

42<sup>nd</sup> Annual Course

# Advanced Civil Trial



**LIVE** San Antonio • July 17-19, 2019 • Hyatt Regency Hill Country Resort

**LIVE** Dallas • August 21-23, 2019 • Westin Galleria

**LIVE** Houston • October 30-November 1, 2019 • Westin Oaks

**VIDEO** Austin • December 10-12, 2019 • Texas Law Center



**MCLE CREDIT**  
17.25 Hours (5.5 Ethics)

**DOWNLOADABLE**  
Course Materials [↓](#)

TexasBarCLE.com  
800.204.2222 x1574

*Education by the Bar,  
for the Bar*

# Advanced Civil Trial

Cosponsored by the Litigation Section of the State Bar of Texas



Register early and **save up to \$125!**

Lawyers licensed 5 years or less take **HALF OFF!**

(See page 4 for details.)

## LIVE San Antonio

July 17-19, 2019

Hyatt Regency Hill Country Resort

Register by **July 3** to save!

## LIVE Dallas

August 21-23, 2019

Westin Galleria

Register by **August 7** to save!

## LIVE Houston

October 30-November 1, 2019

Westin Oaks

Register by **October 16** to save!

## VIDEO Austin

December 10-12, 2019

Texas Law Center

Register by **December 2** to save!

## Wednesday

7.25 hours including 2.25 ethics

8:00 **Registration**  
**Coffee & Pastries Provided**

8:50 **Welcoming Remarks**  
**San Antonio Course Director**  
Hon. Rebecca Simmons, *San Antonio*  
Rebecca Simmons, PLLC

### Dallas Course Director

Mark C. Walker, *El Paso*  
Dickinson Wright

### Houston Course Director

Christina Crozier, *Houston*  
Haynes and Boone

9:00 **Legislative Update** .75 hr  
David E. Chamberlain, *Austin*  
Chamberlain McHaney

W. Bradley Parker, *Bedford*  
Parker Law Firm

9:45 **Character & Reputation Evidence** .5 hr  
Quentin Brogdon, *Dallas*  
Crain Lewis Brogdon

10:15 **Networking Break**

10:30 **Persuasion in the Era of Fake News - Do Facts Matter Anymore?** .75 hr  
Jason Bloom, M.A., *Dallas*  
Bloom Strategic Consulting  
Kathryn Snapka, *Corpus Christi*  
The Snapka Law Firm

11:15 **Understanding Construction Law Issues** .5 hr  
Benigno (Trey) Martinez, *Brownsville*  
Martinez Barerra Martinez & Tijerina

11:45 **Break - Lunch Provided**

12:00 **Luncheon Presentation: How to Deal with Aging (or Impaired) Partners** .75 hr ethics  
Chris Ritter, JD, MEd, *Austin*  
Director, Texas Lawyers' Assistance Program, State Bar of Texas

12:45 **Break**

1:00 **Cybersecurity, Data Breach Notification Laws, and How to Protect Your Firm and Your Clients** .5 hr ethics  
Heather L. Hughes, J.D., CHPC, *Houston*  
VP, Engagement Management  
Stroz Freidberg, An Aon Company

1:30 **Summary Judgments** .75 hr  
**Filing and Resisting Motions for Summary Judgment**

### San Antonio

Polly Fohn, *Houston*  
Haynes and Boone

### Dallas & Houston

Lynne Liberato, *Houston*  
Haynes and Boone

### Practice Tips

Patricia Askew, *Fort Worth*  
Staff Attorney  
Second Court of Appeals

2:15 **Error Preservation Ambushes: Infliction and Prevention** .5 hr  
Steven K. Hayes, *Fort Worth*  
Law Office of Steven K. Hayes

2:45 **Break**

3:00 **Fiduciary Duties** .5 hr (.25 ethics)

