

The Art of Business Litigation

A Conversation (Business & Ethics), Sips & CLE

November 2, 2016

Join Judge Caroline Baker of the 295th Civil Court and Gray Reed's [Sofia Adrogué](#), editor, Texas Business Litigation, as they moderate a panel of six contributing authors, including Gray Reed's [Jim Ormiston](#), who will speak on different aspects and the latest pitfalls of business litigation. The overall theme through the entire CLE presentation will be the role of civility in zealous legal advocacy. In addition, several of the panelists will cover the cutting edge issue of litigation finance (with its accompanying ethical considerations).

Wednesday, November 2, 2016

4 p.m. – 7 p.m.

River Oaks Country Club

1600 River Oaks Blvd.
Houston, Texas 77019

Wine Reception & Light Hors d'oeuvres – 4 p.m. to 4:30 p.m.

Session 1 – 4:30 p.m. to 5:45 p.m. (1.25 HR CLE/1.25 HR Ethics)

- Breach of Fiduciary Duty
 - Scope, including loyalty and candor
 - Informal fiduciary relationships
 - Conflicts and other ethical considerations
- Preservation of Error – Appeal Tactics and Ethics
 - Pretrial motions, including ethics in handling motion to recuse and mandamus
 - Trial, trial and post trial motions, including civility, courtroom decorum, and duty of candor with the court
- Contorts: Contract or Tort – What Difference Does it Make?
 - Good faith and fair dealing, breach of warranties, fraud, tortious interference

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- Ethical consideration and conflicts of interest
 - Trust relationships and duty of good faith

Session 2 – 5:45 p.m. to 7 p.m. (1.25 HR CLE/0.75 HR Ethics)

- Experts in Business Litigation Cases
 - Core admissibility requirements and burden of proof
 - Related facts and irrelevant testimony
 - Ethical responsibility
 - Duty of disclosure and potential sanctions
- Criminal Law in Business Tort Cases
 - DOJ's principles of corporate prosecution
 - *Upjohn*, separate counsel and joint defenses
 - Deferred prosecution agreements
 - Clues to knowing you have a "criminal" problem
- Selected Causes of Action and Ethical Issues Unique to the Oil & Gas Industry
 - Breach of implied covenants
 - Breach of duty by executive rights holders
 - Pooling agreements

RSVP: <https://www.eiseverywhere.com/ehome/index.php?eventid=204179&>

For more information, visit <http://www.law.uh.edu/cle/>.

UNIVERSITY of **HOUSTON** | LAW CENTER

THE ART OF BUSINESS LITIGATION: A CONVERSATION (**BUSINESS & ETHICS**), SIPS & CLE

Join Sofia Adrogué, Editor, *Texas Business Litigation*, and Caroline Baker, Co-Editor, with contributing authors for an evening CLE.



NOVEMBER 2, 2016

4:00 P.M. - 7:00 P.M.

RIVER OAKS COUNTRY CLUB

1600 RIVER OAKS BLVD.

HOUSTON, TEXAS 77019

2.5 HOURS OF CLE CREDIT

INCLUDING 2 HOURS OF ETHICS

Protect more
COMPLIMENTARY VALET PARKING

AGENDA

Wine Reception &
Light Hors d'oeuvres
4:00 p.m. to 4:30 p.m.

2.5 CLE Presentation
4:30 p.m. to 7:00 p.m.



Maria Wyckoff Boyce
Hogan Lovells US LLP
Experts



Sofia Adrogué
Gray Reed & McGraw, P.C.
Editor



David Gerger
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& Sullivan, LLP
*Criminal Law in Business
Tort Cases*



Caroline Baker
Co-Editor



Robin Gibbs
Gibbs & Bruns LLP
*Breach of Fiduciary
Duty Claims in Business
Transactions*



Lamont A. Jefferson
Jefferson Cano
Contorts



James Ormiston
Gray Reed & McGraw, P.C.
*Selected Causes of Action
Unique to the Oil and Gas
Industry*



Marie R. Yeates
Vinson & Elkins LLP
Preservation of Error

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