

# CLAN

COMMERCIAL LITIGATION ASSOCIATION

Patron: Right Honourable The Lord Woolf of Barnes

## **The Commercial Litigation Association Annual Conference**

### **Practical Challenges for Modern Commercial Litigators**

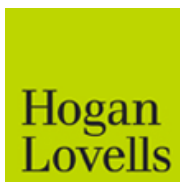
**With Keynote Address**

**by**

**Lord Justice Jackson**

**Monday 12<sup>th</sup> March 2012**

**Registration from 8:30am**



**Hogan Lovells LLP**

Atlantic House, 50 Holborn Viaduct,  
City of London EC1A 2FG

**CPD Registered with the SRA for 5 hours**

**To Register Interest in this Seminar or CLAN Membership please contact:**

[MarkBeaumont@JustCosts.com](mailto:MarkBeaumont@JustCosts.com)

#### **The Commercial Litigation Association (CLAN)**

represents all those with an interest in commercial litigation. Membership is open to the judiciary, solicitors, barristers, trainees, pupils, academics and those in the commercial world who have an interest in this market.

#### **Who Should Attend?**

- Commercial Litigators
- Department Heads & Managers
- Barristers
- Funders
- In-house Counsel
- Heads of Compliance



- 8:30 Registration & Coffee
- 9:00 Welcome by Tony Guise, Chairman of CLAN and Director of GUISE Solicitors  
Followed by CLAN AGM
- 9:35 **Keynote Address: Lord Justice Jackson**
- 10:00 **The Reform Debate:** Debate the issues raised by Lord Justice Jackson  
*An expert panel including Prof Dominic Regan,  
David Bedenham of 4-5 Gray's Inn (Argentum Funding) Moderated by Tony Guise*
- 11:00 **Hot-tubbing is Coming: Are you Ready?**  
Manchester Civil Justice Centre has been piloting this new approach to expert evidence for almost a year. Learn how it is working in practice. Contributions from Gascoigne Halman Surveyor and John Seed of The Brown Rural Partnership  
*Moderator: Tony Guise*
- 11:30 Coffee break provided courtesy of our partners at **Abbey ATE Insurance**
- 12:00 **Litigation Funding: Perspectives from the Civil Justice Council Working Group**  
- A Litigation Funder's Perspective: Susan Dunn, Harbour Litigation Funding  
- An Insurer's Perspective: Rocco Pirozzolo, QBE Insurance (Europe) Ltd  
- A Lawyer's Perspective: Michael Napier CBE, Irwin Mitchell LLP  
- Q&A / Debate  
Moderated by Rachael Mulheron, Department of Law, Queen Mary University, London
- 1:00 Lunch provided courtesy of our partners at **Hogan Lovells**
- 2:00 **e-Working:** An update following the opening of the Rolls Building in October 2011.  
*Mark Beer from the DIFC Courts: eRegistry and the expanded DIFC Courts jurisdiction.  
Judge Herbert B. Dixon, Jr. of the Superior Court of Washington DC participating by video link. Moderated by Tony Guise.*
- 2:45 **e-Disclosure Workshop**  
Managing e-disclosure and expectations effectively and efficiently, with contributions from Forensic Experts and others, including Mark Surguy of Eversheds and Phil Beckett (Managing Director of Disputes & Investigations at Navigant)  
*Moderator: Dipti Hunter, DAC Beachcroft*
- 3:30 Afternoon tea provided courtesy of our partners at **Just Costs Solicitors**
- 3:45 **Costs Management Workshop**  
A panel of experts from private practice, the in house sector and the Judiciary will debate how costs management may introduce new imperatives into the litigation Process: *HHJ Simon Brown, Nina Barakzai (EMEA Privacy & Ethics Counsel for Dell Corporation), and Paul Shenton (Solicitor, Barrister and MD of Just Costs Solicitors)*
- 4:30 **CLAN's programme of work for 2012/2013**  
Our Chairman, Tony Guise, will lead the discussion
- 5:00 Networking Reception hosted by **Argentum Litigation Funding**



## Speakers and Moderators

**Lord Justice Jackson** has been a Lord Justice of Appeal since 2008 and was called to the Bar in 1972. In January 2009 he was asked by the Master of the Rolls to undertake a comprehensive review of civil litigation costs. He is a member of the Judicial Steering Group on implementation of the review. He has been an editor of the White Book since 2000 and editor-in-chief since 2010. Lord Justice Jackson is married with three daughters.

**Nina Barakzai** is EMEA Privacy & Ethics Counsel for Dell Corporation Ltd. She served as a Board Member on the International Federation of Accountants International Ethics Standards Board. She sits on the Chartered Institute of Management Accountants' (CIMA) Professional Standards Committee and the CIMA Research Advisory Group. Nina is Chair of the C&I Group and also Chair of the C&I Corporate Governance Committee. She is a Fellow of the Chartered Institute of Management Accountants, was admitted as a Solicitor in March 2000, is a Fellow of the Chartered Institute of Arbitrators and is an Accredited Mediator. She serves as Trustee for two small community charities.

