

Consumer Class Action Symposium 2021



Please use the links below to access the 2021 Consumer Class Action Symposium Sessions.

Click here to access all materials for the 2021 Consumer Class Action Symposium.

Click here for a list of all of the Consumer Class Action Symposium speakers and their bios.

December 13, 2021

1pm- 2:15pm

Class Action Symposium Workshop 1: Winning Your Motions Through Effective Oral Advocacy

Click HERE to watch the recorded Session!

Session Survey

- With over 90% of all civil cases settling before trial, motion practice has become even more important than ever in consumer litigation. The outcomes of contested motions often constitute the tipping points in our cases. How can our oral motion advocacy be better prepared and delivered? This session will explore skills and strategies we all can use to improve our success rates at our motions hearings with Emmy Levens, a partner at Cohen Milstein's Antitrust practice group with a particular expertise in complex litigation and class actions.
- **Speakers:** Emmy Levens (Cohen Milstein), Joseph M. Sellers (Cohen Milstein), Michelle C. Yau (Cohen Milstein), Adam Zapala (Cotchett, Pitre & McCarthy, LLP)
- **Moderator:** Stuart Rossman (National Consumer Law Center®)

December 14, 2021

1-2:15pm

Diversity, Equity, and Inclusion Session

Click HERE to watch the recorded Session!

- **Speaker:** Llezlie Green (American University Washington College of Law)
- **Moderator:** Stuart Rossman (National Consumer Law Center®)

5pm-6:15pm

Class Action Symposium Workshop 2: Winning Your Motions Through Effective Written Advocacy

Click [HERE](#) to watch the recorded Session!

Session Survey

- Improving our written advocacy skills in an adversarial context like consumer litigation presents unique challenges and opportunities to prevail. This session will be tailored to address how we can become better drafters of trial court motions and briefs. The session will include a lecture by Matt Wessler, a principal at Gupta Wessler PLLC and Supreme Court advocate.
- **Speakers:** Matt Wessler (Gupta Wessler, PLLC)
- **Moderator:** Charles Delbaum (National Consumer Law Center®)

December 15, 2021

4:15pm-6:30pm

Class Action Symposium Workshop 3: Making ESI an Integral Part of Your Litigation Practice

Click [HERE](#) to join the Zoom Session!

Session Survey

- Electronically Stored Information (“ESI”) has become a critical part of consumer litigation. How you manage that discovery in your practice can be a significant issue. Do you handle it in-house, purchase specialized software programs, engage a consultant or outsource your requirements? How do you preserve and prepare the plaintiff’s ESI? How do you obtain and manage defendant’s databases? This session will explore these questions, led by Christine Webber, a partner at Cohen Milstein’s Civil Rights & Employment practice group where she organizes large, high-profile class and collective actions and works closely with economic and statistical experts on developing sophisticated statistical analyses of class claims.
- **Speakers:** Christine Webber (Cohen Milstein Sellers & Toll PLLC), Robert Schug, Heather Leonard, Katherine E. Charonko (Bailey Glasser)
- **Moderator:** Stuart Rossman (National Consumer Law Center®)

December 16, 2021

11am-12:15pm

Class Action Symposium Session 1: Evidentiary Challenges in Certifying Class Actions

Click [HERE](#) to join the Zoom Session!

Session Survey

- The standards for certifying class actions have become stricter, with enhanced burdens of proof and a greater focus on the merits of the case. Creating an effective and successful record for class certification often requires the admission of significant, sophisticated evidence. Therefore, changes in the rules of evidence can have an important impact on one's litigation strategy. This session will cover relevant recent developments in evidence law, including, but not limited to, the use of market surveys, proposed amendments to Rule 702 of the Federal Rules of Evidence regarding expert witnesses and the admissibility of electronic evidence with a panel of accomplished class action trial attorneys and academics well versed in complex litigation issues.
- **Speakers:** Maria Glover (Georgetown Law), Jason Lichtman (Lief Cabraser Heimann & Bernstein), E. Michelle Drake (Berger & Montague, PC)
- **Moderator:** Stuart Rossman (National Consumer Law Center®)

1pm - 2:15pm

Class Action Symposium Session 2: Hot Topics in Class Actions

Click [HERE](#) to join the Zoom Session!

Session Survey

- This session will cover a potpourri of timely class action issues, including: Injunctive relief after *TransUnion v. Ramirez*; c(4) Issue Classes; Obtaining Class Certification When Some Class Members Haven't Been Injured; Personal Jurisdiction Issues in Class Certification; Attacks on Cy Pres Awards.
- **Speakers:** Janet Varnell (Varnell & Warwick), Seth Lesser (Kafter Lesser LLP), Scott Nelson (Public Citizen Litigation Group)
- **Moderator:** Charles Delbaum (National Consumer Law Center®)

3pm - 4:15pm

Class Action Symposium Session 3: Trial Preparation Issues

Click [HERE](#) to join the Zoom Session!

Session Survey

- Trial preparation is always demanding, but never more so than when a jury will be asked to determine if plaintiff has proven class-wide liability on the merits and also damages. This session will cover the preparation of motions in limine, demonstrative evidence, and jury instructions and jury verdict forms specially crafted to reflect class issues. Panelists will address not only persuading the jury, but creating a record that will withstand appeal. Issues regarding class members' standing and maintaining class certification throughout trial will also be discussed. In addition to trial preparation generally, panelists will discuss preparation issues encountered in a class trial that resulted in a \$60,000,000 verdict.
- **Speakers:** Dan Birkhaeuser (Bramson, Plutzik, Mahler & Birkhaeuser, LLP.), Abbas Kazerounian (Kazerouni Law Group, PC), John Soumilas (Francis Mailman Soumilas, PC)
- **Moderators:** Stuart Rossman (National Consumer Law Center®)

5pm-6:30pm

Class Action Symposium Session 4: Ethical Considerations Under the NACA Class Action

Guidelines

Click [HERE](#) to join the Zoom Session!

Session Survey

- Beginning in 1997, the National Association of Consumer Advocates (“NACA”) has promulgated Standards and Guidelines for Litigating and Settling Consumer Class Actions (“Guidelines”) which are intended to be a consensus of ethical and effective class action practices to be followed by its membership. The Guidelines have been amended over time to reflect evolving challenges in consumer class action practice and currently are in the process of being updated. This session, will be presented by members of the NACA drafting committee and will cover some of the current issues to be addressed in the revised Guidelines including, but not limited to, objectors, service awards, special treatment of class actions involving residential properties and the reverter of residual settlement funds.
- **Speakers:** Leah Nicholls, Mike Quirk (Motley Rice), Stuart Rossman (National Consumer Law Center®)
- **Moderator:** Charles Delbaum (National Consumer Law Center®)