

Health Law Developments & Trends

Tuesday, October 11, 2011

REGISTRATION

The registration fee of \$250 includes materials, refreshment breaks, parking and lunch. Please complete the attached registration form and mail with a check made payable to Indiana University. The program will carry six hours of Indiana CLE credit (including 1.0 hour of ethics credit). **You must include your attorney number if you wish to receive CLE credit.** If you seek CLE credit in another state, contact that state's continuing legal education commission. Registrations should be mailed to the address below. **Registrations must be received by Tuesday, October 4, 2011. Cancellations after Tuesday, October 4, 2011 will not be refunded. To pay by credit card, please register online. Questions? Call 317-278-4789.**

Online registration available at:
http://indylaw.indiana.edu/CLE/annualcle_reg.htm

REGISTRATION FORM

Please print or type clearly

Name _____

Firm _____

Address _____

City _____ State _____ Zip _____

Phone _____

E-mail (required) _____

Attorney # _____

I will need a vegetarian meal.

Return completed form, with a check for \$250 made payable to Indiana University, to:
Shaun Dankoski
IU School of Law-Indianapolis
Lawrence W. Inlow Hall
530 West New York Street
Indianapolis, IN 46202

LOCATION

The conference will be held at the IU School of Law-Indianapolis, 530 West New York Street, Indianapolis, IN 46202.

PARKING

Parking is available on a first come, first served basis in **lot #85 immediately west of the law school** (no permit necessary).

HOTEL RECOMMENDATIONS NEAR THE LAW SCHOOL

Courtyard Capitol (Marriott)

320 N. Senate Ave
Indianapolis, IN 46202.
Marriott reservation line at 800-321-2211
Direct number: (317) 684-7733
www.marriott.com

The University Place Conference Center

850 West Michigan Street
Indianapolis, IN 46202
(317) 269-9000 or Toll Free: 800-627-2700
upreserv@iupui.edu
www.universityplace.iupui.edu

DISABILITY

Individuals with disabilities who need special assistance, please call (317) 278-3400. Special arrangements can be made to accommodate most needs.



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Lawrence W. Inlow Hall
530 West New York Street
Indianapolis, IN 46202

ANNUAL CONTINUING LEGAL EDUCATION PROGRAM

Health Law Developments & Trends

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6.0 hours of CLE credit, including 1.0 hour of ethics credit (pending approval)

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INDIANA UNIVERSITY
SCHOOL OF LAW-INDIANAPOLIS
IUPUI

PROGRAM

- 8:15 – 8:45 a.m.** Registration
- 8:45 – 9:00 a.m.** Welcome and Introductions
- 9:00 – 10:00 a.m.** Foreign Corrupt Practices Act—Where We Are and Where The Government Is Going
Tim Pratt, Executive Vice President, Chief Administrative Officer, General Counsel and Secretary for Boston Scientific
Ralph Hall, University of Minnesota School of Law
- 10:00 – 11:00 a.m.** Electronic Medical Records: Flavors of Regulation, From Privacy, Meaningful Use, and Products Liability to Device Regulation
Professor Nicholas Terry, St. Louis University School of Law
- 11:00 – 11:15 a.m.** Break
- 11:15 a.m. – 12:15 p.m.** Navigating The 21st Century Patent Terrain In a Global Innovation Economy
Teresa Stanek Rea, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the U.S. Patent and Trademark Office
- 12:15 – 1:15 p.m.** Lunch (*no speaker, boxed lunch provided*)
- 1:15 – 2:15 p.m.** Federal Preemption of State Law: The Supreme Court's Moving Target
Mary Davis, Stites and Harbison Professor of Law, University of Kentucky College of Law
- 2:15 – 2:30 p.m.** Break
- 2:30 – 3:30 p.m.** The End of AIDS—When? How?
John McGoldrick, International AIDS Vaccine Initiative
- 3:30 – 4:30 p.m.** Update of Indiana Lawyer Discipline Cases (*1.0 hours of Indiana Ethics credit*)
G. Michael Witte, '82, Indiana Disciplinary Commission

Foreign Corrupt Practices Act—Where We Are and Where The Government Is Going



TIM PRATT

Executive Vice President, Chief Administrative Officer, General Counsel and Secretary for Boston Scientific

