



DRI delivers resources to build your practice

Drug and Medical Device

Sharing Resources and Knowledge to Strengthen the Pharmaceutical and Medical Device Industry

- Prescription opioids: Are controlled substances controlling litigation?
- IoT and connected devices: Maintaining the security of things
- Doctors as defendants: Making lemonade out of litigation
- TED-style talks by the deans of the defense bar



May 10–11, 2018

New York Marriott Marquis

New York, NY

Please join us in the “Big Apple,” New York City, to attend the 2018 DRI Drug and Medical Device Seminar.

You will learn from first-rate presentations by in-house counsel, law firm attorneys, law school academicians, first-chair trial counsel, and a jury consultant. You will also hear reflections on the practice of law in TED-style talks by prominent members of the defense bar and a viewpoint from the federal bench regarding diversity and inclusion issues. In addition to top-notch educational presentations, there will be plenty of networking with clients, colleagues, and friends. This seminar is the “go-to” event for practitioners in the pharmaceutical and medical device defense arena, so please don’t miss out. Be sure to register today!



Sheila S. Boston

Program Chair



Sara J. Gourley

Committee Chair



Erik W. Snapp

Program Vice Chair



Gail Rodgers

Committee Vice Chair



Ted J. McDonald III

Law Institute

PRESENTED BY **DRI’s Drug and Medical Device Committee**

THIS SEMINAR BROCHURE IS SPONSORED BY **Nelson Mullins**
Nelson Mullins Riley & Scarborough LLP

Register online now at dri.org or complete the form in the back.

What You Will Learn



- The latest mass tort trends, including litigation funding
- What is transpiring in the burgeoning opioid litigation
- About the internet of things and increasing cybersecurity risks of new technology in medical devices
- The importance of the power of persuasion in jury trials with a unique look at millennials
- What to expect nowadays from plaintiff counsel during closing arguments

Members Get More

- Access to **LegalPoint™** at **dri.org**: Committee newsletters, seminar course materials, and other publications.
- Access to the **DRI Drug and Medical Device Committee Community**: Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Access to **dri circles**, where lawyer-to-lawyer connections happen. Search **dri circles** in your app store:



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PROGRAM SCHEDULE

WEDNESDAY, MAY 9

2:00 p.m. **Registration** (for breakout session attendees)

IN-HOUSE BREAKOUT

2:30 p.m.–5:30 p.m. (Seminar registration required; attendance strictly limited to in-house counsel. No CLE available for this session.)

Join your in-house peers for a unique opportunity to discuss topics of importance to in-house counsel. Exchange ideas while networking with colleagues in a forum designed for in-house counsel by in-house counsel. For more information, email Gail Rodgers at gail.rodgers@dlapiper.com.

5:00 p.m. **Registration**

6:00 p.m. **First Time Attendees Reception**

6:00 p.m. **Networking Reception**

SPONSORED BY **Ankura Consulting Group LLC** | **Dechert LLP** | **King & Spalding** | **MRC**

7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (at your own expense). More details on-site.

THURSDAY, MAY 10

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

SPONSORED BY **Bennett Jones LLP**
McDowell Knight Roedder & Sledge LLC
Stradley Ronon Stevens & Young LLP

7:00 a.m. **Friends of Bill W.**

7:50 a.m. **Welcome and Introduction**

Ted J. McDonald III, *McDonald Davidson PA*, Overland Park, KS

Sara J. Gourley, *Sidley Austin LLP*, Chicago, IL

Sheila S. Boston, *Arnold & Porter Kaye Scholer LLP*, New York, NY

8:00 a.m. **Mass Torts Gone Wild!**

This session will explore tools available to win-now frivolous claims from MDLs and how to create barriers to entry for MDL “stockpilers.”

Jaime L. Dodge, *Emory University School of Law*, Atlanta, GA

Alan E. Rothman, *Arnold & Porter Kaye Scholer LLP*, New York, NY

Click on any speaker name to view bio.

8:50 a.m. **Medical Devices and the IoT: A (Cyber) Risky Business?**

The ever-evolving technologies of the Internet of Things (IoT) are on the verge of significantly disrupting the traditional processes of healthcare delivery and patient interaction. Hear a discussion about the current legal exposures involved with IoT use, including regulatory implications and security, privacy, and litigation risks.