### San Antonio

David E. Keltner, *Fort Worth*  
Kelly Hart & Hallman

### Dallas & Houston

Jody Sanders, *Fort Worth*  
Kelly Hart & Hallman

3:30 **Mandamus for the Trial Lawyer** .5 hr (.25 ethics)

### San Antonio & Houston

Yvonne Ho, *Houston*  
Bracewell

### Dallas

Warren Harris, *Houston*  
Bracewell

4:00 **State MDL: To Seek or Not to Seek** .5 hr

Jane E. Bockus, *San Antonio*  
Dykema

4:30 **State Judges' Panel** .75 hr (.5 ethics)

### San Antonio

#### Moderator

Hon. David Canales, *San Antonio*  
Judge, 73rd District Court

#### Panelists

Hon. Lynn Ellison, *Jourdanton*  
Judge, 81st District Court

Hon. Bill Henry, *San Marcos*  
Judge, 428th District Court

Hon. Cathy Stryker, *San Antonio*  
Judge, 224th District Court

### Dallas

#### Moderator

Mark C. Walker, *El Paso*  
Dickinson Wright

Join us on Social Media!



Follow us and use #TBCLE

## MCLE CREDIT

17.25 Hours (5.5 Ethics)

MCLE Course No: 174041778

Applies to the Texas Bar College and the Texas Board of Legal Specialization in Civil Appellate, Civil Trial, Construction, and Personal Injury Trial Law.

**Panelists**

Hon. Martin Hoffman, *Dallas*  
Judge, 68th Civil District Court  
Hon. Tonya Parker, *Dallas*  
Judge, 116th Civil District Court  
Hon. Melody M. Wilkinson, *Fort Worth*  
Judge, 17th District Court

**Houston**

**Moderator**

Joe Roden, *Houston*  
Rusty Hardin & Associates

**Panelists**

Hon. Rabeea Sultan Collier, *Houston*  
Judge, 113th Civil District Court  
Hon. Mike Engelhart, *Houston*  
Judge, 151st Civil District Court  
Hon. R.K. Sandill, *Houston*  
Judge, 127th Civil District Court

5:15 **Adjourn**

**Thursday**

7 hours including 2.5 ethics

8:30 **Coffee & Pastries Provided**

8:55 **Announcements**

9:00 **Attorney's Fees** .5 hr ethics  
Carlos R. Soltero, *Austin*  
Cleveland | Terrazas

9:30 **Jury Charge Update** .5 hr  
Karen Precella, *Fort Worth*  
Haynes and Boone

10:00 **Supreme Court Update** .75 hr  
**San Antonio & Dallas**  
Hon. Dale Wainwright, *Austin*  
Greenberg Traurig

**Houston**

Hon. Brett Busby, *Houston*  
Justice, Supreme Court of Texas

10:45 **Break**

11:00 **Contract Interpretation Issues** .5 hr  
Craig D. Dillard, *Houston*  
Foley Gardere

11:30 **Trade Secret Litigation** .5 hr (.25 ethics)  
Karen C. Burgess, *Austin*  
Burgess Law

12:00 **Break - Lunch Provided**

12:15 **Luncheon Presentation: Federal Judges' Panel** .75 hr (.5 ethics)

**San Antonio**

**Moderator:**

Emma Cano, *San Antonio*  
Jefferson Cano

**Panelists:**

Hon. Micaela Alvarez, *McAllen*  
Judge, U.S. District Court  
Southern District of Texas  
Hon. Henry J. Bemporad, *San Antonio*  
U.S. Magistrate Judge, U.S District Court  
Western District of Texas  
Hon. Marina Garcia Marmolejo, *Laredo*  
Judge, U.S. District Court  
Southern District of Texas

**Dallas**

**Moderator**

Mark C. Walker, *El Paso*  
Dickinson Wright

**Panelists**

Hon. Sam A. Lindsay, *Dallas*  
Judge, U.S. District Court  
Northern District of Texas  
Hon. Amos L. Mazzant III, *Sherman*  
Judge, U.S. District Court  
Eastern District of Texas  
Hon. Irma C. Ramirez, *Dallas*  
Magistrate Judge, U.S. District Court  
Northern District of Texas