**Phil Beckett** is Managing Director of Disputes & Investigations at Navigant. Leading the European forensic technology and electronic discovery services, he specialises in advising clients in relation to the preservation and investigation of digital evidence, the interrogation of complex data sets and the disclosure of electronic documents. Mr. Beckett has provided advice to lawyers, regulators and corporate entities in relation to computer forensic and electronic discovery projects in the UK and abroad. He is a qualified accountant and fraud examiner and has been a recognised court expert in relation to various aspects of digital evidence. Visit Navigant's Insights & Events to view Mr. Beckett's recent articles and presentations, as well as our perspectives on Forensic Technology and Discovery Services.

**David Bedenham** practices from 4-5 Gray's Inn Square and undertakes a broad range of litigation. Argentum have retained David to provide litigation advice and guidance in relation to the cases in which Argentum has a funding interest.

His Honour Judge **Simon Brown** QC is a former practising barrister, arbitrator and mediator specialising in contract, tort and insurance law. His Honour has been involved from the inception of the UK based 'e-Disclosure Information Project' run by Chris Dale. He developed an interactive website for all the Mercantile Courts in England & Wales drawing the congratulations of Lord Justice Jackson for a "really superb piece of work". He assisted Lord Justice Jackson with work on Electronic Disclosure, Costs Management and the Mercantile Courts culminating in the much heralded radical Review of Civil Litigation Costs. He is running the Costs Management Pilot in the Birmingham Mercantile Court that is rolled out nationally in all TCC and Mercantile Courts from 1st October 2011 under PD51G with a view to a universal roll out in the whole Civil Justice system.

**David Chalk** is Head of Research and Knowledge Exchange, Faculty of Business, Law & Sport, University of Winchester. He was founding Head of Law at the University from 2006 to 2009 and Visiting Research Fellow at the Institute of Advanced Legal Studies in the University of London in 2009. He is the author of Risk Assessment in Litigation (Butterworths), a contributing editor to Butterworths Costs Service and to Butterworths Personal Injury Service and is a contributor to the annual editions of Cook on Costs.



## Speakers and Moderators

**Tony Guise** founded Guise Solicitors in 2003 and specialises in commercial fraud and regulatory issues for solicitors. He lectures on civil law, regulatory and costs issues. From March 2002 to March 2004 Tony was President of the London Solicitor's Litigation Association. Tony sits on the Law Society's Civil Justice Committee. Tony is the current chairman of CLAN.

**Susan Dunn**, head of Harbour Litigation Funding, is widely recognised as the leading litigation funder in the UK and has originated and managed over 110 litigation funding cases totalling over £2bn in claim value, since 2002. She has worked as a commercial litigator in both the UK and US and in 2006, Susan was pivotal in the Civil Justice Council report which endorsed litigation funding and led to the recent Code of Conduct in England and Wales for Litigation Funders. In 2007 she co-founded Harbour and has in the past nine years reviewed over 1150 cases for funding. In May 2010 Harbour raised an additional fund of £60 million for the funding of commercial litigation, with a further fund expected to be launched in May 2012.

**Dipti Hunter** has worked on a range of complex commercial disputes in her career at several national firms in Leeds and London. Dipti joined DAC Beachcroft's commercial litigation team in 2008. She has over 13 years experience of complex commercial and corporate disputes, the majority of which have had an international dimension. In addition, she acts as a Supervising Solicitor for other law firms which often involves her dealing with difficult e-disclosure working issues at an early stage of proceedings.

**Judge Herbert B. Dixon, Jr.** serves on the Superior Court of the District of Columbia. He is a former Chair of the National Conference of State Trial Judges, a member of the ABA House of Delegates, and a former member of the Planning Board for ABA TECHSHOW®. Judge Dixon is the technology columnist for The Judges' Journal magazine, co-chair of The Journal's Editorial Board, a member of Board of Directors of the American Law Institute – American Bar Association (ALI-ABA), and a member of the ABA-HOD Nominating Committee. Judge Dixon is Senior Judicial Advisor to William & Mary Law School's Courtroom 21 Project (the world's most technologically advanced trial and appellate courtroom), the Washington Bar Association Judicial Council Liaison to the WBA Website Committee, serves on the Board of Trustees of the Foundation of the Bar Association of the District of Columbia, and is a member of The Sedona Conference® Working Group on Best Practices for Electronic Document Retention and Production (WG1). Judge Dixon is a 2010 inductee into the Washington Bar Association's Hall of Fame. Within the Superior Court, Judge Dixon serves as co-chair of the Strategic Planning Leadership Council, the entity charged with writing the strategic plan for the District of Columbia Courts and evaluating progress in achieving the goals and objectives of the plan. Judge Dixon is a former presiding judge of both the Civil Division and the Multi-Door Dispute Resolution Division. He served as Chair of the Electronic Filing Pilot Project, which received national recognition for its success. Currently, he oversees the Superior Court's technology-enhanced courtroom project. Judge Dixon received his Juris Doctor degree from Georgetown University Law Center and a Bachelor of Science degree in Electrical Engineering from Howard University.