 **Robert S. Jett III**, *Jett Data Services LLC*, Warwick, NY

Maryanne C. Woo, *Reed Smith LLP*, Chicago, IL

9:40 a.m. **Refreshment Break**

SPONSORED BY **Baker Donelson Bearman Caldwell & Berkowitz PC**

9:55 a.m. **Never Waste a Good Crisis: Explaining a Government Settlement**

Plaintiffs claim your client is a recidivist. In reality, a company that settles with the government often has investigated misconduct, cleaned house, strengthened compliance programs, and agreed to a corporate monitor. Learn what to look for to portray your client in the best light possible.

David N. Kelley, *Dechert LLP*, New York, NY


Wendy Weiss, *Navigant Consulting*, Los Angeles, CA

10:45 a.m. **Prescription Opioids: Controlled Substances, Uncontrolled Litigation**

Learn about today’s opioid enforcement and litigation landscape, as well as themes that defense counsel might employ to defend their clients and provide advice on how they can be part of the solution.

MODERATOR | **Sheila L. Birnbaum**, *Quinn Emanuel Urquhart & Sullivan LLP*, New York, NY

 **Markus Green**, *Pfizer Inc.*, New York, NY

 **Harry Kovelman, MD**, *Helius Medical Technologies*, Newtown, PA

Lynn Mehler, *Hogan Lovells US LLP*, Washington, DC

11:40 a.m. **TED-Style Talk**

Madeleine M. McDonough, *Shook Hardy & Bacon LLP*, Washington, DC

12:00 p.m. **Diversity and Inclusion Luncheon** (\$50 fee; check box on registration form)

KEYNOTE SPEAKER | **The Honorable Denny Chin**, *US Court of Appeals for the Second Circuit*, New York, NY

SPONSORED BY **Arnold & Porter Kaye Scholer LLP** | **Bennett Jones LLP** | **Dechert LLP** | **DLA Piper** | **Gordon Rees Scully Mansukhani LLP** | **Shook Hardy & Bacon LLP** | **Sidley Austin LLP** | **Snell & Wilmer LLP**

12:00 p.m. **Lunch** (*on your own*)

1:30 p.m. **Young Lawyers Blockbuster** (see below)

1:45 p.m. **Skating on the Glass Ceiling:**

A View from the Top

Female powerbrokers provide personal perspective on making it to the top and skating on the glass ceiling. Their guidance will include how to set yourself up for leadership roles; manage bias; be an effective supervisor,

champion, and mentor; and foster an equitable work environment.

MODERATOR | **Teri H. Peebles**, *Sidley Austin LLP*, New York, NY

➔ **Nefertiti Greene**, *Ethicon*, a division of *Johnson & Johnson*, Somerville, NJ

Madeleine M. McDonough, *Shook Hardy & Bacon LLP*, Washington, DC

➔ **Anna S. Richo**, *UCB SA*, Brussels, Belgium

➔ **Joan M. Schmidt**, *Biotronik Inc.*, New York, NY

2:40 p.m. **TED-Style Talk**

➔ **Bradley E. Lerman**, *Medtronic PLC*, Minneapolis, MN

3:00 p.m. **Refreshment Break**

SPONSORED BY **Venable LLP**

YOUNG LAWYERS BLOCKBUSTER

1:30 p.m. **Opening Remarks and Introductions**

Shannon E. Beamer, *Venable LLP*, Baltimore, MD

Corena G. Larimer, *Tucker Ellis LLP*, San Francisco, CA

1:40 p.m. **Partnering with Clients for**

Successful Mediation

Obtain an overview of medical device mediation, highlight the skills necessary for success, describe the defense burden, and emphasize addition of value by lawyers during the process.

➔ **Jennifer Sarah Haccoun Abramson**, *Chubb Edwards Canada*, Mississauga, ON

Thomas R. Pack, *Maslon LLP*, Minneapolis, MN

2:00 p.m. **Medical Literature: Developing a Scientific Defense (and Offense!)**

Learn about the review process for different types of scientific publications, and how to read medical literature critically.