**Houston**

**Moderator**

Michelle Gray, *Houston*  
Fogler Brar Ford O'Neil Gray

**Panelists**

Hon. Christina Bryan, *Houston*  
Magistrate Judge, U.S. District Court  
Southern District of Texas  
Hon. Edith H. Jones, *Houston*  
Judge, U.S. Court of Appeals for the  
Fifth Circuit  
Hon. Gray H. Miller, *Houston*  
Judge, U.S. District Court  
Southern District of Texas

1:00 **Break**

1:15 **Criminal Law Issues: When Your Civil Case Turns Criminal** .5 hr (.25 ethics)

**San Antonio & Dallas**

Michael D. Bernard, *San Antonio*  
Dykema

**Houston**

Rusty Hardin, *Houston*  
Rusty Hardin & Associates

1:45 **You Can't Do That to Me! An Examination of Pleas to the Jurisdiction and Special Appearances** .5 hr

R. Alan York, *Houston*  
Reed Smith

2:15 **Trends in Discovery** .5 hr (.25 ethics)

**San Antonio & Dallas**

Sarah Nicolas, *Austin*  
Ramón Worthington

**Houston**

Dan Worthington, *McAllen*  
Ramón Worthington

2:45 **Updates in Oil and Gas Law** .5 hr  
Christopher Halgren, *Houston*  
McGinnis Lochridge

3:15 **Sponsored Networking & Snack Break** (live sites only)

3:30 **Fundamentals and Ethics of Litigation Funding** .5 hr (.25 ethics)  
Laina Miller Hammond, *Houston*  
Validity Finance

4:00 **Ethics and Professionalism: Echoes of Each Other** .5 hr ethics  
Hon. Douglas S. Lang, *Dallas*  
Justice (Ret.), 5th District Court of Appeals

4:30 **Advanced Issues Concerning Injunctions** .5 hr

David F. Johnson, *Fort Worth*  
Winstead

5:00 **Adjourn**

**Friday**

3 hours including .75 ethics

8:30 **Coffee & Pastries Provided**

8:55 **Announcements**

9:00 **Anti-SLAPP Overview** .25 hr  
Crystal Parker, *Houston*  
Eversheds Sutherland US

9:15 **Anti-SLAPP Statute** .75 hr (.5 ethics)  
**Moderator**  
Crystal Parker, *Houston*  
Eversheds Sutherland US

**Panelists:**

Leslie Hyman, *San Antonio*  
Pulman Cappuccio & Pullen  
Allison Standish Miller, *Houston*  
Beck Redden

**San Antonio & Dallas**

Charles L. Babcock IV, *Houston*  
Jackson Walker

**Houston**

Mark C. Walker, *El Paso*  
Dickinson Wright

10:00 **Nuisance - Trespass and Limitations Issues** .5 hr

Collin J. Cox, *Houston*  
Yetter Coleman

10:30 **Networking Break**

10:45 **Participatory and Vicarious Liability** .5 hr

Thomas C. Riney, *Amarillo*  
Riney & Mayfield

11:15 **Legal Writing** .5 hr (.25 ethics)

Chad Baruch, *Dallas*  
Johnston Tobey Baruch

11:45 **Insurance Law Update** .5 hr  
William J. Chriss, J.D., Ph.D. [History],  
*Corpus Christi*  
The Snapka Law Firm

12:15 **Adjourn**

**Thank You to Our Sponsors**

Platinum	  	
	Gold	 
Bronze	 	

## Ways to Save on This Course!

### Meet the Register by Deadline and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. Course materials and seating will be reserved for preregistrants until the start of the first topic.