### Speakers and Moderators

**Rachael Mulheron** is a Professor at the Department of Law, Queen Mary University of London. Her principal fields of academic research concern class actions jurisprudence and tort law. In 2009, she was appointed as a member of the Civil Justice Council of England and Wales, and in 2011, served as a member of the Working Party for Third Party Funding. Prior to her academic career, Rachael practised as a litigation solicitor in Brisbane, Australia. **Michael Napier** CBE, QC ( Hon ) is the former Chairman of Irwin Mitchell. He was an assessor to Lord Justice Jackson's review of civil costs and chaired the Civil Justice Council working party on the third party funding code of conduct. He was also the co-author of "Conditional Fees – A Survival Guide" (1995). In his career spanning 40 years as a litigator Michael has pioneered law reform in numerous areas including costs, personal injury, clinical negligence, group actions, human rights and pensions. Michael is a former member of the Legal Services Board and was President of the Law Society in 2000. He is an Honorary Bencher of Gray's Inn, and in recognition of his leadership of Irwin Mitchell as senior partner for thirty years, he has recently received the Legal Business "Lawyer of the Year 2012" award.

**Rocco Pirozzolo** is a solicitor and the Legal Expenses Underwriting Manager at QBE, a global insurer and re-insurer. He insures a wide variety of commercial disputes including those which require litigation funding. He is a member of the Civil Justice Council's Panel of Experts and sat on the Working Party on Third Party Funding.

Professor **Dominic Regan** is a leading expert in the field of civil procedure and adviser to the top judiciary on law reform. He was appointed by The Master of the Rolls and Lord Justice Jackson to oversee the Birmingham costs pilot and advised Michael Cook on Part 36 and costs management for his book, Cook on Costs. He is special Adviser to the Association of Costs Lawyers and a columnist for the NLJ. Visiting professor to the City Law School London and retained by Epiq as special adviser to their London and New York offices on disclosure.

**John Seed** of The Brown Rural Partnership has acted as a Surveyor in boundary disputes over a period of just over 30 years, and in cases situated in the North West and West Midlands of England, and North Wales. A forensic approach to plan and non-plan information, as well as site surveying, combined with experience as an Expert Witness and Single Joint Expert in Court and Land Registry proceedings, has enabled John to list boundary disputes as one of his specialisms. He is listed as an Expert on boundary disputes with the Royal Institution of Chartered Surveyors and the UK Register of Expert Witnesses.

**Paul Shenton**, Managing Director at Just Costs Solicitors, is dual qualified as a Barrister and a Solicitor, completing his pupillage and practice at Hardwicke Building in London before moving to Eversheds in 1992, where he was a partner for 9 years. Paul founded Just Costs in 2006, and the business has grown from just two members of staff and a handful of clients, to the thriving and established business of today, with almost 100 staff across 5 offices.

**Mark Surguy** is a Partner in the Commercial Dispute Resolution group at Eversheds LLP. He specialises in multi-disciplinary, complex and commercially sensitive cases where urgent legal remedies are required and where large volumes of electronically-stored information have to be collected, searched and produced in court or to the authorities. Mark is co-author of the chapter, Electronic Disclosure in UK Litigation and Investigations in the 2009 American Bar Association's publication, Electronic Evidence and Discovery: What Every Lawyer Should Know Now and assisted with the writing of the section on "The Management of Technology Related Risks" in Sweet & Maxwell's Encyclopaedia of IT Law. He is a regular contributor to professional journals and news media on both fraud and the management of electronically stored information and a well-known conference speaker. 5 of 5



**CPD Registered with the SRA for 5 Points**

**CONFERENCE FEES:** The CLAN Annual Conference is priced at £195 for members and £245 for non-members (Non-members' price includes 12 months membership of CLAN)

A discounted Academic rate of £150 is available (Includes 12 months membership)

CLAN membership is available in the following packages:

- ▶ Individual: Annual: £ 60 or for 3 years: £ 150 (6 months free)  
Lifetime: £ 500
- ▶ Corporate: Annual: £ 360 (up to 6 members)  
3 years: £ 1,080 (6 members or more)
- ▶ Academic: Annual: £ 30
- ▶ Student: Annual: £ 15 (on production of NUS number)

See [www.comlit.co.uk](http://www.comlit.co.uk) where the full range of membership benefits is outlined.

Cheques should be made payable to Commercial Litigation Association and the delegate name should be clearly printed on the reverse

If you would prefer to pay by Bank Transfer please e-mail [MarkBeaumont@JustCosts.com](mailto:MarkBeaumont@JustCosts.com)

Please return this form and cheques to: **Mark Beaumont, Just Costs Solicitors,  
Central Court, 25 Southampton Buildings, LONDON WC2A 1AL**

Title Mr / Mrs / Ms / Dr Name.....

Company..... Position.....

Address.....

..... Telephone.....

Email Address.....

**Terms & Conditions:** Fees include full conference documentation and refreshments during the course of the afternoon. CLAN reserves the right to refuse admission if payment has not been received prior to the start of the event. Written confirmation will be issued upon receipt of the conference fee. CLAN reserves the right to alter or cancel any part of the published programme or scheduled speakers. **Cancellations:** Refunds can be made up to 20 days prior to the event (minus 10% admin fees). Substitutions can be made at any time.