Tim Pratt joined Boston Scientific in 2008 and is responsible for worldwide management of Boston Scientific's Legal functions. He also has responsibility for Global Regulatory Affairs, Global Quality, Government Affairs, Human Resources, Health Economics and Reimbursement, and Corporate Communications for the company. He is a member of the Board of Directors for the Advanced Medical Technology Association ("AdvaMed"), where he also serves on the Executive Committee. AdvaMed advocates for a legal, regulatory and economic environment that advances global health care. He is also a Director on the Board for the New England Legal Foundation, a not-for-profit public interest organization whose mission is promoting public discourse on the proper role of free enterprise in our society and in the courtroom. Pratt is a member of the Association of Corporate Counsel and the General Counsel Roundtable. He is also active in the Federation of Defense and Corporate Counsel, where he serves on the Board and Executive Committee. Prior to joining Boston Scientific, he was a partner and trial attorney with the law firm of Shook, Hardy & Bacon. While there, he was named a Leading National Products Liability Lawyer by *Chambers USA*, one of the Top 500 Litigators in America by *Lawdragon*, and one of the *Best Lawyers in America*. He received his BA degree at Tarkio College and graduated Order of the Coif from Drake University Law School, where he served as editor-in-chief of the *Drake Law Review*. After graduating, he was law clerk to Judge Floyd R. Gibson of the U.S. Court of Appeals for the Eighth Circuit.



PROFESSOR RALPH HALL, J.D.

Distinguished Professor & Practitioner, University of Minnesota School of Law

Ralph F. Hall is also Counsel to the Indianapolis, Indiana law firm of Baker & Daniels where he counsels clients in the area of drug and medical device regulation and corporate compliance. He also serves as CEO of MR3 Medical LLC, a start-up medical device company. Previously, Professor Hall served in various capacities with Guidant Corporation including Senior Vice President and Deputy General Counsel—Litigation and Compliance and General Counsel of the Cardiac Rhythm Management group. He also served as Special Counsel to the Guidant Board of Directors Compliance Committee and as Counsel to the Guidant Chief Compliance Officer. Prior to joining Guidant, he was with Eli Lilly and Company, including serving as the head of Lilly's worldwide environmental law group. Professor Hall received his B.A. from Indiana University in 1974 and his J.D., cum laude, from the University of Michigan where he was a Weymouth Kirkland Scholar. Professor Hall's interests include FDA regulation, corporate compliance, negotiations and ADR, intellectual asset management, the interface between corporate practice and the academic world, and nanotechnology.

Electronic Medical Records: Flavors of Regulation, From Privacy, Meaningful Use, and Products Liability to Device Regulation



NICOLAS P. TERRY

Chester A. Myers Professor of Law, Saint Louis University School of Law

Nicolas P. Terry is the Chester A. Myers Professor of Law at Saint Louis University School of Law where he teaches Torts, Products Liability, Health Information Technology, Law & Science, and Health Care Quality. Educated at Kingston University and the University of Cambridge, Professor Terry began his academic career as a member of the law faculty of the University of Exeter in England. He has served as a Senior Fellow at Melbourne Law School and held visiting faculty positions at the law schools of Santa Clara University, the University of Missouri-Columbia, Washington University, and the University of Iowa. From 2000-08 Professor Terry served as co-director of Saint Louis University's Center for Health Law Studies. From 2008-10 Terry served as the School of Law's Senior Associate Dean. Professor Terry's research interests lie primarily at the intersection of medicine, law, and information technology.

Navigating The 21st Century Patent Terrain In a Global Innovation Economy



TERESA STANEK REA

Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the U.S. Patent and Trademark Office

Teresa Stanek Rea joined the U.S. Patent and Trademark Office (USPTO) in 2011 as Deputy Director. She oversees an office that encourages innovation and technological advancement, and helps businesses protect their investments, promote their goods and safeguard against deception in the marketplace. She is a leading attorney in the field of intellectual property with more than 25 years of legal experience and a past president of the American Intellectual Property Law Association (AIPLA). Before joining the USPTO, Rea was a partner in Crowell & Moring LLP's Washington, D.C., office where she focused on intellectual property and dispute resolution related to pharmaceutical, biotechnology and other life science issues. She has experience in drafting infringement and validity opinions, as well as experience in interference and licensing matters. She also worked for Ethyl Corporation from 1980 through 1984 and for patent boutique firm Burns, Doane, Swecker & Mathis in Alexandria, Va. Rea is a member of many technical and legal associations and has been a frequent lecturer and publisher on patent topics including biotechnology, nanotechnology, licensing, technology transfer, patent practice, export control and interferences. She received her JD degree from Wayne State University and a BS degree in pharmacy from the University of Michigan.