### GO GREEN and Save \$50

Select the PDF download ONLY for a discount.

### Current Litigation Section Members Can Save \$25

Not a member? Your registration fee includes a complimentary membership in the Litigation Section so you can take advantage of discounts on future programs cosponsored by the Section.

### Texas Bar College Members Can Save \$25

To join or learn more, visit [texasbarcollege.com](http://texasbarcollege.com) or call (800) 204-2222, x1819.

### Texas Paralegal Division Members Can Save \$25

To join or learn more, visit [txpd.org](http://txpd.org) or call (806) 443-2209.

### Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle at (512) 263-2802 or [laura.angle@texasbar.com](mailto:laura.angle@texasbar.com).

### HALF OFF for Attorneys Licensed in Texas 5 Years or Less!

You read that right! See the registration form.

## Scholarship Information

TexasBarCLE offers scholarships for live courses, video replays, online classes, and webcasts. To apply or learn more, call (800) 204-2222, x1490, Mon-Fri 8am-5pm CT. Please apply at least two weeks prior to any live/video replay course or at least one week prior to any webcast or online class.

## Active Texas State, County, and Federal Judges, Administrative Law Judges, Hearing Examiners, and Judge's Staff Attorneys may attend out-of-state programs for a discounted rate or in-state programs for free, provided:

- (1) the course directly relates to the judge's/tribunal's jurisdiction,
- (2) the judge is a full-time judge or retired under a judicial retirement system and
- (3) space is available for all paying registrants. This privilege does not extend to prosecutors, receivers, trustees, other court staff, or persons serving part-time in a judicial capacity. Actual attendance is required to receive course materials.

## Parking Information

is subject to change and does not guarantee available space.

## If You Need Special Accommodations to Attend or Have a Food Allergy,

please contact us as soon as possible at (800) 204-2222 x1827.

## Registered but Can't Attend? Still Earn MCLE Credit

by taking the course online later. If you would rather have a refund, call (800) 204-2222, x1574 or fax your request to (512) 427-4443.

**Refund requests must be made** at least one business day before the program.

## FREE TO OUR REGISTRANTS! Online Videos and MP3s of the Topics

will be available to registrants 6-8 weeks after the course. Provide your e-mail address when preregistering to be notified when and how these benefits may be accessed. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

## Interested in Sponsoring or Exhibiting at this Course or Others?

Please contact us at [clesponsorships@texasbar.com](mailto:clesponsorships@texasbar.com).

## Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for the public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

## Reserve Your Hotel Room Early

Hotel rooms have been blocked at special rates on a space available basis. To make a reservation, contact the hotel and indicate that you will be attending this State Bar of Texas course.

### LIVE San Antonio

Hyatt Regency Hill Country Resort

9800 Hyatt Resort Drive  
San Antonio, TX 78251

(210) 647-1234

\$225 single/double

**Deadline: June 17**



Make your reservation online at:

[www.TexasBarCLE.com?a=CivilSA](http://www.TexasBarCLE.com?a=CivilSA)

**Parking:** Self-parking is complimentary in the open air parking lot.

### LIVE Dallas

Westin Galleria

13340 Dallas Parkway  
Dallas, TX 75240

(972) 934-9494

\$199 single/double

**Deadline: August 3**



Make your reservation online at:

[www.TexasBarCLE.com?a=CivilDAL](http://www.TexasBarCLE.com?a=CivilDAL)

**Parking:** Self-parking is complimentary in the Galleria Mall parking garage.

### LIVE Houston

Westin Oaks

5011 Westheimer at Post Oak  
Houston, TX 77056

(713) 960-8100

\$179 single/double

**Deadline: October 8**



Make your reservation online at:

[www.TexasBarCLE.com?a=CivilHOU](http://www.TexasBarCLE.com?a=CivilHOU)

**Parking:** Self-parking is complimentary in the Galleria Mall parking garage.

### VIDEO Austin

Texas Law Center

1414 Colorado Street  
Austin, TX 78701

(800) 204-2222 x1574



**Parking:** Moody Bank/Deloitte Garage at 400 W. 15th Street is \$15/day. The Texas Capitol Visitors Parking Garage at 1201 San Jacinto Street is \$12/day.