Jessica Benson Cox, *Faegre Baker Daniels LLP*, Indianapolis, IN

Kevin L. Ong, PhD, PE, *Exponent*, Philadelphia, PA

2:20 p.m. **Foreign Regulatory Files and the Scope of Discovery**

Learn about the newly revised Federal Rule

Thursday, May 10, 1:30 p.m.–4:15 p.m.

26(b)(1) in the context of foreign regulatory documents, and how to develop strategies for responding to related discovery requests.

Jason Rhae Harmon, *Shook Hardy & Bacon LLP*, Kansas City, MO

2:40 p.m. **Remanded from an MDL: Trial Preparation**

Hear from an experienced trial lawyer about a junior attorney's role in preparing the remanded case for trial.

Charissa N. Walker, *Tucker Ellis LLP*, Cleveland, OH

3:00 p.m. **Refreshment Break**

SPONSORED BY **Venable LLP**

3:15 p.m. **Corporate Panel: What In-House Counsel Want from Young Lawyers**

➔ **A. Elizabeth Balakhani**, *GlaxoSmithKline*, Research Triangle Park, NC

➔ **Deirdre R. Kole**, *Johnson & Johnson*, New Brunswick, NJ

➔ **Donald C. Le Gower**, *Bristol-Myers Squibb Co.*, Lawrenceville, NJ

➔ **Kacy Elizabeth Wiggum**, *Novo Nordisk Inc.*, Plainsboro, NJ

4:15 p.m. **Adjourn**

3:10 p.m. **Closing Arguments: Deflating Plaintiffs' Go-To Themes**
Learn new strategies to counter common closing argument themes while connecting with and persuading jurors through the use of jury-friendly soundbites, stories, and narratives.
Craig A. Thompson, *Venable LLP*, Baltimore, MD

SLG MEETINGS 4:00 p.m.–4:45 p.m.

Complex Medicine | Class Action and Multiparty Litigation | Defense of Generic Manufacturers | Defending Against Governmental Actions | Plaintiffs' Regulatory Experts | Trial Practice and Strategy

4:45 p.m. **Drug and Medical Device Committee Meeting**
(open to all)

DRI For Life

5:30 p.m. **Fitness Activity—Central Park Run/Walk**
Contact Erik Snapp at erik.snapp@dechert.com for info.

6:30 p.m. **Networking Reception**
SPONSORED BY **Barnes & Thornburg LLP**

FRIDAY, MAY 11

7:00 a.m. **Registration**

7:00 a.m. **Friends of Bill W.**

7:00 a.m. **Continental Breakfast**
SPONSORED BY **Reed Smith LLP**

7:55 a.m. **Opening Remarks and Introductions**
Gail Rodgers, *DLA Piper LLP (US)*, New York, NY
Erik W. Snapp, *Dechert LLP*, Chicago, IL

8:00 a.m. **Hot Off the Press: Emerging Issues**
Hear about the effect of recent decisions on preemption, the latest on personal jurisdiction, and liability concerns for medical marijuana.
Jenny A. Covington, *Bowman and Brooke LLP*, Minneapolis, MN

Timothy E. Hudson, *Thompson & Knight LLP*, Dallas, TX

8:50 a.m. **Plaintiffs' Ever-Evolving Tactics**
Hear about plaintiffs' latest "bag of tricks" and learn techniques to beat plaintiffs' counsel at their own game.
Beth A. Wilkinson, *Wilkinson Walsh & Eskovitz*, Washington, DC

9:40 a.m. **TED-Style Talk**
 **James K. Grasty**, *Merck & Co. Inc.*, North Wales, PA

10:00 a.m. **Refreshment Break**
SPONSORED BY **Butler Snow LLP**
Nilan Johnson Lewis PA
Quattlebaum Grooms & Tull PLLC


10:15 a.m. **The Millennial Invasion of Jury Pools**
Millennials outnumber baby boomers in the United States. How do they learn differently? How can you ensure that your trial presentation reaches them? This panel will answer those challenging questions and more.