Federal Preemption of State Law: The Supreme Court's Moving Target



MARY DAVIS

Stites and Harbison Professor of Law, University of Kentucky College of Law

Mary J. Davis is the Stites and Harbison Professor of Law at the University of Kentucky College of Law. She writes predominately in the field of products liability and is co-author of the textbook *Products Liability and Safety: Cases and Materials* (6th ed. 2010). She is currently working on a multi-volume products liability treatise, *The Law of Products Liability*, forthcoming in 2012. She has written extensively in the area of federal preemption of products liability laws. Her articles have appeared in such journals as the *Hastings Law Journal*, *Boston College Law Review*, the *University of Pittsburgh Law Review*, the *Wake Forest Law Review*, and the *Tennessee Law Review*. She has been a visiting professor of law at the University of Texas School of Law, Boston College Law School, William and Mary College of Law and Wake Forest University School of Law. Prof. Davis is a 1985 *magna cum laude* graduate of the Wake Forest School of Law, where she served as Managing Editor of the *Law Review*, and a 1979 cum laude graduate of the University of Virginia. She joined the UK faculty in 1991 after six years of a litigation defense practice, predominantly in products liability, for the law firms of Womble, Carlyle, Sandridge & Rice in Winston-Salem, North Carolina and McGuire, Woods, Battle, & Boothe in Richmond, Virginia. She is an elected member of the American Law Institute since 2001 where she served on the Members Consultative Groups for the Restatement (Third) of Torts and Aggregate Litigation Projects.

The End of AIDS—When? How?



JOHN MCGOLDRICK

Chairman, Zimmer Holdings; Special Adviser, International AIDS Vaccine Initiative

John McGoldrick is currently Chairman of Zimmer Holdings (ZMH:NYSE), the global leader in orthopedic reconstructive products. He is also Special Adviser to the International AIDS Vaccine Initiative (IAVI), a global non-profit focused on finding a vaccine to prevent HIV/AIDS, and Chairman of the Governor's Council on Higher Education (NJ). He maintains a selective consulting practice counseling corporate boards, as well as in mediation and arbitration. Previously, he was the Executive Vice President of Bristol-Myers Squibb Company, where among other duties he was President of the Medical Devices Group, Vice Chair of the Executive Committee, head of Corporate Strategy, and General Counsel. Before that he was a Senior Partner and Executive Committee Member at the law firm McCarter & English. He continues to serve as director or trustee of various public and private boards, maintaining his long interest in education, transportation, law, and public health. He is a graduate of Harvard and the Harvard Law School, and has taught and written on various subjects.

Update of Indiana Lawyer Discipline Cases



G. MICHAEL WITTE, '82

Indiana Disciplinary Commission

G. Michael Witte was the first Asian American to serve as judge in Indiana. His 25 year judicial career included service as Judge Pro Tem of the Wayne Superior Court No. 1; Judge of the Dearborn Superior Court No. 1; and Judge of the Dearborn County Court. He received both his B.A. and J.D. degrees from IU, served as President of the Indianapolis law school's Alumni Board in 2009, and was honored in 2008 by the IUAA as its Distinguished Asian Alumni. He is a graduate of the Indiana Judicial College, the Graduate Program for Indiana Judges, and a former member of the Indiana Commission on Courts. He is currently chair of the ABA Judicial Division and served as Chairman of the ABA National Conference of Specialized Court Judges. Witte joined The National Judicial College faculty in 1994. In addition, he has served as faculty for programs presented by the American Bar Association, National Highway Traffic Safety Administration, the National Center for State Courts, the National Criminal Justice Association, the Indiana Judicial Center, and the Indiana Continuing Legal Education Forum. Witte's teaching experience is primarily in the field of impaired driving and traffic court administration.

Moderator

ANDREW R. KLEIN, J.D.

Paul E. Beam Professor of Law
Indiana University School of Law – Indianapolis
Chief of Staff, Office of the Chancellor of IUPUI

Andrew R. Klein joined the law school in 2000, after eight years on the faculty at Samford University's Cumberland School of Law. Before entering the academy, Professor Klein practiced law with the Chicago firm of Sidley & Austin, specializing in products liability litigation involving pharmaceutical products. He earned his B.A. with distinction in journalism and economics from the University of Wisconsin and a J.D. with distinction from Emory University School of Law, where he studied as a Robert W. Woodruff Fellow in Law and was editor-in-chief of the *Emory Law Journal*. Following law school, Professor Klein served as a law clerk to Judge Joseph W. Hatchett of the U. S. Court of Appeals for the Eleventh Circuit. A member of the Illinois bar and the American Law Institute, Professor Klein also serves as Reporter for the U.S. Court of Appeals for the Seventh Circuit Civil Jury Instructions Committee. He is co-author of a casebook, *Torts: Cases, Problems and Exercises* (Lexis/Nexis 2nd ed. 2005). In addition to being an active scholar, Professor Klein is a dedicated classroom teacher who has won eight student teaching awards during his career. Professor Klein also is a national lecturer on tort law for BarBri Bar Review.

Thank you to the law school's Hall Center for Law and Health and Center for Intellectual Property Law and Innovation for their support of this program.