



**AGENDA**  
ANSI Legal Issues Forum

Wednesday, October 17, 2007

**Venue**  
The Fairmont Washington  
2401 M Street, NW  
Washington, DC 20037

1 – 5 pm

1:00 pm	<p><b>Welcome Remarks</b> Meeting Purpose and Objectives</p>	<p><b>Patricia A. Griffin, Esq.</b> American National Standards Institute</p>
1:10 pm	<p><b>Panel I: The Legal Landscape</b></p> <p><b>Risks of Tort Liability for SDOs involved in Standard Setting</b> An overview of key decisions addressing liability for negligent standards development, including discussion of theories of liability against SDOs.</p> <p><b>Risks of Tort Liability for Certification Bodies involved in Product Certification</b> A scrutiny of cases alleging negligence by certification bodies for allowing third parties to use their logo on allegedly defective products.</p> <p><b>Avoiding Tort Liability: What Works and What Doesn't Work</b> A discussion of what strategies, actions and/or defenses SDOs and conformity assessment bodies should consider in seeking to avoid tort liability.</p>	<p><b>Moderator:</b> <a href="#">Dan Bart</a> Telecommunications Industry Association</p> <p><a href="#">Creighton Magid, Esq.</a> Dorsey &amp; Whitney LLP</p> <p><a href="#">Peter Selvin, Esq.</a> Loeb &amp; Loeb</p> <p><a href="#">Michael L. Weiss, Esq.</a> King &amp; Spalding LLP</p>
2:15-2:30 pm	<b>Break</b>	
		<i>continued</i>

2:30 pm	<p><b>Panel II: Strategic Use of Standards in Litigation: Case Studies</b></p> <p><b>A Plaintiff’s Lawyer’s Perspective: Use of Standards in Litigation</b> A discussion of how plaintiffs seek to <i>establish</i> liability using voluntary standards, including whether a voluntary standard in a particular case was met and whether the standard was stringent enough. Cases discussed will include electrical fires, construction and insurance standards.</p> <p><b>The Defendant’s Lawyer’s Perspective: Use of Standards in Litigation</b> A discussion of what kinds of arguments a defendant may raise in the face of claims that a voluntary standard imposes a <i>duty</i> on the developer, including how particular standards that are adopted by the government may come to have a <i>preemptive</i> effect. Cases discussed will include cell phone and window blinds.</p>	<p><b>Moderator</b> <b>Clark Silcox, Esq.</b> National Electrical Manufacturers Association</p> <p><a href="#">Carl S. Kravitz, Esq.</a> Zuckerman Spaeder LLP</p> <p><a href="#">Jameson B. Carroll, Esq.</a> King &amp; Spalding LLP</p>
3:30-3:45 pm	<b>Break</b>	
3:45 pm	<p><b>Panel III: Writing Safety Standards Today: Activities of the ANSI Homeland Security Standards Panel (ANSI-HSSP)</b></p> <p><b>Special Challenges Facing Standards Development Today</b> An overview of the Department of Homeland Security standards-related activities and a discussion of how concerns over tort liability are impacting standards development in the area of homeland security.</p> <p><b>A Legislative “Safe Harbor”: The Safety Act</b> A discussion of provisions relating to anti-terrorism standards in the recently-enacted Safety Act, which extends liability protections for providers of “Qualified Anti-Terrorism Technologies”.</p> <p><b>Safety Standards: Are they Safe from Tort Liability?</b> A discussion of the Safety Act from the perspective of a Standards Developing Organization.</p>	<p><b>Moderator</b> <b>Mary Saunders</b> National Institute of Standards and Technology</p> <p><a href="#">William Raisch</a> New York University International Center for Enterprise Preparedness (InterCEP)</p> <p><a href="#">Mark Rosen, Esq.</a> Department of Homeland Security</p> <p><b>Maureen Brodoff, Esq.</b> National Fire Protection Association</p>
5:00 p.m.	<b>Adjourn</b>	