David E. Dukes, *Nelson Mullins Riley & Scarborough LLP*, Columbia, SC

Glenn G. Kuper, Jr., PhD, *Tsongas Litigation Consulting*, Portland, OR

Brett A. Tarver, *Jones Day*, Atlanta, GA

11:15 a.m. **Client Relationships with Consumer Doctors: Walking on a Tightrope**
Your clients value their physician customers. Learn how to walk the proverbial "tightrope" when patients file lawsuits blaming both their physicians and our industry clients for their injuries.

 **Lisa M. Floro**, *Coloplast Corp.*, Minneapolis, MN

Michael-Bryant Hicks, Saint Louis, MO

12:05 p.m. **Ethics: Financing Mass Torts**
Third-party litigation funding (TPLF) is here to stay. Yet it presents serious ethical issues. Learn about recent efforts to address those issues and gain insights into how TPLF can affect your defense of a matter.

Lindsey C. Boney IV, *Bradley Arant Boult Cummings LLP*, Birmingham, AL

Bruce A. Green, *Fordham University School of Law*, New York, NY

 **Daniel Healey**, *Pfizer Inc.*, New York, NY

1:05 p.m. **Adjourn**

Community Service—Support Covenant House 2:00 p.m.
Join in serving food to homeless, trafficked, and at-risk young people. Please contact James Craven at jcraven@wiggin.com for more information.

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawyers Seminar.**

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.**

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **10** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; **please check the DRI website at dri.org** for the latest information for your state.

Registration Policy

Save \$100 when you register by April 9, 2018. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **April 16, 2018** (please allow 10 days for processing). Registrations received after **April 16, 2018** will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **April 16, 2018**. Cancellations received after **April 16** and on or

before **April 23, 2018**, will receive a refund, less a \$100 processing fee. Cancellations made after **April 23** will not receive a refund, but a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is **\$895**, regardless of membership status if received on or before **April 9, 2018**. After **April 9**, the group rate is **\$995**. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Drug and Medical Device Seminar** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

DRI Financial Aid Policy

Individuals who demonstrate need may receive limited financial aid to attend DRI CLE programs under the following terms and conditions:

- Applicants must be licensed to practice law in the United States, Canada or other foreign jurisdiction. Proof of admission to the bar, including applicant's bar or Supreme Court number, must accompany the request.
- Applicants must show proof of identity and citizenship.
- Applicants must execute and deliver the approved DRI application for financial aid to the DRI Education Department, 55 W. Monroe, Suite 2000, Chicago, IL 60603 at least sixty (60) days in advance of the first day of the seminar.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at **New York Marriott Marquis, 1535 Broadway, New York, NY 10036** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$369 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit dri.org and go to the **DRI Drug and Medical Device Seminar** page and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 212.398.1900** and mention the **DRI Drug and Medical Device Seminar**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **April 9, 2018**, to be eligible for the group rate. Requests for reservations made after **April 9** are subject to room and rate availability.

FACULTY *Click on any name to view bio.*

➤ **Jennifer Sarah Haccoun Abramson**, Chubb Edwards Canada, Mississauga, ON

➤ **A. Elizabeth Balakhani**, GlaxoSmithKline, Research Triangle Park, NC

Shannon E. Beamer, Venable LLP, Baltimore, MD

Sheila L. Birnbaum, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY

Lindsey C. Boney IV, Bradley Arant Boult Cummings LLP, Birmingham, AL

Sheila S. Boston, Arnold & Porter Kaye Scholer LLP, New York, NY

The Honorable Denny Chin, US Court of Appeals for the Second Circuit, New York, NY

Jenny A. Covington, Bowman and Brooke LLP, Minneapolis, MN

Jessica Benson Cox, Faegre Baker Daniels LLP, Indianapolis, IN

Jaime L. Dodge, Emory University School of Law, Atlanta, GA

David E. Dukes, Nelson Mullins Riley & Scarborough LLP, Columbia, SC

➤ **Lisa M. Floro**, Coloplast Corp., Minneapolis, MN

Sara J. Gourley, Sidley Austin LLP, Chicago, IL

➤ **James K. Grasty**, Merck & Co., Inc., North Wales, PA

Bruce A. Green, Fordham University School of Law, New York, NY

➤ **Markus Green**, Pfizer Inc., New York, NY

➤ **Nefertiti Greene**, Ethicon, a division of Johnson & Johnson, Somerville, NJ

Jason Rhae Harmon, Shook Hardy & Bacon LLP, Kansas City, MO

➤ **Daniel Healey, Pfizer Inc.**, New York, NY

Michael-Bryant Hicks, Saint Louis, MO

Timothy E. Hudson, Thompson & Knight LLP, Dallas, TX

➤ **Robert S. Jett III**, Jett Data Services LLC, Warwick, NY

➤ Denotes the **DRI CLIENT CONNECTION**: In-house and claims professional speakers