## Map:

[www.texasbarcle.com/materials/special/Parking\\_TLC.pdf](http://www.texasbarcle.com/materials/special/Parking_TLC.pdf)

No rooms have been blocked for this event.

## WAYS TO REGISTER

**ONLINE**  
[TexasBarCLE.com](http://TexasBarCLE.com)  
 credit card only

**PHONE**  
 (800) 204-2222, x1574  
 during business hours  
 credit card only

**FAX**  
 (512) 427-4443  
 credit card only

**MAIL**  
 State Bar of Texas  
 LB# 972298  
 P.O. Box 972298  
 Dallas, TX 75397-2298  
 check or credit card

**REGISTERING FIVE OR MORE?**  
 E-mail Laura Angle at  
[laura.angle@texasbar.com](mailto:laura.angle@texasbar.com)  
 for group discount information.

Lawyers licensed 5 years or less  
 take **HALF OFF!**

## Advanced Civil Trial

- 1 Advanced Civil Trial** [5030]  
**LIVE San Antonio • July 17-19, 2019**  
 Regular Registrant..... \$795  
**Take \$50 OFF:** Register by July 3  
 Licensed 5 years or less, **HALF OFF**..... \$397.50\*
- LIVE Dallas • August 21-23, 2019**  
 Regular Registrant..... \$795  
**Take \$50 OFF:** Register by August 7  
 Licensed 5 years or less, **HALF OFF**..... \$397.50\*
- LIVE Houston • October 30-November 1, 2019**  
 Regular Registrant..... \$795  
**Take \$50 OFF:** Register by October 16  
 Licensed 5 years or less, **HALF OFF**..... \$397.50\*
- VIDEO Austin • December 10-12, 2019**  
 Regular Registrant..... \$645  
**Take \$50 OFF:** Register by December 2  
 Licensed 5 years or less, **HALF OFF**..... \$322.50\*

**Your live course registration includes:**

- Coffee and pastries each morning
- Lunch on Wednesday and Thursday
- Complimentary self-parking at all live sites
- Complimentary WiFi in the meeting room
- Course materials provided as a PDF download and a printed book or select the PDF download only at a discount!

I may attend complimentary because I am a (see p. 4):

- Qualifying judge       Judge's staff attorney

\*No discounts in section 3 may be taken.

- 2 I want my course materials format to be:**  
 Hard copy books as well as a PDF download of same (both formats included in registration fee)  
 PDF download ONLY so I'll **take \$50 OFF**

- 3 I am entitled to 1 or 2 discounts on the course:**  
 **\$50 OFF** because I am registering by the "Register by" date at the left. (If by mail, date of postmark will be determinative.)  
**\$25 OFF** because (choose 1 box only) I'm a member of the:  
 Litigation Section  
 Texas Bar College  
 Paralegal Division  
 For more information on joining the section, see page 4.

- 4 I can't attend, but would like the materials.**  
**FREE** Shipping & Handling  
 Hard copy books \$230\*  
 To order a discounted PDF download of course materials, search **Publications** at TexasBarCLE.com (available 1-2 weeks after the course).

- 5** Your registration fee includes a complimentary membership in the State Bar Litigation Section through June 1, 2020 (if you are not already a member). If you are already a member of the Litigation Section, please take advantage of the \$25 discount (see#3 above).

