speakers participating in this symposium will reflect on the lingering impact of *Amchem* and *Ortiz*. They will address timely and intriguing topics such as the ethical challenges inherent in mass settlements, the enduring vitality of the punitive damages class action, the empirical evidence of a shift from federal mass tort class actions to multidistrict litigation, the availability of collateral attack based on the adequacy of class representation, the impact of CAFA on state class actions, the disparities between federal and state class actions, and the very nature of cohesiveness in litigation.

# Schedule & Speakers

8:50 to 9 am Welcome & Introduction

Gail B. Agrawal, Dean & Professor of Law, University of Kansas School of Law

Laura J. Hines, Professor of Law, University of Kansas School of Law

9 to 10:20 am



**THOMAS E. WILLGING**

Senior Researcher, Federal Judicial Center

“From Classes to Multidistrict Consolidations: Documenting Some Shifts in Aggregate Mass Tort Litigation after *Ortiz*”



**STEVEN S. GENSLER**

Welcome D. and W. DeVier Pierson Professor of Law, University of Oklahoma College of Law

“The Other CAFA Effect: State-Court Class Actions after the Resettlement Plan”

10:20 to 10:30 am Break

10:30 to 11:15 am



**LAURA J. HINES**

Professor of Law, University of Kansas School of Law

“The State of State Class Actions”

11:15 am to noon



**LINDA S. MULLENIX**

Morris and Rita Atlas Chair in Advocacy, University of Texas School of Law

“Nine Lives: The Punitive Damage Class”

Noon to 1:15 pm Lunch Break

1:15 to 2 pm



**ELIZABETH CHAMBLEE BURCH**

Assistant Professor of Law, Florida State University College of Law

“Aggregation, Community, and the Line Between”

2 to 2:45 pm



**PATRICK WOOLLEY**

Beck, Redden & Secrest Professor, University of Texas School of Law

“The ALI and the Adequate Representation Requirement”

2:45 to 3:30 pm



**HOWARD M. ERICHSON**

Professor of Law, Fordham University School of Law

“The Trouble with Defendants’ Insistence on Comprehensive Settlements”

3:30 to 4:30 pm Reception

Papers presented at this symposium will be published in the Kansas Law Review, Volume 58, Issue 4, April 2010. For more information about the articles or to order a copy of the symposium edition, please contact Shane McCall, symposium editor, at [shanemccall@gmail.com](mailto:shanemccall@gmail.com) or (785) 864-3463.