David N. Kelley, Dechert LLP, New York, NY

➤ **Deirdre R. Kole**, Johnson & Johnson, New Brunswick, NJ

➤ **Harry Kovelman, MD**, Helius Medical Technologies, Newtown, PA

Glenn G. Kuper, Jr., PhD, Tsongas Litigation Consulting, Portland, OR

Corena G. Larimer, Tucker Ellis LLP, San Francisco, CA

➤ **Donald C. Le Gower**, Bristol-Myers Squibb Co., Lawrenceville, NJ

➤ **Bradley E. Lerman**, Medtronic PLC, Minneapolis, MN

Ted J. McDonald III, McDonald Davidson PA, Overland Park, KS

Madeleine M. McDonough, Shook Hardy & Bacon LLP, Washington, DC

Lynn Mehler, Hogan Lovells US LLP, Washington, DC

Kevin L. Ong, PhD, PE, Exponent, Philadelphia, PA

Thomas R. Pack, Maslon LLP, Minneapolis, MN

Teri H. Peebles, Sidley Austin LLP, New York, NY

➤ **Anna S. Richo**, UCB SA, Brussels, Belgium

Gail Rodgers, DLA Piper LLP (US), New York, NY

Alan E. Rothman, Arnold & Porter Kaye Scholer LLP, New York, NY

➤ **Joan M. Schmidt**, Biotronik Inc., New York, NY

Erik W. Snapp, Dechert LLP, Chicago, IL

Brett A. Tarver, Jones Day, Atlanta, GA

Craig A. Thompson, Venable LLP, Baltimore, MD

Charissa N. Walker, Tucker Ellis LLP, Cleveland, OH

Wendy Weiss, Navigant Consulting, Los Angeles, CA

Beth A. Wilkinson, Wilkinson Walsh & Eskovitz, Washington, DC

➤ **Kacy Elizabeth Wiggum**, Novo Nordisk Inc., Plainsboro, NJ

Maryanne C. Woo, Reed Smith LLP, Chicago, IL

View faculty bios on the Drug and Medical Device Seminar webpage; click on “View speakers” button.

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February 7–9

Product Liability Conference

*San Diego Marriott Marquis,
San Diego, CA*

March 1–2

Toxic Torts and Environmental Law

Sheraton Nashville Hotel, Nashville, TN

March 14–15

Appellate Advocacy

Planet Hollywood, Las Vegas, NV

April 25–27

Construction Law

*Hilton Nashville Downtown,
Nashville, TN*

April 26–27

Business Litigation

The Ritz-Carlton Denver, Denver, CO

June 14–15

Diversity for Success

*Marriott Downtown
Magnificent Mile, Chicago, IL*

June 20–22

Young Lawyers

*Portland Marriott Downtown,
Portland, OR*

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Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

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What is your primary area of practice? _____

Registration fee includes seminar attendance, networking events, course materials, and access to the DRI App. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar.

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<input type="checkbox"/> Law Student Member	FREE		
<input type="checkbox"/> In-House Counsel Member*	FREE		
<input type="checkbox"/> Claims Executive Member*	FREE		
<input type="checkbox"/> Group Discount*	\$895	\$995 (*as defined on page 5)	
<input type="checkbox"/> Community Service Project	FREE		
<input type="checkbox"/> Diversity and Inclusion Luncheon**	\$50	(**see page 3)	
<input type="checkbox"/> In-House Breakout***	FREE	(***limited attendance; must register; see page 2)	

Signature _____

131 S. Dearborn, 6th Floor, Chicago, IL 60603



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Drug and Medical Device Seminar

May 10-11, 2018
New York Marriott Marquis
New York, NY

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