- 6 My total is \$\_\_\_\_\_ . I am paying by:**  
 Check (enclosed) payable to the State Bar of Texas for \$\_\_\_\_\_  
 Visa       Mastercard       Amex       Discover  
**PLEASE PRINT LEGIBLY** Account No. \_\_\_\_\_ Exp. Date \_\_\_\_\_  
 Name on card (Please print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
**State Bar Membership No.** \_ \_ \_ \_ \_  
 Registrant Name \_\_\_\_\_  
 Firm Name/Court \_\_\_\_\_  
 Address for Bar-Related Mail \_\_\_\_\_  
 City/State Zip \_\_\_\_\_  
 Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_  
 E-Mail (required for registrant's PDF download option): \_\_\_\_\_

A confirmation of your registration will be sent to the e-mail address you provide.

\*Plus 8.25% sales tax on total course book sales only. Please include sales tax or attach an exemption certificate. Book orders are shipped separately 1-2 weeks after the live program. Please include payment by check or supply credit card information on this form.

MP3 files of topics will be downloadable from TexasBarCLE.com 6-8 weeks after the course. For information on other course products, contact our Flash CLE service at (800) 204-2222, x1575.

**QUESTIONS?**  
 (800) 204-2222, x1574 • (512) 427-1574



# THE LITIGATION SECTION

of the State Bar of Texas



## The Litigation Section is the home of Texas litigators.

All members receive free access to the resources at the website, [LitigationSection.com](http://LitigationSection.com), in addition to receiving the respected quarterly journal, *The Advocate*, featuring updates and analyses of issues by some of the state's most distinguished practitioners. The Section provides grants to worthy projects, sponsors ethics-accredited programs and lectures at law schools, and

provides fabulous speakers for the Bar's Annual Meeting. When there are court rules and proposed legislation being considered that will affect how lawyers practice, the Section takes a lead in advocacy with the Texas Supreme Court and the Texas Legislature.

In addition, the Section cosponsors top-notch continuing legal education with TexasBarCLE, earning its members a discount. In a typical year, this would mean discounted attendance at these popular programs: the Litigation Update Institute, the Advanced Evidence and Discovery Course, the Advanced Civil Trial Course, and the Advanced Personal Injury Law Course.

[LitigationSection.com](http://LitigationSection.com)



### Course Directors

#### San Antonio

Hon. Rebecca Simmons..... San Antonio

#### Dallas

Mark C. Walker ..... El Paso

#### Houston

Christina Crozier ..... Houston

### Planning Committee

Chad Baruch..... Dallas  
Jane E. Bockus ..... San Antonio  
Karen C. Burgess ..... Austin  
Hon. David Canales..... San Antonio  
William J. Chriss..... Corpus Christi  
Hon. Tanya N. Garrison ..... Houston  
Warren Harris..... Houston  
Steven K. Hayes ..... Fort Worth  
Sarah Nicolas ..... McAllen  
Crystal Parker..... Houston  
Thomas C. Riney..... Amarillo  
Kathryn Snapka ..... Corpus Christi  
Carlos R. Soltero ..... Austin

### TexasBarCLE Planning Team

Kim Maka ..... Program Planner  
Sandra Molina ..... Program Coordinator  
Brandy Lewis..... Written Materials Coordinator  
Tiffany Clay..... Meeting Planner

### Litigation Section of the State Bar of Texas

James "Wes" Christian ..... Chair  
Jennifer Doan ..... Chair-Elect  
Hon. Xavier Rodriguez ..... Vice-Chair  
Cade W. Browning..... Treasurer  
Judson Paul Manning..... Secretary  
Carlos E. Cardenas..... Immediate Past Chair

### State Bar of Texas

Joe K. Longley..... President  
Laura Gibson ..... Chair of the Board  
Randall O. Sorrels..... President-Elect  
G. Thomas Vick, Jr. .... Immediate Past President  
Sally Pretorius ..... TYLA President  
Hon. Xavier Rodriguez ..... Chair, CLE Committee  
Sarah Clower Keathley..... Chair, Board PDP Committee  
Trey Appfel ..... Executive Director  
Hedy Bower..... Director, TexasBarCLE